

**ORDINANCES 2020-103
LICENSES AND PERMITS**

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TATTOOS AND BODY PIERCINGS

License Requirement

No person shall engage in a business as a tattoo artist or do body piercings within the City or within one mile thereof as defined in this Article without first having secured a license therefore as herein provided.

Application

Any person desiring a license to operate as a tattoo artist, or do body piercings shall make application in writing to the Council and said application shall state:

- A. Name
- B. Post Office Address
- C. Length of time applicant has resided in the City
- D. The premises where the business is or will be located or conducted and description shall be given by lot and block number or by legal description
- E. Any other information the Council may require

Annual Fee

Every tattoo artist or business doing body piercings shall pay an annual fee of \$25.00 for each establishment or place of business.

Issuance of License

Upon filing of the application together with the necessary license fee, the Council, if it deems such applicant a fit and proper person to engage in such business, a license shall be issued by the Finance Officer in the manner provided for issuance of licenses.

Right to Revoke License

The Council shall have the right to revoke any license granted under this Article if it determines upon investigation and after hearing that the licensee has violated any of the provisions of this Article and providing that a notice of the hearing shall be served upon the licensee named in the license at least five (5) days before the hearing, either by personal service of a copy of the notice or by mailing a copy of the same to licensee at the address given in the application. Should any license granted under this Article be revoked, no fund of the license fee shall be made.

Terms

The term “tattoo” means to make permanent marks or designs on the skin by puncturing it and inserting indelible colors. The term “body piercing” means to place a permanent or temporary foreign object in a person’s body such as ears, nose, lips, genitals, nipples, or parts thereof for a decorative or other non-medical purpose by a person not directly under the supervision of a licensed physician as defined by SDCL 36-4-11.

Minors

No minor may be tattooed or pierced unless the minor’s parent or guardian have signed a Consent form authorizing the tattoo or piercing. Any person who tattoos or pierces a minor without parental or guardian consent, is guilty of a Class II misdemeanor.

Minimum Sanitation Requirements for Tattoos and Body Piercings

The City hereby adopts, as if fully set out herein, the minimum sanitation requirements for tattooing and body piercings, including premises, equipment, methods of operation and freedom from communicable disease as provided for by the South Dakota Department of Health and as presently set out in Chapter 44:12 of the Regulations of the South Dakota Department of Health for Tattooing and Body Piercing. Further, the City shall adopt, as a portion of this Article, any amendments to the existing regulations that the Department of Health for the State of South Dakota has adopted regarding the minimum sanitation standards for tattooing and body piercing.

Dated at Colome, South Dakota this 6 Day of July 2020.

Brad Hill, Mayor

Attest: _____
Robin Fast, Finance Officer

First Reading: July 6, 2020
Second Reading July 31, 2020
Passed & Approved July 31, 2020
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