

CHAPTER 1287
Tattoo Parlors and Body Piercing Establishments

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1287.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- (a) "Body-piercing" means the perforation of human tissue other than an ear for a non-medical purpose.
- (b) "Body-piercing establishment" means an establishment where the perforation of human tissue other than ear for a non-medical purpose, is performed whether or not it is in exchange for compensation or any form of consideration.
- (c) "Tattoo parlor" means an establishment where persons are tattooed for consideration, other than by licensed medical practitioner or cosmetologist; or any place where tattooing is regularly conducted whether or not it is in exchange for compensation.
- (d) "Tattoo, tattooed, tattooing" means any method of placing permanent designs, letters, scrolls, figures, symbols or any other marks upon or under the skin with ink or any other substance, by the aids of needles or any other instruments designed to touch or puncture the skin, resulting in either the coloration of the skin, or the production of scars or scarring, other than by branding.

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1287.02 SCHEDULE OF USE REGULATIONS.

- (a) Body-piercing establishments are subject to the following provisions:
 - (1) No body-piercing establishment shall be permitted within six hundred feet of any residential district. Measurement shall be made from the outermost boundary of the lot or parcel upon which the proposed use will be situated to the outermost residential district boundary.
 - (2) No body-piercing establishment shall be permitted within one thousand feet of a school, library, public park, public playground, or church. Measurement shall be made from the outermost boundary of the lot or parcel upon which the proposed use will be situated to the outermost boundary of the lot or parcel of which the school, library, public playground, or church is situated.

- (3) No body-piercing establishment shall be located within one thousand feet of another body-piercing establishment. Measurement shall be made from the outermost boundary of the lot or parcel of an existing body-piercing establishment to the outermost boundary of the lot or parcel of the proposed use.
- (4) The special use permit shall expire one year from the date of issuance and may be renewed only upon application in accordance with Chapter 1287.
- (5) The permittee shall allow the Code Enforcement Officer to inspect the premises annually in conjunction with the renewal application of the special use permit or at any time the body-piercing establishment is open for business for the purpose of ensuring compliance with provisions of the special use permit.
- (6) The site plan shall include a diagram that shows all zoning districts and any school, library, public park, public playground, or church within one thousand feet of the proposed use. The diagram shall be drawn to a scale of not greater than one inch equals one hundred feet.
- (7) The premises in which the body-piercing is performed as all equipment used shall be maintained in a clean, sanitary condition and in good repair. The walls, floors, and ceilings shall have an impermeable, smooth and washable surface. All tables, chairs, and other equipment shall be made of nonporous materials that may be readily disinfected.
- (8) All used razors, needles, latex gloves, skin-cleansing sponges, gauze dressings, and other materials that have come in contact with human blood or other bodily fluids, excepting furniture and floor and wall coverings, shall be considered medical waste as that term is defined in the Medical Waste Regulatory Act, being M.C.L.A. 333.13801 et seq., and must be handled and discarded in the manner specified in such act, depending on the item of waste to be disposed.
- (9) An individual shall not perform body-piercing on a minor unless the individual obtains the prior written informed consent of the minor's parents or legal guardian. The minor's parent or legal guardian shall execute the written, informed consent required under this section in the presence of the individual performing the body-piercing on the minor or in the presence of an employee or agent of that individual. For the purposes of this section, "minor" does not include a minor who is emancipated pursuant to Section 4 of Act No. 293 of the Public Acts of 1968, being M.C.L.A. 622.4.
- (10) An individual shall not perform body-piercing on another individual if the other individual is under the influence of intoxication liquor or a controlled substance.

- (b) Tattoo parlors are subject to the following provisions:
- (1) No tattoo parlor shall be permitted within six hundred feet of any residential district. Measurement shall be made from the outermost boundary of the lot or parcel upon which the proposed use will be situated to the outermost residential district boundary.
 - (2) No tattoo parlor shall be permitted within one thousand feet of a school, library, public park, public playground, or church. Measurement shall be made from the outermost boundary of the lot or parcel (upon which the proposed use will be situated to the outermost boundary of the lot or parcel on which the school, library, public park, public playground or church is situated).
 - (3) No tattoo parlor shall be located within one thousand feet of another tattoo parlor. Measurement shall be made from the outermost boundary of the lot or parcel upon which the proposed use will be situated to the outermost boundary of the lot or parcel on which the existing parlor is located.
 - (4) The special use permit shall expire one year from the date of issuance and may be renewed only by application in accordance with Chapter 1287.
 - (5) The permittee shall allow the Code Enforcement Officer to inspect the premises annually in conjunction with the renewal application of the special use-permit or at any time the tattoo parlor is open for business for the purpose of ensuring compliance with the provisions of the special use permit.
 - (6) The site plan shall include a diagram that shows all zoning districts and any schools, library, public park, public playground or church within one thousand feet of the proposed use. The diagram shall be drawn to a scale of not greater than one inch equals one-hundred feet.
 - (7) The premises in which tattooing is performed and all equipment used shall be maintained in a clean, sanitary condition and in good repair. The walls, floors, and ceiling shall have an impermeable, smooth and washable surface. All tables, chairs, and other equipment shall be made of nonporous materials which may be readily disinfected.
 - (8) All used razors, needles, latex gloves, skin-cleansing sponges, gauze dressings, and other materials that have come in contact with human blood or other bodily fluids, excepting furniture and floor and wall coverings, shall be considered medical waste as that term is defined in the Medical Waste Regulatory Act, being M.C.L.A. 333.13801 et seq., and must be handled and discarded in the manner specified in such act, depending on the item of waste to be disposed of.

- (9) An individual shall not tattoo or brand a minor unless the individual obtains the prior written informed consent of the minor's parent or legal guardian. The minor's parent or legal guardian shall execute the written, informed consent required under this subsection in the presence of the individual performing the tattooing or branding on the minor or in the presence of an employee or agent of that individual. For the purposes of this section, "minor" does not include a minor who is emancipated pursuant to Section 4 of Act No. 293 of the Public Acts of 1968, being M.C.L.A. 622.4.
- (10) An individual shall not tattoo or brand another individual if the other individual is under the influence of intoxication liquor or a controlled substance.
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