

ORDINANCE NO. 14-360

AN ORDINANCE AMENDING THE STOCKBRIDGE MUNICIPAL CODE WITH RESPECT TO BODY CRAFTING; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WITNESSETH:

THE COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY ORDAINS:

SECTION 1. That Section 9.60.060H of the Stockbridge Municipal Code is hereby amended by deleting said section in its entirety and inserting in lieu thereof the following:

"H. Reserved."

SECTION 2. That Section 9.60.070I of the Stockbridge Municipal Code is hereby amended by deleting said section in its entirety and inserting in lieu thereof the following:

"I. Any person desiring to operate any type of body crafting establishment as defined by this chapter shall make application for a license to the business license office of the city and shall deposit an application fee of seventy-five dollars (\$75.00) to defray the cost of application processing. This fee may, however, be increased annually by resolution. The minimum age of each applicant shall be eighteen (18) years of age. Applicants shall furnish two (2) photographs showing a front and side picture of the full face of the applicant, size two and one-half inches (2 ½") by two and three-quarter inches (2 ¾"). Applicants shall present either (a) proof that such applicant has been issued a body artist permit by the Department or (b) a medical certificate from a medical doctor certifying that the person is sound physically, mentally, has good eyesight and is not afflicted with a disease which can be communicated through openings in the human skin. The applicant shall also submit the exposure control plan required by Section 9.60.090(B) of this chapter which shall be forwarded to the department for approval, prior to the issuance of the license."

SECTION 3. That Section 9.60.080B of the Stockbridge Municipal Code is hereby amended by deleting said section in its entirety and inserting in lieu thereof the following:

"B. Any person desiring to operate as a body crafting operator or artist shall make application for a license to the business license office of the city and shall deposit an application fee of seventy-five dollars (\$75.00) to defray the cost of application processing. This fee may, however, be increased annually by resolution. The minimum age of each applicant shall be eighteen (18) years of age. Applicants shall furnish two (2) photographs showing a front and side picture of the full face of the applicant, size two and one-half inches (2 ½) by two and three-quarter inches (2 ¾"). Applicants shall present either (a) proof that such applicant has been issued a body artist permit by the Department or (b) a medical certificate from a medical doctor certifying that the person is sound physically, mentally, has good eyesight and is not afflicted with a disease which can be communicated through openings in the human skin. The applicant shall also

submit the exposure control plan required by Section 9.60.090(B) of this chapter which shall be forwarded to the department for approval, prior to the issuance of the license."

SECTION 4. That Section 9.60.080B of the Stockbridge Municipal Code is hereby amended by deleting said section in its entirety and inserting in lieu thereof the following:

"D. An applicant wishing to practice a body crafting art shall produce either (a) proof that such applicant has been issued a body artist permit by the Department or (b) evidence of satisfaction of the following qualifications dependent upon the particular practice in which that person intends to engage:

1. Tattooing (inclusive of cosmetic).

a. Tattooing (other than cosmetic):

i. Certification from the American Tattooing Institute or some other similarly qualified organization whose accreditation structure requires no less than sixty (60) hours of combined coursework and apprenticeship and for which certification requires an examination;

ii. Proof of affiliation with an existing, licensed body crafting or tattoo studio in good standing with the city or proof of issuance of a business license to operate such a facility or studio in the name of the applicant at an approved location within the city;

iii. Proof of participation in an approved course of continuing education if the potential licensee has been certified for more than one (1) year; and

iv. Attendance at a blood borne pathogens training class, such as that given by OSHA, Red Cross, or The National Safety Council.

b. Cosmetic tattooing:

i. Membership in the Society of Permanent Cosmetic Professionals and acknowledgement of the Code of Ethics affiliated therewith;

ii. Training at a minimum of the "beginner" level of competency in cosmetic tattoo procedures, which accreditation shall be based upon completion of no less than 60 hours of training as set out by the Society of Permanent Cosmetic Professionals;

iii. Certification of having passed the Society of Permanent Cosmetic Professionals certification examination;

iv. Certification of competency with one (1) or more of the three (3) available methods of application of cosmetic tattooing, being: (1) the traditional coil/tattoo machine; (2) the rotary/pen machine; or (3) the non-machine/hand method;

v. Certification of instruction in the provision of first aid; and

vi. Attendance at a blood borne pathogens training class, such as that given by OSHA, Red Cross, or The National Safety Council.

2. Body Piercing.

a. Membership in the Association of Professional Piercers and training through attendance at either seminars or individualized training classes of no less than five (5) full days, and participation in an apprenticeship of no less

than six (6) months with an experienced member of the Association of Professional Piercers during which the apprentice shall actually gain experience in the art of body piercing;

b. Attendance at a blood borne pathogens training class, such as that given by OSHA, Red Cross, or The National Safety Council; and

c. Training as an apprentice for a period of no less than three (3) months at no less than thirty (30) hours per week with a focus on the sterilization, disinfection and potential for cross-contamination of piercing equipment.”

SECTION 5. Intention of the Governing Body. It is the intention of the governing body, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of the City of Stockbridge, Georgia, and the sections of the ordinance may be renumbered to accomplish such intention.

SECTION 6. Approval of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Ordinance.

SECTION 7. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

SECTION 8. Codification and Severability.

(a) It is hereby declared to be the intention of the City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were upon their enactment believed by the City Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the City Council that to the greatest extent allowed by law each and every section, paragraph, sentence, clause or phrase of this ordinance is severable from every other section, paragraph, sentence, clause or phrase of this ordinance. It is hereby further declared to be the intention of the City Council that to the greatest extent allowed by law no section, paragraph, sentence, clause or phrase of this ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this ordinance.

(c) In the event that any section, paragraph, sentence, clause or phrase of this ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the ordinance and that to the greatest extent allowed by law all remaining Sections, paragraphs, sentences, clauses, or phrases of the ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION 9. Repeal of Conflicting Provisions. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 10. Effective Date. This ordinance shall become effective immediately upon its adoption by the Mayor and City Council of the City of Stockbridge as provided in the City Charter.

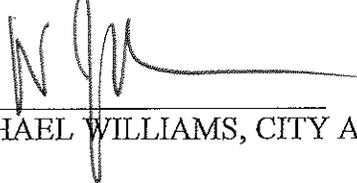
SO ORDAINED this 13th day of October, 2014.


TIM THOMPSON, Mayor

ATTEST:

 (SEAL)
STEPHANIE TIGNER, INTERIM CITY CLERK

APPROVED AS TO FORM:


MICHAEL WILLIAMS, CITY ATTORNEY