

HEALTH REGULATION # 10

BODY ART FACILITIES



Adopted by the Tooele County Board of Health

May 1, 2025

Under Authority of Section 26a-1-121
Utah Code Annotated, 1998

Certified Official Copy
Tooele County Health Department

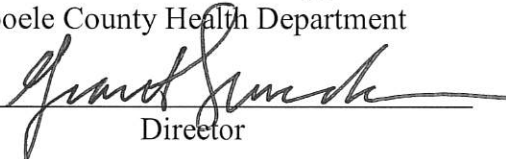
By: 
Director

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1.0 PURPOSE

It is the purpose of these regulations to regulate Body Art Facilities, tattooing, permanent cosmetics, body piercing, scarification, and branding in a manner that will protect the public health, safety and welfare; prevent the spread of disease; and prevent the creation of a nuisance within Tooele County.

2.0 DEFINITIONS

- 2.1 BODY ART means a permissible practice of physical body adornment defined as: body piercing, tattooing, permanent cosmetics, microblading, branding and scarification.
- 2.2 BODY ART FACILITY means a facility where an individual practices or instructs: body piercing, branding, permanent cosmetics, scarification or tattooing.
- 2.3 BODY ARTIST means any person performing a body art procedure.
- 2.4 BODY PIERCING means any method of piercing the skin or mucosa to place jewelry through the skin or mucosa but does not include ear piercing as defined in R392-701-3(22).
- 2.5 DEPARTMENT means the Tooele County Health Department (TCHD), or its authorized representatives, having jurisdiction to promulgate, monitor, administer and enforce these regulations.
- 2.6 DIRECTOR means the Director of TCHD or their authorized representative.
- 2.7 OPERATOR means any person who, whether permitted or not, controls, operates, owns, or manages a body art facility or temporary body art facility, whether or not the person performs body art procedures; or any individual who has been designated by the person described in this section as the person in charge.
- 2.8 PERMIT means written approval by the TCHD to operate a body art facility or temporary body art facility. Approval is given in accordance with these regulations and is separate from any other licensing requirement that may exist within communities or political subdivisions comprising the jurisdiction.
- 2.9 PERSON means an individual, any form of business or social organization or any other non governmental legal entity, including but not limited to corporations, partnerships, limited-liability companies, associations, trusts or unincorporated organizations.

- 2.10 TEMPORARY BODY ART FACILITY means any body art facility operating at a fixed location where a body artist performs body art procedures for no more than 14 consecutive days in conjunction with a single event or celebration.

3.0 BODY ART RULES

- 3.1 The requirements as found in R392-701 Body Art Sanitation are adopted and incorporated by reference by the Department.
- 3.2 Proof shall be provided upon request of the Department that all body artists have begun the **hepatitis B vaccination series as a pre-employment requirement**. Body artists will be required to have completed this series within their year of employment. This section does not apply if an approved declination form is submitted to the Department.

4.0 REQUIREMENTS FOR FACILITIES

- 4.1 Body art facilities applying after adoption of this regulation shall submit a scale drawing and floor plan of the proposed facility for a plan review and approval by the Department, as part of the permit application process. All persons applying for a Body Art Facility Permit shall pay a plan review fee as established by the Tooele County Board of Health.

5.0 PERMIT REQUIREMENTS

- 5.1 No person, firm, partnership, joint venture, association, business trust, corporation or organized group of persons may operate a body art facility or temporary body art facility except with a body art facility permit or temporary body art facility permit from the Department.
- 5.2 Any person operating a body art facility shall obtain an annual permit from the Department.
- 5.3 The applicant shall pay a reasonable fee as set by the Tooele County Board of Health for each body art facility permit or temporary body art facility permit.
- 5.4 A permit for a body art facility or temporary body art facility shall not be transferable from one place or person to another.

6.0 ENFORCEMENT

- 6.1 Facilities that operate without proper permits from the Department or operate in violation of these regulations will be subject to legal remedial actions and sanctions as provided by law.
- 6.2 A representative of the Department shall properly identify him or herself before entering a body art facility to make an inspection. Such an inspection must be conducted as often as necessary throughout the year to ensure compliance with this regulation.
- 6.3 It is unlawful for any person to interfere with the Department in the performance of its duties.
- 6.4 A copy of the inspection report must be furnished to the permit holder or operator of the body art facility, with the Department retaining possession of the original.
- 6.5 If, after investigation, the Department should find that a permittee or operator is in violation of this regulation, the Department may advise the permittee or operator, in writing, of its finding and instruct the operator to take specific steps to correct such violations within a reasonable period of time, not to exceed 30 days.
- 6.6 If the Department has reasonable cause to suspect that a communicable disease is or may be transmitted by an operator, by use of unapproved or malfunctioning equipment, or by unsanitary or unsafe conditions that may adversely affect the health of the public, upon written notice to the owner or operator, the Department may do any or all of the following:
 - a. issue an order excluding any or all operators from the permitted body art facility who are responsible, or reasonably appear responsible, for the transmission of a communicable disease until the Department determines there is no further risk to public health.
 - b. issue an order to immediately suspend the permit of the licensed facility until the Department determines there is no further risk to the public health. Such an order shall state the cause for the action.

