

## APPENDIX B

### CHAPTER 30

#### BODY ART LICENSING AND REGULATION

SUBCHAPTER I		
GENERAL PROVISIONS		
30.001	Effective date.	30.010 Licensing.
30.002	Purpose.	30.011 Appeals.
30.003	Administration.	30.012 Plans, construction, sanitation, and equipment.
30.004	Interpretation.	30.013 Fees.
30.005	Authority.	
30.006	Applicability.	
SUBCHAPTER II		
DEFINITIONS		
30.007	Word usage.	
30.008	Definitions.	
SUBCHAPTER III		
PROCEDURES AND ADMINISTRATION		
30.009	Regulations, rules, and laws adopted by reference.	
		SUBCHAPTER IV
		HEALTH AND SANITARY REQUIREMENTS
		30.014 Health and sanitary requirements.
		SUBCHAPTER V
		ENFORCEMENT
		30.015 Temporary orders.
		30.016 Violations and penalties.

---

#### SUBCHAPTER I

##### GENERAL PROVISIONS

**30.001 Effective date.** This ordinance shall become effective upon its adoption by the Sauk County Board of Supervisors.

**30.002 Purpose.** The purpose of this ordinance is to protect and improve the public health and safety of the community by proper licensure and regulation of tattoo, body piercing, and other body art establishments in Sauk County, and to authorize the Sauk County Health Department to act as an agent for the State of Wisconsin for the purposes set forth herein

**30.003 Administration.** This ordinance shall be administered by the health department under the guidance of the board of health, in cooperation with state agencies. The Sauk County Health Officer shall have the power to ensure compliance with the intent and purpose of this ordinance by any means authorized by the law. The health officer may designate in writing other employees of the health department as designees to carry out the responsibilities of this ordinance. These designees shall have those powers designated by the health officer and may include any power or duty of the health officer.

**30.004 Interpretation.** In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of Sauk County, and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes or other county ordinance.

**30.005 Authority.** The board of health of the Sauk County Health Department holds the authority to adopt regulations to protect and improve public health pursuant to Wis. Stat. § 251.04(3). Under Wis. Stat. § 463.16(1), the Department of Safety and Professional Services (DSPS) designated the Sauk County Health Department as an agent for issuing licenses to, collecting fees from, and making investigations or inspections of body piercing and tattoo establishments. Under Wis. Stat. § 463.16(6), the board of health may adopt and impose regulations on licensees and premises for which the local health department is the designated agent, which are stricter than these chapters or rules adopted by the state. This ordinance is adopted pursuant to the authority granted by law including Wis. Stat. chs. 68, 250, 251, 252, 463 and §§66.0119, 66.0417, 66.0109, and Wis. Admin. Code ch. SPS 221, and as further updated or modified by law.

**30.006 Applicability.** The provisions of this regulation shall apply to tattoo establishments, body piercing establishments, and other body art establishments in the County of Sauk including all municipalities within Sauk County.

## SUBCHAPTER II

### DEFINITIONS

**30.007 Word usage.** For the purposes of this ordinance, certain words and terms are used as follows:

(1) Words used in the present tense include the future.

(2) Words in the singular include the plural.

(3) Words in the plural include the singular.

(4) The word “shall” is mandatory and not permissive.

(5) Words and phrases not defined in this subchapter shall be construed according to common and approved usage, but technical words and phrases and others that have a peculiar meaning shall be construed according to the peculiar meaning unless such construction would produce a result inconsistent with the manifest intent of this ordinance.

**30.008 Definitions.** For the purposes of this ordinance, all definitions as set forth in Wis. Stat. ch. 463, and § 66.0417, and Wis. Admin Code ch. SPS 221, are incorporated in this ordinance by reference and shall be construed, read, and interpreted as if fully set forth in this subchapter until amended, and then shall apply as amended. Additional words and terms are defined as follows:

(1) “Board of health” means the Sauk County Board of Health.

