

City of Roseville, MI
Friday, May 4, 2018

Chapter 302. Tattoo Parlors

[HISTORY: Adopted by the City Council of the City of Roseville 2-23-1993 by Ord. No. 1029 (Ch. 302 of the 1984 Code). Amendments noted where applicable.]

GENERAL REFERENCES

Alcoholic beverages — See Ch. **71**.

Fees — See Ch. **133**.

§ 302-1. Title.

This chapter shall be known and cited as the "Tattoo Parlor Ordinance of the City of Roseville" and will be referred to herein as "this chapter."

§ 302-2. Definitions.

Unless particular provisions of the context otherwise require, the definitions and provisions contained in this section shall govern the construction, meaning and application of words and phrases used in this chapter:

EMPLOYEE and/or INDEPENDENT CONTRACTOR

Any person over 18 years of age, who renders any service in connection with the operation of a tattoo parlor and receives compensation from the operator of the parlor or patrons.

[Amended 4-24-2007 by Ord. No. 1207]

OWNER or OPERATOR

A person who owns or controls or who has the duty to control the operations of a tattoo parlor. This includes individuals, licensees, managers, lessees, sponsors, partnerships, corporations, societies, organizations, associations or any combination of the individuals of whatever form or character.

PATRON

Any person over 18 years of age who receives a tattoo under such circumstances that it is reasonably expected that he or she will pay money or give any other consideration therefor.

TATTOO ARTIST

Any person who performs tattooing.

TATTOOING

The creation of indelible mark or figure upon the human body by insertion of pigment into or under the skin or by the production of scars.

TATTOO PARLOR

Any place where establishment for a tattoo as defined in this chapter is made available.

§ 302-3. Business license required.

[Amended 4-24-2007 by Ord. No. 1207]

No owner/operator or employee and/or independent contractor shall engage in or carry on the operation of a tattoo parlor unless he or she has a valid tattoo business license issued by the City pursuant to provisions of this chapter for each and every separate office or place of business conducted by such owner/operator.

§ 302-4. Application for business license.

[Amended 4-24-2007 by Ord. No. 1207]

Any owner and/or operator or employee and/or independent contractor desiring a tattoo business license shall file a written application with the Police Chief on a form to be furnished by the Police Chief. The applicant shall accompany the application with a tender of the correct license fee as hereinafter provided, which fee shall not be refundable, and shall, in addition, furnish the following information:

- A. The type of ownership of the business, for example, whether individual, partnership, corporation or otherwise.
- B. The name, style and designation under which the business or practice is to be conducted.
- C. A complete list of the names and resident addresses of all employees in the business and the name and resident address of the manager or other person principally in charge of the operation of the business.
- D. The following personal information concerning the applicant, if an individual; and concerning each stock holder holding more than 10% of the stock of the corporation, each officer and each director, if the application of a corporation; and concerning the partners, including limited partnership; and concerning the manager or other person principally in charge of the business:
 - (1) Name, complete residence address and telephone numbers.
 - (2) The two previous addresses immediately prior to the present address of the applicant.
 - (3) Written proof of age.
 - (4) Height, weight, color of hair and eyes and sex.
 - (5) Two front face portrait photographs taken within 30 days of the date of the application and at least two inches by two inches in size.
 - (6) The tattoo or similar business history and experience, including but not limited to whether or not such person, in previously operating in this or another City or state under license or permit, has had such license or permit denied, revoked or suspended, the reason therefor and the business activities or occupations subsequent to such actions of denial, suspension or revocation.
 - (7) All criminal convictions other than misdemeanor traffic violations, fully disclosing the jurisdiction in which convicted and the circumstances thereof.
 - (8) A complete set of fingerprints taken and to be retained on file by the Chief of Police or authorized representative.
- E.

Such other information, identification and physical examination of the person as shall be deemed necessary by the Police Chief to discover the truth of the matters hereinafter required to be set forth in the application.

- F. Authorization for the City, its agents and employees to seek information and conduct investigation into the truth of the statements set forth in the application and the qualifications of the applicant for the permit.
- G. The names and addresses of three adult residents of the county who will serve as character references. These references must be persons other than relatives and business associates.
- H. A written declaration by the applicant, under penalty of perjury, that the forgoing information contained in the application is true and correct, said declaration being duly dated and signed in the City.

§ 302-5. Investigation of applicant.

Upon receiving the application for a tattoo business license, the Police Chief shall conduct an investigation into the applicant's moral character and personal and criminal history. The Police Chief may, in his or her discretion, require a personal interview of the applicant and such further information, identification and physical examination of the person that shall bear on the investigation.

§ 302-6. Inspections by departments.