7.0 SUSPENSION OR REVOCATION OF PERMITS

- 7.1 Permits issued under the provisions of the regulation may be suspended temporarily by the Department for failure of the holder to comply with the requirements of this regulation.
- 7.2 Whenever a permit holder or operator has failed to comply with any notice issued under the provision of this regulation, the operator must be notified in writing that the permit is, upon service of this notice, immediately suspended. The notice must also contain a statement informing the permit holder or operator that an opportunity

for a hearing will be provided if a written request for a hearing before the Director is filed with the Department within ten calendar days.

- 7.3 Any person whose permit has been suspended may, at any time, make application for reinstatement of the permit. Within ten calendar days of receipt of a written request, including a statement signed by the applicant that in his or her opinion the conditions causing the suspension have been corrected and submission of the appropriate reinspection fees, the Department shall reinspect the body art facility or evaluate documentation provided by an operator. If the applicant is in compliance with the provisions of this regulation, the permit will be reinstated.
- 7.4 For repeated or serious (any regulation infraction that threatens the health of the client or operator) violations of any of the requirements of this regulation or for interference with Department personnel in the performance of their duties, a permit may be permanently revoked after a hearing. Before taking such action, the Department shall notify the permit holder or operator in writing, stating the reasons for which the permit is subject to revocation and advising the permit holder or operator of the requirements for filing a request for a hearing. A permit may be suspended for cause, pending its revocation or hearing relative thereto.
- 7.5 The Department may permanently revoke a permit after five days following service of the notice unless a request for a hearing before the Director is filed within the five day period with the Department by the permit holder.
- 7.6 The hearing shall take place within ten calendar days after the request. A written notice of the Director's final determination shall be given within ten calendar days after adjournment of the hearing. The Director may sustain, modify, or reverse the action or order.

8.0 PENALTY

- 8.1 Any person who is found guilty of violating any of the provisions of these regulations, either by failing to do those acts required herein, or by doing a prohibited act, is guilty of a Class B misdemeanor pursuant to Section 26A-1-123, Utah Code Annotated. A person found guilty of a subsequent similar violation within two years, is guilty of a Class A misdemeanor pursuant to Section 26A-1-123, Utah Code Annotated.
- 8.2 Each day such violation is committed or permitted to continue shall constitute a separate violation.
- 8.3 The county attorney, may initiate legal action, civil or criminal, requested by the TCHD to abate any condition that exists in violation of these regulations.

- 8.4 In addition to other penalties imposed by a court of competent jurisdiction, any person(s) found guilty of violating any of these regulations shall be liable for all expenses incurred by the TCHD removing or abating any nuisance, source of filth, cause of sickness or infection, health hazard, or sanitation violation.

9.0 INTERPRETATION AND SEVERABILITY

- 9.1 In the interpretation of this regulation, the singular may be read as the plural, the masculine gender as the feminine or neuter, and the present tense as the past or future, where the context so dictates.
- 9.2 In the event any particular clause or sentence of this regulation should be declared invalid or unconstitutional by any court of competent jurisdiction, the remaining portions shall remain in full force and effect. Toward that end, the provisions of these regulations are declared to be severable.
- 9.3 In the event that this Regulation conflicts with any state laws or rules and regulations from any State Agency, the conflicting portion of this Regulation shall be superseded and comply with all state laws and regulations, while all non-conflicting provisions shall remain in force.

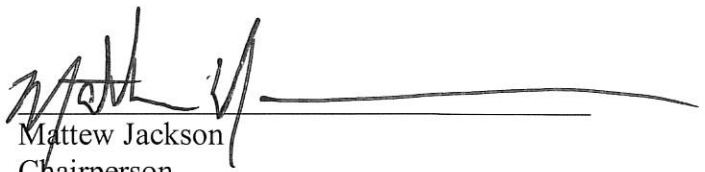
IN WITNESS WHEREOF, the Tooele County Board of Health has passed, approved and adopted this regulation this 12th day of August, 2025.

ATTEST:

TOOELE COUNTY BOARD OF HEALTH



Grant Sunada
Health Officer



Matthew Jackson
Chairperson

REVISION DATES

- **May 4, 2023**
- **May 1, 2025**