(2) “Body art establishment” includes body-piercing establishments, tattoo establishments, and other body art establishments as defined in this ordinance.

(3) “Body piercing” means perforating any human body part or tissue, except an ear, and placing a foreign object in the perforation to prevent the perforation from closing.

(4) “Body-piercing establishment” means the premises where a body piercer performs body piercing.

(5) “Branding” means a form of body modification that involves applying extreme heat to the skin in order to create a burned image or pattern.

(6) “Combined tattoo and body piercing establishment” means the premises where a tattooist or body piercer performs a tattoo or body piercing.

(7) “Combined temporary tattoo and body piercing establishment” means the premises where a tattooist or body piercer performs a tattoo or body piercing for a maximum of 7 days.

(8) “County” means Sauk County, Wisconsin.

(9) “Health department” means the Sauk County Health Department.

(10) “Health director” means the director of the health department.

(11) “Health officer” means a public official charged with the administration, enforcement, and interpretation of the Sauk County Body Art Ordinance.

(12) “License” refers to a document issued by the Sauk County Health Department to allow the operation of a public facility.

(13) “Other body art” includes surface-anchoring, subdermal implanting, tongue bifurcation, branding, or scarification. This definition does not include practices that are considered part of a medical procedure performed by board-certified medical or dental personnel, such as, but not limited to, implants under the skin, such medical procedures shall not be performed in a body art establishment.

(14) “Other body art establishment” means an establishment or premises where surface-anchoring, subdermal implanting, tongue bifurcation, branding, or scarification is performed.

(15) “Patron” means a person receiving a tattoo, body piercing, or other body art as defined in s. 30.008.

~~(16) “Scarification” means cutting an image into the skin and purposely irritating the wound to encourage scarring during the healing process.~~

(16) “Sharps container” means rigid puncture-resistant labeled containers made of

materials including metal or rigid plastic, designed to prevent the loss of the contents, labeled with visible bio-hazard emblem or with the visible words “bio-hazard”, “sharps”, or “infectious waste”.

(17) “Subdermal implant” means a kind of body jewelry that is placed underneath the skin, therefore allowing the body to heal over the implant and creating a raised design.

(18) “Supervising practitioner” means a body art practitioner licensed in the state where he or she practices and has at least one year of experience performing the technique the apprentice is learning.

(19) “Surface-anchoring” also referred to as micro-dermal piercing or single point piercing means a type of piercing where jewelry is installed on a body surface.

(20) “Tattoo,” as a verb, means to insert pigment under the surface of the skin of a person, by pricking with a needle or otherwise, so as to produce an indelible mark or figure through the skin.

(21) “Tattoo establishment” means the premises where a tattooist applies a tattoo to another person.

(22) “Tongue bifurcation” also referred to as splitting or forking, means a type of body art in which the tongue is cut centrally from its tip to as far back as the underside base, forking the end.

### SUBCHAPTER III

#### PROCEDURES AND ADMINISTRATION

**30.009 Regulations, rules, and laws adopted by reference.** The applicable laws, rules, regulations set forth in Wis. Stat. ch. 463, and Wis. Admin. Code ch. SPS 221, governing tattooing and body piercing are incorporated in this regulation by reference which specifically apply to tattoo establishments and body piercing establishments and they shall be construed, read and interpreted as though fully set forth herein until amended and then shall apply as amended. The express provisions of this regulation shall control where more restrictive.

**30.010 Licensing.** No person shall operate a body art establishment without first obtaining a

license from the health department. The issuance of licenses shall be governed by this ordinance and as set forth in applicable state regulations as adopted by reference.

(1) **LICENSE POSTED.** Each body art establishment or temporary body art establishment required to obtain a license pursuant to this ordinance shall prominently display the license at all times in a conspicuous, public place.

(2) **TRANSFERABILITY.** Licenses are not transferable between persons, establishments, or to a location other than the one for which it was issued.

