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## **Body Art Plan Check Guidelines**

### **BACKGROUND**

The Safe Body Art Act was signed into Law on Oct. 9, 2011; and was developed to provide minimum statewide standards for practitioners engaged in the business of tattooing, body piercing, branding, and the application of permanent cosmetics in California.

Solano County requires all Mechanical clasp and Stud piercing facilities register with our office to conduct ear piercing only, as a notification tier.

The requirements listed in California Health and Safety Code Sections 119300 – 119328 are intended to protect both the practitioner and the client from transmission of infectious diseases through the application of proper body art procedures and the control of cross-contamination of instruments and supplies. A body art facility must meet requirements listed in the California Health and Safety Code to offer or perform body art procedures to the public.

The Safe Body Art Act authorizes specified inspections by an enforcement officer and would provide for the suspension or revocation of a certificate of registration or a health permit in specified circumstances. Performing body art without being registered, operation of a body art facility without a health permit, or operation of a temporary body art event without a permit is a misdemeanor and would authorize the local enforcement agency to assess an administrative penalty, in an amount not less than \$25 and not more than \$1,000, for violating any provision of the bill. The local enforcement agency, in addition to these penalties, can impose a penalty of up to three times the cost of the registration or permit on a practitioner, owner of a body art facility, or sponsor of a temporary body art event who fails to obtain needed permits.

A person proposing to construct a body art facility or a mobile body art facility, other than a temporary body art event booth, shall submit plans to the Plan Check Unit of the local enforcement agency. The plans shall be approved in advance of the issuance of a building, plumbing, or electrical permit. All required corrections must be made, and the body art facility approved to open and issued a health permit before body art can be performed in the facility.

### **DEFINITIONS**

*"Body art"* means body piercing, tattooing, branding, or application of permanent cosmetics.

*"Body Art Facility"* is the specified building, section of a building, or vehicle in which a practitioner performs body art, including reception areas, the procedure area, and the decontamination and sterilization area.

"*Decontamination*" means the use of physical or chemical means to remove, inactivate, or destroy bloodborne pathogens on a surface or item to the point where the pathogens are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use, or disposal.

"*Disinfectant*" means a product that is registered by the federal Environmental Protection Agency and the Department of Pesticide Regulation, as indicated on the label, to reduce or eliminate the presence of disease-causing microorganisms, including human immunodeficiency virus (HIV) and hepatitis B virus (HBV) for use in decontaminating work surfaces.

"*Infection Prevention And Control Plan (IPCP)*" a written plan provided by the owner or established by the practitioners, specifying the procedures (i.e. decontaminating, disinfecting, packaging, sterilizing, and storing reusable instruments; set up and tear down; techniques to prevent the contamination of instruments; and safe handling and disposal of sharps waste) to achieve compliance with the requirements of the Safe Body Art Act.

"*Practitioner*" means a person who performs body art on a client.

"*Sterilization*" means the complete destruction of all microbial life forms, including spores.

"*Workstation*" means the area within a procedure area where a practitioner performs body art. The workstation includes, but is not limited to, the client chair or table, counter, mayo stand, instrument tray, storage drawer, and practitioner's chair.

## **GENERAL REVIEW**

- A. When a tattoo, permanent cosmetic, branding or piercing business (Body Art Facility) is constructed or remodeled, plans and specifications for such construction, remodel or alteration shall be submitted to the Division of Environmental Health (DEH).
  - a. Permits are not transferrable to a new owner or location.
- B. The plans shall consist of a scaled drawing (i.e.  $\frac{1}{4}'' = 1'$ ) and a floor plan indicating the layout of procedure areas, cleaning and sterilization area, sink counters, storage areas, equipment, toilet facilities and reception areas.
  - DEH may take up to twenty (20) business days to review and/or approve your plans.
- C. Plan submissions shall include a finish schedule for walls, floors, and ceilings, as approved by DEH.
- D. Completed IPCP which provides detailed operational procedures.
- E. All construction is to be done in accordance with approved plans. Approval by DEH and all applicable permits must be obtained before commencing work. A final inspection is conducted upon completion of all work and approval from the building official if applicable. It is the responsibility of the owner, operator or contractor to call for an appointment a minimum of 48 hours in advance, and scheduling is subject to availability.
- F. If re-opening an existing body art facility that does not have a current health permit, a walk-through inspection is required. An appointment will be made for an on-site visit by a Plan Check Specialist based on availability. You will be advised at the walk-through if plans are required to be submitted.

