

# AGENDA REGULAR MEETING OF THE BOARD OF HEALTH

**Thursday, May 20, 2021, 6:15 pm  
(Via Zoom Meeting)**

*SPECIAL ACCOMMODATIONS. This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made at least 24 hours prior to this meeting. Please contact the City Clerk's office at 307-721-5220 for further information.*

*Join Zoom Meeting: <https://cityoflaramie.zoom.us/j/84612583741?pwd=TnBIUIEwaXJRTVAxWjNIQzZyQmU2Zz09>*

*Meeting ID: 846 1258 3741*

*Passcode: 981762*

*One tap mobile*

*+16699006833,,84612583741# US (San Jose) 12532158782,,84612583741# US*

*+(Tacoma)*

*Dial by your location*

*+1 669 900 6833 US (San Jose)*

*+1 253 215 8782 US (Tacoma)*

*+1 346 248 7799 US (Houston)*

*+1 929 205 6099 US (New York)*

*+1 301 715 8592 US (Washington DC)*

*+1 312 626 6799 US (Chicago)*

## **1. Call to Order and Roll Call**

## **2. APPROVAL OF AGENDA AND MINUTES**

### **2.A. Consideration of Changes in Agenda and Setting the Agenda**

A. MOTION BY \_\_\_\_, seconded by \_\_\_\_, that the following changes to the Agenda be approved:

B. MOTION BY \_\_\_\_, seconded by \_\_\_\_, that the Agenda be set as submitted or

changed.

**2.B. Minutes from the November 19, 2020 Board of Health Meeting**

Recommended Motion:

I move to approve the minutes from the November 19, 2020 Board of Health meeting.

Documents:

[BOH Minutes 11-19-2020.pdf](#)

**3. Public Comments on Non-Agenda Items - No action will be taken**

**4. Board of Health and Staff Reports and Comments**

**4.A. Updates from Health Inspector**

**5. Disclosures**

**6. Old Business**

**7. New Business**

**7.A. Introduction of New Board Members**

**7.B. Review the Purpose and Scope of the Board of Health**

Documents:

[Title - 35.docx.pdf](#)

[2016 BOH Rules and Regulations-Bylaws.pdf](#)

**7.C. Discussion on By-laws**

Documents:

[2016 BOH Rules and Regulations-Bylaws.pdf](#)

[Municipal Ordinances 8.04 - 8.36.pdf](#)

[2016 BOH Rules and Regulations-Body Artists and Body Art Establishments.pdf](#)

**8. Date for Next Regular Meeting -August 19, 2021 at 6:15 pm**

**9. Adjourn**

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MINUTES  
CITY OF LARAMIE, WYOMING  
BOARD OF HEALTH MEETING  
NOVEMBER 19, 2020

**1. Call to Order and Roll Call**

Regular Meeting of the Board of Health was called to order by Chair Wambeke at 6:15 p.m.

Present: Aaron Taff, Beth Young Jones, Jean Allais, Leslie Comly, and Becce Wambeke.  
Absent: None.

Staff Liaison: Jessica Stalder (absent).

Staff: Nancy Bartholomew, City Clerk and Cody Talbott, Environmental Health Specialist.

**2. Approval of Agenda and Minutes**

**2.A. Consideration of Changes in Agenda and Setting the Agenda**

MOTION BY TAFF, seconded by Young Jones, that the Agenda be set as submitted.

MOTION CARRIED by voice vote.

**2.B. Minutes from the August 20, 2020 Board of Health Meeting**

MOTION BY YOUNG JONES, seconded by Taff, to approve the minutes from the August 20, 2020 meeting.

MOTION CARRIED by voice vote.

**3. Public Comments on Non-Agenda Items- No action will be taken**

None.

**4. Board of Health and Staff Reports and Comments**

**4.A. Updates from Health Inspector**

Cody Talbott presented reports to the board.

**5. Disclosures**

None.

**6. Business**

**6.A. Old Business**

None.

**6.B. New Business**

None.

MINUTES  
CITY OF LARAMIE, WYOMING  
BOARD OF HEALTH MEETING  
NOVEMBER 19, 2020

**7. Date for Next Regular Meeting- February 18, 2021 at 6:15 p.m.**

**8. Adjourn**

MOTION BY TAFF, seconded by Allais, to adjourn.

MOTION CARRIED by voice vote.

Board adjourned at 6:21 p.m.

Minutes approved by the Board of Health on the \_\_\_ day of \_\_\_\_ 2021.

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Nancy Bartholomew, City Clerk

funds shall be expended from the special revenue account unless and until the legislature appropriates the funds.