(3) **EXPIRATION.** Such licenses shall expire on June 30 following their issuance except that licenses issued under Wis. Admin. Code ch. SPS 221.04(2)(a), for tattooing and piercing establishments and for other body art establishments or temporary body art establishments initially issued during the period beginning on April 1 and ending June 30 shall expire June 30 of the following year.

(4) **STATE PRACTITIONER’S LICENSE.** All tattoo and body-piercing practitioners must hold a valid state practitioner’s license under Wis. Admin. Code ch. SPS 221.04(1)(b).

~~(5) LOCAL BODY ART PRACTITIONER’S LICENSE. A separate license from the one required under Wis. Admin. Code ch. SPS 221.04(1)(b), is required for a practitioner who performs tattooing, body piercing, dermal piercing, subdermal implanting, tongue bifurcation, branding, or scarification in Sauk County. Such licenses shall expire on June 30 following their issuance, unless they are issued between April 1 and June 30, in which case they shall expire on June 30 of the following year. To be eligible for a practitioner’s license, a person—~~

~~a. Be 18 years of age or older.~~

~~b. Pay a licensure fee.~~

~~c. Provide proof that he or she attended an approved training on blood-borne pathogens and infection control within the last 24 months.~~

~~d. Provide an affidavit, signed by the supervising practitioner, of at least 200 hours of experience gained under the direct supervision of a licensed body art practitioner who practices the same skill for which the person seeks licensure.~~

(5) **CONDITIONAL LICENSE.** The issuance of a license, for any reason, may be conditioned upon

the licensee correcting a violation of this regulation within a specified period of time not to exceed six months.

(6) **PRE-INSPECTION REQUIRED.** A license shall not be granted to a person intending to operate a new body art establishment or to a person intending to be the new operator of an existing body art establishment without a pre-inspection.

(7) **LICENSE SUSPENSION AND REVOCATION.** Licenses issued under this regulation may be temporarily suspended by the health officer for a violation of any provision of this regulation, or rules adopted by reference by this regulation, which creates an immediate danger to health. Such licenses may be revoked after repeated violations. The licensee shall have an opportunity for a hearing as provided in section 30.011 of this ordinance.

(8) **APPLICATION.** Applications for licenses shall be made in writing to the health department or such other office as designated by the health department on forms provided, stating the name and address of the applicant and the address and location of the proposed body art establishment. The health department shall, within 15 business days of the receipt of a completed application, act upon the application by denying or granting the license.

**30.011 Appeals.** Appeals of health department orders shall be pursuant to health department policy adopted in conformance with the procedures for conducting appeals enumerated in Wis. Stat. ch. 68. Copies of the appeal procedures shall be available at the health department.

**30.012 Plans, construction, sanitation, and equipment.** One copy of scaled floor plans, an equipment list with specification sheets, and the intended scope of practice for new structures or major remodeling of present structures shall be submitted for approval to the health department, along with the plan review fee as required in s. 30.013(4) of this ordinance, in advance of construction.

**30.013 Fees.** The board of health has the authority to set and impose fees for services pursuant to Wis. Stat. § 463.16(4). (1) **LICENSE FEES.** The fees for the licenses shall be

established by the board of health to cover part or all of the cost of issuing licenses, making investigations, inspections, sampling, sample testing, providing education, training and technical assistance to the establishments, plus the cost required to be paid to the state for each license issued. (a.) The fees for licenses shall be established separately for each type of body art establishment.

~~b. If the annual renewal fee is not received on or before the license expiration date, late fees shall be issued pursuant to s. 30.013(2). Additionally, establishments operating 15 calendar days after the expiration will be closed by order of the health officer.~~

(b) Establishments must pay the license fee and any applicable late fees by September 1 of each year or the license is void.

(2) **LATE AND PENALTY FEES.** Late fees shall be required, as established by the board of health, for each license if the renewal fee is not paid before the license expires. ~~a.~~ (a) The license fee must be paid or post-marked by June 30th each year regardless of whether the license renewal was received.