Any applicant for a tattoo business license shall submit to lawful inspections by the Department of Buildings and Inspection, Police Department, Fire Department and such other departments as may be necessary to ensure that the proposed business and applicant comply with all applicable ordinances and regulations of the City. The Roseville Police Chief may refuse to submit any application for approval to the Roseville City Council until receipt of inspection reports from the department requested.

§ 302-7. Submission of application to City Manager.

Before the Roseville Police Chief shall issue any license under this chapter, he or she shall first submit, within 45 days of the receipt of an application, said application with a report of investigations and inspections and his or her recommendations to the Roseville City Manager.

§ 302-8. Placement of application on meeting agenda.

The Roseville City Manager, upon receipt of an application, reports and recommendations of the Roseville Police Chief shall place said application for license upon the agenda for the next regularly scheduled council meeting; provided, however, that said meeting is not less than six days from the date of receipt of said application by the City Manager, and in the event that it is less than six days, an application shall be placed upon the agenda for the following meeting of the City Council.

§ 302-9. Review of application and reports; issuance of license.

The Roseville City Council shall determine whether or not said license shall be issued after reviewing the reports of investigations and inspections and the recommendation of the Police Chief and other code enforcement officers, and the Roseville City Council shall direct the Roseville Police Chief to issue a tattoo business license within 14 days, unless it finds that:

- A. The correct license fee has not been tendered to the City and, in the case of a check or bank draft, honored with payment upon presentation.
- B. The operation as proposed by the applicant, if permitted, would not comply with all applicable laws, including but not limited to the City's building, fire, zoning and health ordinances.
- C. The applicant, if an individual; or any of the stockholders holding more than 10% of the stock of the corporation and any of the officers and directors if the applicant is a corporation; or any of the partners including limited partners if the applicant is a partnership; and the manager or other person principally in charge of the operation of the business, have been convicted of any crime involving dishonesty, fraud or deceit, unless such conviction occurred at least five years prior to the date of the application.
- D. The applicant has knowingly made any false, misleading or fraudulent statement of fact on the permit application or any document required by the City in conjunction therewith.
- E. The applicant has had a tattoo business or other similar permit or license denied, revoked or suspended for any of the above causes by the City or any other state or local agency within five years prior to the date of the application.
- F. The applicant, if an individual; or any of the officers and directors, if the applicant is a corporation; or any of the partners, including limited partners, if the applicant is a partnership; and the manager or other persons principally in charge of the operation of the business, is not over the age of 18 years.

§ 302-10. Revocation or denial of license.

- A. Revocation. Any license issued under this chapter may be revoked by the City Council upon written notice from the Police Chief or other code enforcement officials for any of the following causes:
 - (1) Fraud, misrepresentation or false statement contained in the application.
 - (2) Violation of any provisions of this chapter or any other ordinance of the City of Roseville.
 - (3) Conviction by the applicant, owner, manager or other person principally in charge of the operation of the business of any crime involving dishonesty, fraud or deceit.
- B. Denial. In the event that the Roseville City Council shall deny an application, it shall specify the particular grounds for such denial and shall direct the City Attorney to notify the applicant by regular mail, addressed to the applicant at the address shown on the application. Said notice shall specify the grounds for which said application is denied.

§ 302-11. Request for hearing to reconsider revocation or denial.

Within 20 days of the date of revocation or denial of any application for a tattoo business license, said applicant may request, in the form of a written application to the Roseville City Manager for a hearing before the Roseville City Council, reconsideration of this application for license or for a

variance of any of the provisions or requirements of any ordinance, the violation of which constitute a grounds for the original revocation or denial of the application.

§ 302-12. Submission of evidence.

At said hearing, the applicant and his or her attorney may present and may submit evidence on the applicant's behalf to show that the grounds for the original revocation or denial no longer exist.

§ 302-13. Review of evidence and determination by Council.

After reviewing an applicant's evidence, the City Council shall determine whether to sustain the revocation, sustain the denial or grant the application for license.

§ 302-14. Evidence of exceptional circumstances.

At said hearing, the applicant and his or her attorney may present a statement and adequate evidence showing that:

- A. There are exceptional or extraordinary circumstances or conditions applying to the proposed tattoo parlor referred to in the appeal application submitted to the Roseville City Manager, which circumstances or conditions do not apply generally to any proposed tattoo parlor.
- B. The granting of such tattoo business license will not, under the circumstances of the particular case, materially affect adversely the health, safety or welfare of the persons residing or working in the neighborhood or attending any tattoo parlor and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to the immediate neighborhood or the City at large.

§ 302-15. Granting of variance.

In all cases where the Roseville City Council shall grant a variance of any provision or requirement of this chapter, the Roseville City Council shall find that the granting of the variance under such conditions as the Roseville City Council may deem necessary or desirable to apply thereto will be in harmony with the general purpose and intent of this chapter and that it will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

§ 302-16. Inspections; operation during license suspension prohibited.