### ARTICLE 3

#### COUNTY, MUNICIPAL AND DISTRICT HEALTH DEPARTMENTS

##### **35-1-301. Definitions; establishment; participation by municipality in district department.**

(a) For the purposes of this act, the word "municipality" shall mean and include any town, village or city of this state, and the word "district" shall mean and include any combination of said towns, villages, cities and counties of this state.

(b) Any county, municipality, or district may, by resolution of the board of county commissioners or municipal governing body or by a majority of the votes cast by the qualified electors of such county, municipality, or district, establish and maintain a county, municipal, or district health department.

(c) Any two (2) or more adjacent counties may, by resolutions of the boards of county commissioners or by a majority of the votes cast by the qualified electors establish and maintain a district health department.

(d) Any municipality within a health department district may, by resolution of the municipal governing body or by a majority of the votes cast by the qualified electors of such municipality, participate in such a district health department.

##### **35-1-302. Organization of units; membership of boards; removal.**

(a) Within thirty (30) days after the adoption of a resolution or resolutions to establish and maintain a county and/or city or district health department, the board or boards of county commissioners and/or city governing body, as the case may be, shall proceed to organize such a department by the appointment of a county and/or city or district board of health, hereinafter referred to as the board.

(b) Each county and/or city board of health shall consist of five (5) members, all of whom shall be qualified electors of the county in which they serve, and one (1) shall have the degree of doctor of medicine and one (1) shall have the degree of doctor of dental surgery when available in said county. One

(1) member of the board to be appointed for one (1) year; one (1) for two (2) years; one (1) for three (3) years, one (1) for four (4) years; and one (1) for five (5) years. Thereafter appointments for full term shall be for five (5) years. Vacancies for unexpired terms shall be filled by appointment by the board of county commissioners and/or city governing body.

(c) The number of members on the district board shall be at least equal to the number of participating political subdivisions; each participating political subdivision shall have at least one (1) representative on the board; the board shall not have less than seven (7) members; at least one (1) member of the board shall have the degree of doctor of medicine and at least one (1) member shall have the degree of doctor of dental surgery. For the original board, one (1) member shall be appointed for a term of one (1) year, two (2) for a term of two (2) years, two (2) for three (3) years, two (2) for four (4) years. Thereafter, each appointment shall be for a term of four (4) years. The district board of health shall be appointed by a committee composed of one (1) member of each of the boards of county commissioners of the counties comprising the district.

(d) Meetings of the board shall be held quarterly at such place as is designated by the board and at such other time as may be desirable upon call by the county and/or city or district health officer. Members of the board shall serve without compensation, but shall be entitled to payment for travel and other necessary expense incurred while attending meetings of the board.

(e) The governing body which appointed the member of the board may remove that member of the board for cause without a public hearing unless the member requests that the action be taken during a public hearing. Vacancies on the board shall be filled by the governing body for the balance of the unexpired term created by the vacancy.

### **35-1-303. Rules and regulations; jurisdiction.**

(a) County and/or city and district boards of health may enact rules and regulations pertaining to the prevention of disease and the promotion of public health in the area over which such respective boards have jurisdiction. But in no instance shall such rules and regulations be less effective than, or in conflict with, rules and regulations promulgated by the state department of health. The district and/or city health

officers shall have all powers vested by law in county health officers.

(b) The jurisdiction of the county and/or city or district health department shall extend over all unincorporated areas and over all municipalities within the territorial limits of the county or counties comprising the district except municipalities of Class I may maintain their own health departments. However, any municipalities of Class I may merge its health services with that of the county or district in which such city is located.

**35-1-304. Treasurer designated; fund to be created; composition and use of fund; preparation and submission of budget; tax levy authorized.**

(a) In the case of a county and/or city health department, the county and/or city treasurer, as a part of his official duties as county and/or city treasurer, shall serve as treasurer of the department, and his official bond as county and/or city treasurer shall extend to and cover his duties as treasurer of the department. In the case of a district health department, the county treasurer of the county in the district having the largest population, as a part of his official duties as county treasurer, shall serve as treasurer of the district department and his official bond as county treasurer shall extend to and cover his duties as treasurer of the department.

(b) The treasurer of a county and/or city or district health department shall, upon organization of the department, create a county and/or city or district health department fund to which shall be credited:

(i) Any moneys that may be appropriated from the general county fund or funds;

(ii) Any moneys received from state, federal or other grants or donations for local health purposes;

(iii) Any moneys received from mill levies authorized by this act.