~~b. Fees and payments received and returned by the financial institution for insufficient funds are subject to a fee, as established by the board of health.~~

(b) Fees and payments received and returned by the financial institution for insufficient funds will be removed from HealthSpace™ and the operator will be notified via a non-sufficient funds letter sent by the financial analyst.

~~e. Operators and practitioners found to be operating without a valid license shall be subject to an initial license fee as well as a penalty fee equal to that of the license fee.~~

(c) Establishments found to be operating without a valid license shall be subject to an operating without a license fee.

(3) **RE-INSPECTION FEES.** Re-inspection fees shall be established by the board of health. a. A re-inspection will be performed when an imminent hazard is identified during an inspection or onsite visit and is not correct before the inspector leaves. 1. An imminent hazard shall be defined by the Sauk County publication titled, “*Re-inspection Criteria for Tattoo and Body Piercing Establishments.*”

2. A re-inspection fee will be assessed for a second and each successive re-inspection stemming from the same complaint or routine inspection.

b. A re-inspection fee will be immediately assessed when any violation is repeated on three consecutive inspections or onsite visits.

c. A re-inspection fee will be immediately assessed when an inspection is unable to be completed due to an establishment refusing entry to a properly identified environmental health sanitarian or technician.

d. Re-inspection fees will be assessed for every required re-inspection completed until such time as the inspection is able to be fully completed or the violation ceases to exist.

e. The health department will generate an invoice for a re-inspection fee after the billable re-inspection is completed.

f. The health department may not issue or renew a body art establishment license until all fees due under this regulation are paid in full.

~~(4) — PLAN REVIEW FEES. Plan review fees shall be established by the board of health to cover part or all of the cost to review plans for new construction or extensive remodeling of a body art establishment.~~

~~(5) — PRE-INSPECTION FEES. An inspection fee is required for the initial inspection of new or existing establishments for which a person intends to be a new operator.~~

(4) An inspection fee is required for the initial inspection of a new establishment. Additionally, when a change of licensee occurs, a pre-inspection will be conducted.

#### SUBCHAPTER IV

#### HEALTH AND SANITARY REQUIREMENTS

**30.014 Health and sanitary requirements.** All body art establishments, including tattoo establishments, piercing establishments, and other body art establishments, are subject to the following sanitation requirements.

(1) ~~PATRON LIMITATIONS.~~ PATRONS.

~~(a) Consent~~ (a) *Limitations.* 1. “Consent.” A body art practitioner may not tattoo or body pierce a patron without first obtaining the signed,

informed consent of the ~~person~~ patron on a form approved by the department.

~~(b) 2. “Minors.”~~ 1. a. No person under 16 years of age may be body pierced.

2. b. No person age 16 or 17 may be body pierced unless an informed consent form has been signed by his or her parent or legal guardian in the presence of the operator.

c. No person under 18 years of age may be tattooed except by a physician in the course of the physician’s professional practice, as permitted under Wis. Stat. § 948.70(3).

d. No person under 18 years of age may undergo any of the procedures defined under s. 30.008(13) “other body art” in this ordinance.

e. A body-piercing establishment shall post a notice in a conspicuous place in the establishment stating that it is illegal to body pierce a person under the age of 18 without the signed, informed consent of that person’s parent or legal guardian.

f. A tattoo establishment shall post a sign in a conspicuous place in the establishment stating that no person under the age of 18 may be tattooed.

g. An establishment which performs any of the procedures defined under s. 30.008(13) “other body art” in the regulation shall post a sign in a conspicuous place in the establishment stating that no person under the age of 18 may have the identified procedure.

3. “Barriers to procedure.” A body art practitioner may not perform a procedure on any of the following:

a. A person who appears to be under the influence of alcohol or a mind-altering drug.

b. A person who has evident skin lesions or skin infections in the area of the procedure.