Every licensee/applicant under this chapter shall permit all reasonable inspections of the business premises and shall at all times comply with the laws and regulations applicable to such business premises and shall refrain from operating the licensed business on the premises after the expiration of said license and during the period the license may be revoked or suspended.

§ 302-17. Sterilizing equipment.

The Department of Buildings and Inspection shall promulgate regulations to be followed for the sterilization of instruments and needles used in the tattoo process. The sterilizing equipment must be maintained in the proper sanitary manner and be at all times in proper working order. No tattooing shall be performed unless the tattooing equipment and materials have been sterilized before attempting to tattoo each customer.

§ 302-18. Display of license.

[Amended 4-24-2007 by Ord. No. 1207]

The tattoo licensee/applicant shall display the license in an open and conspicuous place on the premises of the tattoo business.

§ 302-19. Notification of change in information.

If, while any application for a tattoo business license is pending or during the term of any license granted hereunder, there is any change in fact, policy or method which would alter the information provided in such application, the applicant/licensee shall notify the Roseville Police Chief thereof, in writing, within 72 hours after such change.

§ 302-20. License fees.

[Amended 7-27-1999 by Ord. No. 1125]

The annual fee for a tattoo business shall be as provided in Chapter 133, Fees.

§ 302-21. License expiration date.

All licenses granted under the provisions of this chapter shall expire on February 1 on each and every year.

§ 302-22. Appointment book.

Every person who operates a tattoo business or provides a tattoo shall at all times keep an appointment book in which the name, age and address of each and every patron shall be entered, together with the time, date and place of service and the service provided. Such appointment book shall be available at all times for inspection by the Police Chief or authorized representatives, and said appointment book shall be kept on file for one year from the date of the last entry therein.

§ 302-23. Licenses not transferable.

No tattoo business license is transferable, separate or divisible, and such authority as a license confers shall be conferred only on the licensee named therein.

§ 302-24. Periodic inspections; minimum standards.

All premises used by the licensee hereunder shall be periodically inspected by the Police Chief, Director of Buildings and Inspection or Fire Chief or their authorized representatives for the safety of

the structure and adequacy of the plumbing, ventilation, heating and illumination. The following minimum standards shall be maintained:

- A. Walls shall be clean and painted with washable, mold-resistant paint in all rooms.
- B. Floors shall be free from any accumulation of dust, dirt or refuse.
- C. All equipment used in the tattoo operation shall be maintained in a clean and sanitary condition.
- D. Towels, linen and items for personal use of tattoo operators and patrons shall be clean and freshly laundered. Towels, cloths and sheets shall not be used for more than one patron. Heavy, white paper may be substituted for sheets, provided that such paper is changed for every patron.

§ 302-25. Toilet facilities.

[Amended 7-27-1999 by Ord. No. 1125]

Toilet facilities shall be provided in convenient locations and shall comply with the Plumbing Code of the City of Roseville as provided in Chapter 221, Plumbing Standards.

§ 302-26. Lavatories or wash basins.

Lavatories or wash basins provided with both hot and cold running water shall be installed in either the toilet room or vestibule. Lavatories or wash basins shall be provided with soap in a dispenser and sanitary towels.

§ 302-27. Hands of attendants to be clean.

The skin of the hands of those attending patrons shall be clean and in healthy condition and the nails shall be kept short. The hands shall be washed thoroughly before giving the patron any attention.

§ 302-28. Persons under 18 not permitted on premises.

No person shall permit any person under the age of 18 years to come or remain on the premises of any tattoo business establishment, as tattoo operator, employee or patron, unless such person is on the premises on lawful business.

§ 302-29. Alcoholic beverages prohibited.

No person shall sell, give, dispense, provide or keep or cause to be sold, given, dispensed, provided or kept any alcoholic beverage on the premises of any tattoo business.

§ 302-30. Administrative procedures.

The Roseville Police Chief or Roseville City Manager shall establish reasonable administrative procedures necessary to the operation and enforcement of this chapter.

§ 302-31. Violations and penalties.

[Amended 7-27-1999 by Ord. No. 1125; 4-24-2007 by Ord. No. 1207]

Every person except those persons who are specifically exempted by this chapter whether acting as an individual, owner, employee of the owner, independent contractor, operator or employee of the operator or whether acting as a mere helper for the owner, employee or operator or acting as a participant or worker in any way, who gives a tattoo or conducts a tattoo establishment without first obtaining a permit, and paying a license fee to do so, from the City of Roseville, or who shall violate any of the provisions of this chapter shall, upon conviction, be punished as provided in Chapter 1, General Provisions, Article I.