## CONSTRUCTION GUIDELINES

- All walls, floors, procedure areas, and workstations of a body art establishment must be smooth, free of open holes or cracks, easy to clean, and in good repair. A finish schedule is required.
- All procedure areas and workstations, including client chairs and benches, must be of a material that is easily cleanable and disinfected after each client. Specifications for all furniture is required.
- There must be a minimum of 80 square feet of floor space for each procedure area in the establishment.
- If the establishment offers an area screened in from public view for clients requesting privacy, it must be constructed and operated in compliance with this Code (e.g., smooth and easy to clean)
- All body art establishments must be completely separated by solid partitions or by walls extending from floor to ceiling from any room used for human habitation, any food establishment or room where food is prepared, any nail or hair salon, or any other such activity that could cause potential contamination of work surfaces.
- The facility must be free of pests, including insects, rodents, and vermin. The facility must be adequately vermin and weather proofed.
- The establishment must be well-ventilated and have an artificial light source. Where the body art procedure is being performed and where instruments and sharps are assembled, there must be an artificial light source equivalent to at least 50 foot candles.
- All counter surfaces and service trays shall have a smooth, durable, and nonabsorbent finish.
- No animals of any kind are allowed in a body art establishment except service animals used by persons with disabilities in accordance with ADA regulations.
- The body art procedure area must be equipped with a separate, ***readily accessible hand washing sink in view of the practitioner***, that is supplied with soap and disposable paper towels in mounted dispensers. The handwashing sink must be within 20 feet of walking distance to the practitioner area.
- The body art procedure area must be equipped with hand washing facilities for its personnel with unobstructed access (e.g., no doors), such that the body artists can go to and from their workstations without having to touch anything with their hands.
- All sinks shall be permanently plumbed and meet local building and plumbing codes. Sinks shall be supplied with hot and cold running water, containerized liquid soap, and single-use paper towels that are dispensed from a wall-mounted, touchless dispenser.
  - Sinks used for handwashing and where there is a mixing valve or combination faucet shall be equipped with hot water that reaches at least 100°F.

The size of the facility water heater should allow for 5 gallons per hour for every sink compartment in the facility. For example, if there is one hand sink in the service area for practitioner use, one in the restroom and one in the decontamination area, you would need a water heater with a recovery rate of 15 gallons per hour.

**NOTE:** To figure out the kilowatts or BTU's needed for the water heater you need, please use the charts below. Additionally, you will need to know your average incoming water temperature. The tables below assume you are beginning with water of 60°F

### **SIZING TABLE FOR GAS WATER HEATERS**

Gallons Per Hour Delivery At Indicated Temperature Rise

BTU (X 1000)	60°F
5	8
10	15
15	23
20	30
25	38
30	45
35	53

### **SIZING TABLE FOR ELECTRIC WATER HEATERS**

Gallons Per Hour Delivery At Indicated Temperature Rise

KW	60°F
1	7
2	13
3	20
4	27
5	33
6	40
7	47
8	54
9	60

- There must be a minimum of one lavatory or have adequate toilet facilities, in accordance with the specifications of the State Building Standards Code, local building standard codes, and any other local ordinance; whichever is greater.
- Smoking and vaping are prohibited in all indoor areas, and must be conducted a minimum of 10 feet from entry/exit doors.
- Water supply and wastewater disposal methods must meet all local and/or state regulations.
- A lined, covered waste receptacle must be provided in every procedure area and restroom. The receptacles must be cleanable, kept clean, and have self-closing lids with hands-free controls. The receptacles must be emptied as needed.
- All noncontaminated instruments must be stored in a dry, disinfected, closed cabinet, drawer, or tightly covered container reserved for the storage of such instruments.
- No multiple use materials may be employed for body art procedures unless they are nonporous and can be cleaned and disinfected.

#### **Reusable Instruments:**

If reusable instruments are used in a body art establishment, a separate sterilization/decontamination room or area separate by a minimum of five (5) feet from the procedure area or cleanable barrier is required. The room/area must have the following:

1. A sink used only for cleaning contaminated instruments. This sink should not be used for hand washing.
2. The decontamination and sterilization area must be equipped with steam autoclave manufactured for the sterilization of medical instruments. CHSC §119315(b)(1), 119309(e) Chemical and dry heat sterilizers are not accepted. (Note: If an ultrasonic cleaner will be used, it should be included on the plan.)

- a. The covered ultrasonic unit and the sink used for rinsing and scrubbing contaminated tools must be separated from the autoclave to prevent contamination. (Use of a splash guard may be considered during your plan review).
3. Cabinets or drawers made of smooth nonporous wipeable materials if any items are stored in the room.
4. No other services including but not limited to tattooing, piercing, or retail sales may occur within this sterilization room/area.

#### Single Use Instruments:

1. Single-use items must not be used on more than one client for any reason. After use, all single-use needles, razors, and other sharps must be immediately disposed of in approved sharps containers.
2. All products applied to the skin, including body art stencils, pens, markers, etc. must be single use and disposable.
3. Products used in the application of stencils must be dispensed and applied on the area to be tattooed with a suitable clean, single use product and used in a manner to prevent contamination of the original container and its contents. The clean, single use product must be used only once and then discarded.