~~(2) — PATRON RECORDS~~ (b) *Record.*

~~(a)~~ Every body-art practitioner shall keep a record of each patron. A patron’s record shall include the patron’s name, address, age and consent form, the name of the practitioner doing the procedure, and any adverse effects arising from the procedure.

~~(b) A patron’s record shall be retained for a minimum of 7 years following completion of the procedure.~~ A patron’s record shall be retained for a minimum of 2 years following completion of the procedure.

~~(3)~~ **(2) PHYSICAL FACILITIES AND ENVIRONMENT.** (a) **Floors.** Floors in the area where body art procedures are performed shall be constructed of smooth, durable and non-porous material and shall be maintained in a clean condition and in good repair. Carpeting is prohibited.

(b) **Walls and ceilings.** Walls and ceilings in the area where body art procedures are performed shall be light-colored, smooth and easily cleanable.

(c) **Lighting.** Body art procedure areas shall maintain a minimum illumination of 50 foot-candles.

(d) **Premises.** The premises and all facilities used in connection with the premises shall be maintained in a clean, sanitary and vermin-free condition.

(e) **Living Areas.** Body art procedure areas shall be completely separated from any living quarters by floor-to-ceiling partitioning and solid doors which are kept closed during business hours. A direct outside entrance to the body art establishment shall be provided.

(f) **Toilet Rooms.** All body art establishments shall have a public toilet and handwashing facility which is separated from any living area.

~~(g)~~ Toilet room fixtures shall be kept clean and in good repair. An easily cleanable covered waste receptacle shall be provided in the toilet room.

(g) **Handwashing Facilities.** At least one handwashing facility shall be conveniently located in the body art area, in addition to what is provided in the toilet room.

~~(h)~~ Anti-bacterial soap in a dispenser and single-service towels for drying hands shall be provided at all handwashing facilities.

~~(i)~~ Hot and cold potable water under pressure shall be available at all handwashing facilities except that tempered water rather than hot water may be provided.

~~(j)~~ **(h) Refuse.** Easily cleanable waste containers with non-absorbent, durable plastic liners shall be used for disposal of all tissues, towels, gauze pads and other similar items used on a patron.

~~(k)~~ Infectious waste, including sharps waste, shall be stored and disposed of in an approved manner consistent with subch. II of ch. NR 526.

(i) **Equipment Storage.** Instruments, dyes, pigments, and other body art procedure equipment shall be stored in closed cabinets exclusively used for that purpose.

(j) **Privacy.** A panel or other barrier of sufficient height and width to effectively separate a patron on whom a procedure is being performed from any unwanted observers or waiting patrons shall be in place or readily available at the patron's request.

(k) **Smoking and eating prohibited in area of procedure.** No smoking or consumption of food or drink is permitted in the area where a body art procedure is performed, except that clients may consume a non-alcoholic beverage during the procedure.

(l) **Animals prohibited in establishment.** No animals, except for those that provide services to persons with disabilities, are permitted in a body art establishment.

**(3) PERSONNEL.** (a) **Absence of skin condition.** No body art practitioner with an exposed rash, skin lesion or boil may engage in the practice of tattooing, body piercing or other body art.

(b) **Restriction.** No body art practitioner may work while under the influence of alcohol or a mind-altering drug.

(c) **Personal cleanliness.** Body art practitioners shall thoroughly wash their hands and the exposed portions of their arms with anti-bacterial soap in a dispenser and tempered water before and after each body art procedure and more often as necessary to keep them clean.

~~(4)~~ **1.** Body art practitioners shall dry their hands and arms with individual single-service towels.

~~(5)~~ **2.** Body art practitioners shall maintain a high degree of personal cleanliness and shall conform to good hygiene practices during procedures.

(d) **Clothing.** All body art practitioners shall wear clean, washable outer clothing.

(e) **Hygienic practices.** **1.** When preparing the skin and during a procedure, a body art practitioner shall wear non-absorbent gloves which shall be disposed of after completing the procedure.

