

HOCKING COUNTY SANITARY REGULATIONS

REGULATION 14. BODY ART REGULATIONS

Proposed Adoption May 12, 2025

A Regulation to improve the clarity of the Body Art Regulations as established in Ohio Administrative Code (OAC) 3701-9 to enhance the health and safety of the public. The current regulations were adopted in 2014 leaving several regulatory requirements extremely vague. The proposed regulations will aim to eliminate the ambiguity found in OAC 3701-9 to provide more consistent regulatory enforcement to help the industry continue to grow responsibly, while improving the health and safety of the public. All rules that are established in current or future versions of OAC 3701-9 may also apply with this regulation.

Section 1. Definitions

The following definitions shall apply in the interpretation and enforcement of this regulation:

1. **Approval:** means written approval from the board of health indicating that the body art establishment has been inspected and meets all terms of this chapter.
2. **Body Art:** means the practice of physical body adornment, including tattooing, permanent cosmetics and/or body piercing. This definition does not include practices that are considered medical procedures by the state medical board, performed with medical devices, which include but are not limited to biopsy or dermal punches and scalpels.
3. **Body Artist:** means an individual, including an operator, who performs one or more of the following procedures:
 - a. Tattooing
 - b. Permanent Cosmetics
 - c. Body Piercing
4. **Body Art Establishment:** means any place, whether temporary or permanent, stationary or mobile, where tattooing and/or body piercing is performed. If the body artist wishes to conduct body art inside a residential dwelling where zoning and/or building codes do not prohibit such an establishment, only the room/area used for conducting body art shall be considered the Body Art Establishment and not the entire premises.
5. **Body Piercing:** means the piercing of any part of the body by someone other than a physician licensed under Chapter 4731. of the Ohio Revised Code, who utilizes a needle or other industry specific instrument for the purpose of inserting an object into the body for non-medical purposes; body piercing includes ear piercing except when the ear-piercing procedure is performed on the earlobe with an ear-piercing gun. Body piercing also includes surface anchors and surface piercing. This definition does not include practices that are considered medical procedures by the state medical board, performed with medical devices that include, but are not limited to, biopsy or dermal punches and scalpels.
6. **Business:** means any entity that provides body art services for compensation.
7. **Hand washing:** means the process of physically removing or reducing most microorganisms from the hand by thoroughly washing all surfaces of the hands and under fingernails with soap and warm running water for twenty seconds, rinsing hands well under running water and drying hands thoroughly with a clean single-use towel or mechanical hand dryer.

8. **Patron:** means a person requesting and receiving body art services or ear-piercing services by an ear-piercing gun.
9. **Premises:** means the physical location, building, or residential dwelling of which contains a body art establishment.
10. **Potable Water:** means water which meets the quality standards prescribed for public water systems in Ohio Administrative Code 3745-84 or if water is supplied by a private water system, water samples confirm the water source to meet bacteriological standards prescribed in Ohio Administrative Code 3701-28 on an annual basis.
11. **Sanitary System:** means an on-site sewage treatment system that has been inspected and approved, or connection to an approved County or Municipal sanitary sewer system.
12. **Surface Anchor:** means jewelry that is placed into the upper portion of the dermis, which has one point of entry, which also serves as the exit that exposes the jewelry stem to air.
13. **Surface Piercing:** means any piercing on the surface of the body, under the epidermis but not subcutaneous tissue. The piercing canal is under the surface of the skin with exit and entry points perpendicular to the tissue.
14. **Tattoo:** means any method utilizing needles or other industry specific instruments by someone other than a physician licensed under chapter 4731. Of the revised code, to permanently place designs, letters, scrolls, figures, symbols or any other marks upon or under the skin of a person with ink, dye, pigment or any other substances resulting in an alteration of the appearance of the skin. This definition does not include practices that are considered medical procedure by the state medical board, performed with medical devices that include, but are not limited to, biopsy or dermal punches and scalpels.

Section 2. General Safety & Sanitation Standards

1. All body art activities in the Hocking County Health District shall be done in accordance with this adopted local regulation and the regulations adopted in chapter 3730 of the revised code and chapter 3701 section 9 of the administrative code including any updated versions.
2. No person shall construct, install, provide, equip, or extensively alter a body art establishment until all plans and specifications for the facility layout, equipment and operation have been submitted and approved, in writing, and a license has been issued by the board of health in which the business is located.
3. The body art establishment shall have written verification from the zoning authority and/or building department having jurisdiction that the building has been zoned and approved for performing body art services, where applicable.
4. The body art establishment shall have a designated entrance/exit; in the case where a body art establishment is a room inside a residential dwelling, where not prohibited, the room shall have an entrance and exit that is segregated from the residential dwelling
5. The body art establishment shall have a designated restroom facility that is to be always made available to the body artist and patrons and shall be located within the body art establishment. The restroom shall be equipped at all times with a toilet, toilet paper installed in a holder, hand washing sink supplied with hot (at least 85 degrees Fahrenheit) and cold potable running water,

liquid soap, single use towels or mechanical hand dryer, and covered waste disposal can. The restroom shall be connected to an approved sanitary system. Equipment and supplies used for body art procedures or disinfection and sterilization procedures shall not be stored or operated within the restroom.

6. The body art establishment shall be supplied with a hand sink that is separate from the hand sink required in the restroom facility that is supplied with hot (at least 85 degrees Fahrenheit) and cold potable running water, liquid soap, and single use towels or mechanical hand dryer, if single use towels are used a designated waste container shall be located adjacent to the sink for convenient disposal. The hand sink shall not be located more than forty feet from where the body artist is performing body art services and shall be accessible at all times, without needing to pass through doorways.
7. The body art establishment shall not have any items stored within the establishment that is unnecessary to the operation and maintenance of the establishment for providing body art services.
8. Animals shall not be permitted within the premises of a body art establishment. This requirement does not apply to patrol dogs accompanying security or police officers, guide dogs, or other registered service animals in accordance with the Americans Disability Act (ADA)

Section 3. Body Artist Training Requirements

1. Persons performing body art services shall have received appropriate training, as evidenced by:
 - a. Written statements of attestation by individual(s) offering body art apprenticeships that the body artist has received sufficient training of adequate duration to completely perform the body art services in which they are applying licensing for.
 - b. Adequate duration shall be determined by the individual(s) offering body art apprenticeships but shall incorporate sufficient hands-on training performing the body art service that is overseen by the individual.
 - c. Written statements of attestation from the individual(s) offering body art apprenticeships shall include a notarized signature from the individual(s) that the body artist receiving the training has successfully completed Section 3.1. of this regulation.

Legal Authority:

Ohio Revised Code 3709.21

Ohio Revised Code 3730.01

Ohio Administrative Code 3701-9