#### Sharps containers:

- Sharps must be discarded at the point of origin into single-use or reusable sharps containers.
- A sealable, rigid and puncture resistant “sharps container” must be provided at each procedure area for the disposal of sharp waste that come in contact with blood and/or body fluids that is labeled with the words “Sharps Waste” or the international biohazard symbol and the word “BIOHAZARD”.
- All sharp waste shall be removed and disposed by a licensed waste hauler. Materials shall be disposed of at a licensed treatment facility or removed and transported through a mail-back system authorized by the State Department of Public Health.

#### **Documents Made Available**

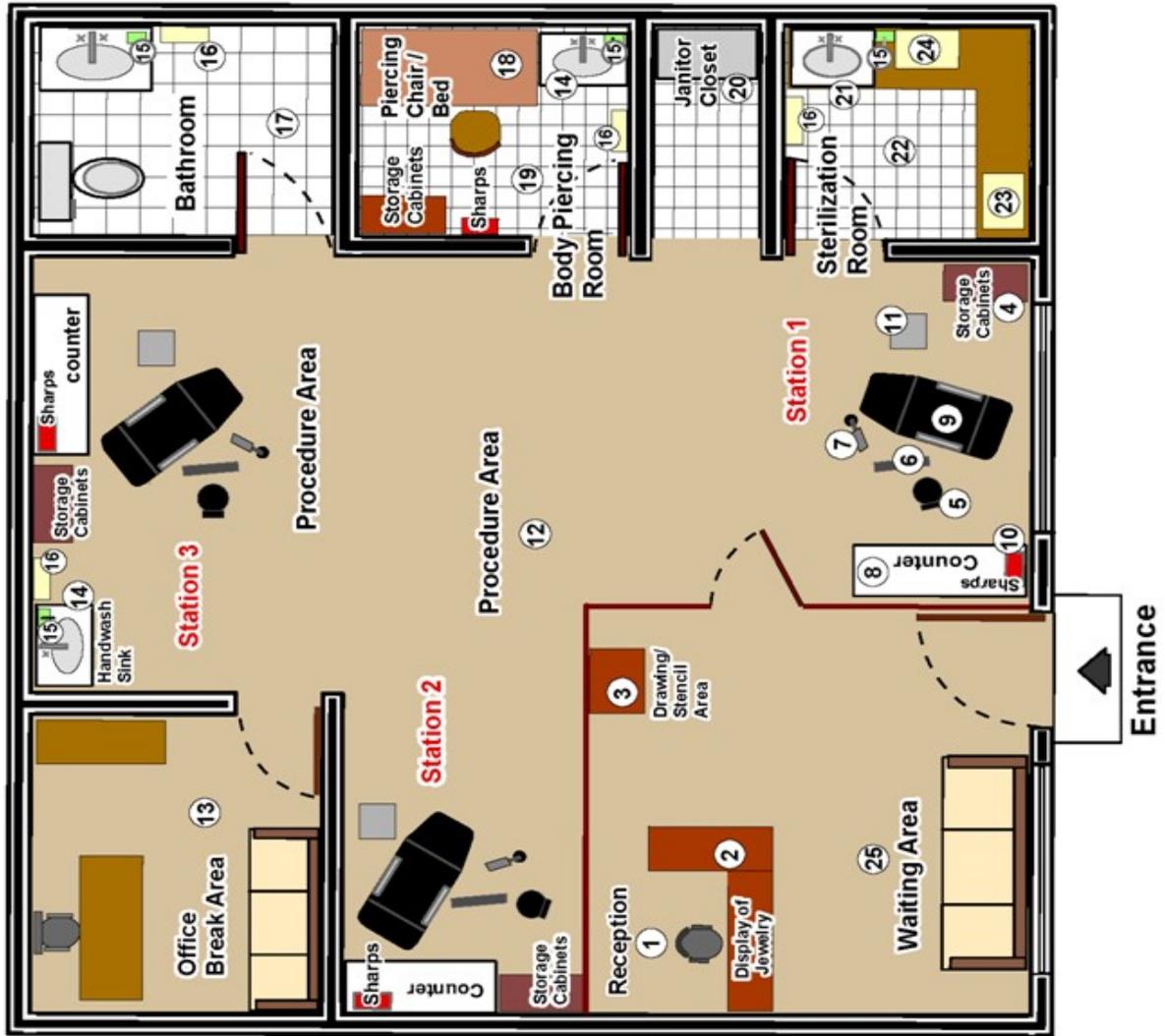
- The Infection Prevention and Control Plan (IPCP), or any record, file, paper, process, invoice, or receipt for the purpose of determining compliance shall be available and maintained on-site. Records of required training shall be maintained for three years.
- A written log of each sterilization cycle shall be maintained for three years, shall be available for inspection by the enforcement officer.
- Maintain for at least 90 days the following: records of purchase, including the names of the practitioner and client and the date of the procedure. Written proof on company or laboratory letterhead showing that the pre-sterilized instruments have undergone a sterilization process. Written proof shall clearly identify the instruments sterilized by name or item number and shall identify the lot or batch number of the sterilizer run.
- Prior to the performance of body art, the client shall read, complete, and sign an informed consent form and medical questionnaires. At the completion of the procedure, provide post procedure instructions.