~~(6)~~ **2.** If interrupted during a procedure, a body art practitioner shall rewash his or her hands

and put on new gloves if the interruption required use of hands.

~~(h)~~ 3. Body art practitioners shall use single-use plastic covers to cover spray bottles or other reusable accessories to minimize the possibility of transmitting body fluids or disease during procedures to successive patrons.

4. Disposable-type razors shall be for single-use only and disposed of in accordance with ch. NR 526. Electric razors used for skin preparation prior to a procedure shall have screens cleaned and disinfected between patron use.

5. Body-piercing needles shall be disposable, sterile and for single-patron use only. Tattoo needles may be reused if cleaned, sterilized and stored in an approved manner between patrons. Body piercing jewelry shall be cleaned, individually packaged, and sterilized prior to use.

(4) EQUIPMENT, ~~INSTRUMENTS~~ AND SUPPLIES. (a) All surfaces, counters and general-use equipment in the body art area shall be cleaned and disinfected before a patron is seated.

(b) All inks and pigments shall be obtained from sources generally recognized as safe. Information indicating the sources of all inks and pigments shall be available the department or agent upon request. No pigment or ink in which needles were dipped may be used on another person. Pigment and ink cups shall be for single-patron use. No ink caps may be refilled. All bulk materials used for the procedure shall be dispensed with single-use utensils. The remainder of dispensed portions shall be disposed of after application.

(c) Tubes shall be constructed in a manner that permits easy cleaning and sterilizing.

(d) Stencils and marking instruments shall be single-use.

~~(e) Disposable-type razors shall be for single-use only and disposed of in accordance with Wis. Admin. Code ch. NR 526. Electric razors used for skin preparation prior to a procedure shall have screens cleaned and disinfected between patron use.~~

~~(f) Tattoo and body-piercing needles shall be disposable, sterile and for single-patron use only.~~

~~(g) Body piercing jewelry shall be cleaned and sterilized prior to use.~~

~~(h) Jewelry used for other body art procedures shall be disposable, sterile, and for single-patron use only.~~

~~(f) Scarification procedures shall only use disposable sterilized surgical instruments. Jagged or serrated instruments are prohibited.~~

~~(6) JEWELRY USED FOR INITIAL PIERCINGS.~~

~~(a) Jewelry used for initial piercing must be made of one of the following:~~

~~1. Steel that is ASTM F138 compliant or ISO 5832-1 compliant or steel that is ISO 10993-6, 10993-10, or 10993-11 compliant.~~

~~2. Titanium that is ASTM F136 or ASTM F67 compliant or ISO 5832-3 compliant.~~

~~3. Solid 14 karat or higher nickel-free white or yellow gold.~~

~~4. Solid nickel-free platinum alloy.~~

~~5. Niobium (Nb).~~

~~6. Fused quartz glass, lead-free borosilicate, or lead-free soda lime glass.~~

~~7. Polymers, or plastics, as follows:~~

~~a. Tygon Medical Surgical Tubing S-50HL or S-54HL.~~

~~b. Polytetrafluoroethylene (PTFE) that is ASTM F754-00 compliant.~~

~~c. Any plastic material that is ISO 10993-6, 10993-10 or 10993-11 compliant or meets the United States Pharmacopeia (USP) Class VI material classification.~~

~~(b) All threaded or press-fit jewelry must be internally threaded.~~

~~(c) For body jewelry, surfaces and ends must be smooth, free of nicks, scratches, burrs, polishing compounds and metals must have a consistent mirror finish.~~

(5) CLEANING AND STERILIZATION.

(a) *Cleaning.* 1. After each use, equipment shall be cleaned to remove blood and tissue residue before sterilization.

(b) Reusable equipment shall be placed in a covered stainless steel container of cleaning or disinfectant solution until they can be cleaned and sterilized. 2. Reusable needles, tubes and body-piercing equipment shall be placed in a covered stainless steel container of cleaning or disinfectant solution until they can be cleaned and sterilized.

(c) All containers and container lids holding contaminated tubes and reusable equipment shall

~~be cleaned and disinfected at least daily.~~ 3. All containers holding contaminated needles, tubes, reusable body-piercing equipment and container lids shall be cleaned and disinfected at least daily.

~~(d)~~ 4. A tattoo machine shall be cleaned and disinfected before each use.

~~(e)~~ 5. Gloved personnel shall clean reusable tubes and other reusable equipment prior to sterilization by doing all of the following:

~~1-~~ a. Manually pre-cleaning the items with care taken to ensure removal of residue; thoroughly rinsing the items with warm water and then draining the water; cleaning the items by soaking them in a protein-dissolving, detergent-enzyme cleaner used according to manufacturer's instructions.

b. Cleaning the items further in an ultrasonic cleaning unit which operates at 40 to 60 hertz and is used according to the manufacturer's instructions.

c. Rinsing and drying the items.

~~(f)~~ 6. Prior to autoclaving, all tubes and reusable equipment shall be packaged either individually or in quantities appropriate for individual procedures. ~~(g)~~ Packages shall be identifiable and dated.

~~(8)~~ (b) *Sterilization.* ~~(a)~~ 1. Equipment requiring sterilization shall be pressure-sterilized at the establishment in an autoclave and in accordance with the manufacturer's instructions.

~~(b)~~ 2. Each batch of sterilized equipment shall be monitored for sterilization by use of heat-sensitive indicators capable of indicating approximate time and temperature achieved.

~~(e)~~ 3. Autoclaves shall be spore-tested at least monthly. Spore kill test effectiveness shall be conducted by an independent laboratory.

~~(d)~~ 4. Sterilized equipment shall be wrapped or covered and stored in a manner which will ensure that it will remain sterile until used.

~~(e)~~ 5. Each body art establishment shall maintain sterilization records including spore tests for at least one year from the date of the last entry, which shall include the following information:

- ~~1-~~ a. Date of sterilization.
- ~~2-~~ b. Name of the person operating the equipment.
- ~~3-~~ c. Result of heat-sensitive indicator.

~~(f)~~ 6. Sterilized equipment shall be re-sterilized if the package is opened, damaged or becomes wet.

~~(g)~~ 7. All methods of sterilization other than autoclaving are prohibited.

#### **(6) PREPARATION AND CARE OF SITE.**

(a) *Preparation by practitioner.* Before beginning a procedure, the body art practitioner shall clean the skin area for the tattooing, piercing or other body art and then prepare it with an antiseptic. The solution shall be applied with cotton, gauze or single-use toweling.

(b) *Care instructions for patron.* After completing a procedure, the body art practitioner shall provide the patron with oral and written instructions on the care of the body art.

~~(10) AFTER CARE.~~ (a) ~~After the procedure is completed and if a dressing is to be used, the dressing must be a non-stick, non-occlusive dressing.~~

~~(b) Patrons undergoing any body art procedure under this regulation shall be provided with printed instructions regarding care during the healing process. The written instructions shall provide information on:~~

- ~~1. Proper cleansing of the area.~~
- ~~2. Consulting a health care provider for any of the following:~~
  - ~~a. Unexpected redness, tenderness or swelling at the site of the body art procedure.~~
  - ~~b. Any rash.~~
  - ~~c. Unexpected drainage at or from the site of the body art procedure.~~
  - ~~d. A fever within 24 hours of the body art procedure.~~
- ~~3. The name, address and phone number of the establishment.~~

**(7) TEMPORARY ESTABLISHMENTS.** In addition to requirements under this regulation and Wis. Admin. Code ch. SPS 221.01-221.15 that apply to all establishments, the following requirements apply specifically to temporary establishments:

(a) *License.* 1. No temporary establishment may be operated without a license granted by the department or its agent. Application for a temporary license shall be made under Wis. Admin. Code ch. SPS 221.04.