#### **Practitioner Information**

- Practitioner shall use appropriate personal protective equipment, including gloves, aprons, laps pads, etc.
- Gloves shall be worn throughout and if removed, hand hygiene performed before new gloves are donned.
- While branding, appropriate protective face filter masks shall be worn by practitioner and client.
- No food, drink, tobacco product or personal effects shall be permitted in the procedure areas.
- A machine used to insert pigments shall be of a safe design with removable parts between the tip and motor housing to prevent backflow in the enclosed parts of the motor housing.
- A hand tool used to insert pigment shall be disposed of in a sharps container, with the sharps intact, unless the needle can be mechanically ejected from the hand tool.
- Only commercially manufactured inks, dyes, and pigments shall be used.
- Inks, pigments, soaps, and other products in multiple-use containers shall be dispensed in a manner to prevent contamination of the storage container and its remaining contents through the use of a single-use receptacle.
- Needles, needle bars, grommets, and razors shall be discarded into a sharps waste container immediately upon completion of the procedure.
- Only jewelry made of ASTM F138, ISO 5832-1, and AISI 316L or AISI 316LVM implant grade stainless steel, solid 14-karat through 18- karat yellow or white gold, niobium, ASTM F 136 6A4V titanium, platinum, or other materials found to be equally biocompatible shall be placed in newly pierced skin.
- Approved Environmental Protection Agency (EPA) or Department of Pesticide Regulation (DPR) disinfectants and antiseptic solutions used for preparation of the procedure site shall be provided. Material Safety Data Sheets shall be available for each chemical.
- The practitioners' certificate of registration and all necessary health permits must be posted in public view.

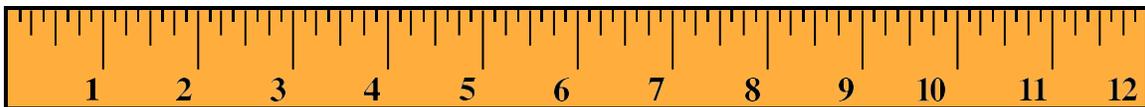
Practitioner registration shall be renewed annually by submitting a copy of your blood borne pathogen training and any applicable changes in your body art site, the Body Art Facility will be held responsible for allowing unregistered practitioners to operate in a Body Art facility and may be subject to suspension or applicable fines.

# Example Site Plan



1	Reception Desk
2	Display Case
3	Drawing / Stencil Area
4	Storage Cabinets *
5	Chair
6	Armrest
7	Lamp
8	Counter *
9	Procedure Area Bed / Chair
10	Sharps Containers
11	Work Station Tray
12	Procedure Area *
13	Office / Break Room
14	Handwash Sink *
15	Liquid Soap
16	Single - Use Paper Towel Dispenser *
17	Bathroom *
18	Piercing Chair / Bed
19	Body Piercing Room * (If Applicable)
20	Janitor Closet
21	Bio Sink *
22	Sterilization Room *
23	Autoclave *
24	Ultrasonic Cleaner *
25	Waiting Room *

\* Items containing this asterisk are required to be shown on the scaled plans.



1/4 inch = 1ft

# **Example of Finish Schedule**

## ROOM/AREA MATERIALS AND FINISHES

ROOM OR AREA	FLOOR	WALLS
<i>Example: Restroom</i>	<i>Smooth quarry tile</i>	<i>Gypsum board; smooth; semi-gloss paint Swiss coffee</i>
Restroom		
Procedure Areas		
Decontamination and Sterilization Room		
Body Piercing Room		
Drawing/Stencil Area		
Reception and Waiting Area		

## EQUIPMENT INFORMATION – PART ONE

ROOM OR AREA	LOCATION	MANUFACTURER	MODEL NUMBER
<i>Example:</i>			
Autoclave			
Ultrasonic Machine			
Permanent Cosmetic Machine			
Water Heater Capacity: gal.			
Potable Water Tank Capacity: gal.			
Waste Water Tank Capacity: gal.			

**Note: Please provide specification sheets for all equipment.**

## EQUIPMENT INFORMATION – PART TWO

ROOM OR AREA	DESCRIPTION OF MATERIAL
<i>Example: Restroom</i>	
Practitioner Chair	
Client Chair	
Piercing Table	
Stool	
Arm Rest	
Mayo Trays	
Counters	
Storage Cabinets	
Disposable Instruments	