~~(b)~~ 2. No temporary license may be issued without a prior inspection.



~~(c)~~ 3. A temporary establishment's license along with the license of each on-staff body art practitioner shall be conspicuously displayed in the temporary establishment.

~~(d)~~ 4. An operator of a temporary establishment whom the department or its agent has found to repeatedly violate any provision of this chapter may be denied a license to operate the establishment or may have the license revoked.

~~(e)~~ (b) *Water*. A temporary establishment shall have all of the following fixtures:

1. An approved toilet and handwashing facility.
2. Potable water under pressure.
3. Hot or tempered water for handwashing and cleaning.
4. Connection to an approved sewage collection system.

## SUBCHAPTER V

### ENFORCEMENT

**30.015 Temporary Orders.** Pursuant to Wis. Stat. §§ 66.0417(2), 227.51(3) and 250.04(1) and (2)(a), whenever the health department has reasonable cause to believe that an immediate danger to health or safety exists as a result of an inspection, the department or agent may issue a temporary order without advance notice or hearing to do any of the following:

(1) **PROHIBITION.** Prohibit the continued operation or method of operation of specific equipment.

(2) **REMEDY REQUIRED.** Require the establishment to cease operations and close until remedies are applied which eliminate the immediate danger to health or safety.

(3) **CEASE ACTIVITY.** Require a body art practitioner to cease licensed activities.

**30.016 Violations and penalties.** (1) Any person who violates and refuses to comply with any provision of this ordinance shall be subject to a citation and respective forfeiture as established in Sauk Co. Code ch. 20 for each offense. The health officer or authorized representative may issue citations using the standard citation form used by Sauk County. Citations may be served in person or sent by certified mail. The health officer

may also, or alternatively, revoke or amend any applicable permit. Each day a violation exists or continues shall be considered a new and separate offense.

(2) The Sauk County Corporation Counsel may seek enforcement of violations of this ordinance in Sauk County Circuit Court or any other court of competent jurisdiction. A court may enforce this ordinance through injunctive relief.

(3) Any person or entity who violates or refuses to comply with any provisions of this ordinance, or any rule promulgated in this subchapter or incorporated by reference, shall be subject to a forfeiture of not less than \$500 but not more than \$2000 per day of violation. Each day a violation exists or continues shall be considered a new and separate offense. Upon conviction of a second or subsequent violation, the license of an establishment and practitioner may be suspended for up to a period of 3 years. Injunctive relief may be sought by the health department against continuing violations.

(4) Forfeitures are exclusive of any fees or costs imposed pursuant to the Wisconsin Statutes.

---

Previously Ch. 28 – As adopted by the Sauk County Board of Supervisors on February 20, 1996. Repealed and recreated by the Sauk County Board of Supervisors on January 19, 1999 – Ordinance No. 13-99. Amended by the Sauk County Board of Supervisors on June 16, 2009 – Ordinance No. 74-09. Amended by the Sauk County Board of Supervisors on March 20, 2012 – Ordinance No 5-2012. Previously Ch. 29 – Adopted by the Sauk county Board of Supervisors on May 15, 1990. Amended by the Sauk County Board of Supervisors on February 20, 1996. Previously Ch. 44 – as adopted by the Sauk County Board of Supervisors on April 17, 2007 – Ordinance No. 51-07. Amended by the Sauk County Board of Supervisors on April 16, 2013 – Ordinance No. 07-13. Chapter 28, 29, & 44 repealed and recreated as Ch. 28 by the Sauk County Board of Supervisors on December 16, 2014 – Ordinance No. 9 - 14. Previously Ch. 28 – Repealed and recreated as Ch. 30 by the Sauk County Board of Supervisors on January 17, 2017 – Ordinance No. 1-17. Amended by the Sauk County Board of Supervisors on March 20, 2018 – Ordinance No. \_\_\_\_ -18.