(c) Any moneys credited to said fund shall be expended only for maintenance and operation of the department and claims or demands against said fund shall be allowed upon certification by the health officer or a designated member of the board of health.

(d) A county and/or city board of health shall, annually before April 1st of each year, estimate the total cost of maintaining the department for the ensuing fiscal year, and the amount of moneys that may be available from unexpended surpluses or from state or federal grants or other grants or donations. The estimates shall be submitted in the form of a budget to the board of county commissioners and/or city governing body and the board shall provide any moneys necessary over estimated moneys from surpluses, grants and donations to cover the total cost of maintaining the department for the ensuing fiscal year. If the city has chosen to have a biennial budget pursuant to W.S. 16-4-104(h), then the city board of health shall submit their budget to the city on April 1 of every other year in accordance with the city budget.

(e) A district board of health shall, annually before April 1st of each year, estimate the total cost of maintaining and operating the department for the ensuing fiscal year and the amount of monies that may be available from unexpended surpluses or from state or federal grants or other grants or donations. The estimates shall be submitted in the form of a budget to a committee composed of the chairmen of the boards of county commissioners and/or city governing body of all counties and/or cities comprising the district. The cost of maintaining and operating the department, over estimated monies from surpluses, grants or donations, shall be apportioned by the committee among the counties comprising the district on a basis of population of each participating county in proportion to the total population of all counties comprising the district. The boards of county commissioners of the respective counties shall provide any monies necessary to cover the proportionate share of their county. If the cities in the district have chosen to have a biennial budget pursuant to W.S. 16-4-104(h), then the district board of health shall submit their budget to the cities on April 1 of every other year in accordance with the cities' budget. If all the cities in the district are not on the same budget schedule, the district shall still submit a biennial budget. However, for those cities who budget annually, they shall appropriate an annual amount.

(f) A tax levy may be made by the board of county commissioners specifically for the public health purposes on assessed valuation.

**35-1-305. Appointment of health officers and other personnel generally; local board of health may fix fees for certain services.**



(a) In the counties, municipalities or districts where health departments are created, as provided herein, the local board of health may appoint a full time or part time health officer, deputy health officers, public health nurses, sanitarians, environmental health specialists and such other public health personnel as may be deemed necessary to adequately protect the public health. Subject to subsection (c) of this section, the local board of health may fix reasonable fees and charges for services, except for follow-up of communicable diseases and for individuals who receive services under the public health nursing infant home visitation subprogram created by W.S. 35-27-102. No person shall be denied necessary nursing services within the limits of available personnel because of an inability to pay the cost of such services.

(i) Repealed By Laws 2001, Ch. 127, § 2.

(ii) Repealed By Laws 2001, Ch. 127, § 2.

(iii) Repealed By Laws 2001, Ch. 127, § 2.

(iv) Repealed By Laws 2001, Ch. 127, § 2.

(v) Repealed By Laws 2001, Ch. 127, § 2.

(b) All moneys collected hereunder shall be paid directly to the city or county treasurer and placed in the corresponding health department fund.

(c) Prior to the establishment of any fee under this section, the local board of health, the city council or the board of county commissioners, as appropriate, shall hold a public hearing after providing forty-five (45) days written notice of the hearing. No fee shall be imposed by the local board of health under this section without the prior approval of the city council or the board of county commissioners, as appropriate. No fee established under this section shall exceed five hundred dollars (\$500.00).

**35-1-306. Appointment of health officer and other personnel where departments not established; fees and charges for services; payment.**

(a) In counties or municipalities where such departments are not established the boards of county commissioners or municipal governing body shall appoint the county or municipal

health officer and other necessary personnel. The governing body of any combination of municipalities, counties, or municipalities and counties where such departments are not established may form a health district and appoint a district health officer thereof. The term of office for the county, municipal, or district health officer shall be four (4) years unless sooner removed by the board of county commissioners, municipal, or district governing body. He shall have a degree of doctor of medicine, and shall assist the state department of health in carrying out the provisions of all health and sanitary laws and regulations of the state.

(b) Each part-time county, municipal, or district health officer shall receive a minimum compensation of not less than twenty-five dollars (\$25.00) per month and necessary travel expenses incurred while engaged in the duties of his office.

(c) There is hereby authorized to be appointed by the boards of county commissioners, municipal, or district governing bodies so desiring, a deputy health officer, public health nurses, sanitarians, and such other public health personnel as may be deemed necessary to adequately protect the public health to serve under the county, municipal or district health officer. Such deputy health officer shall have the same authority in his area as the health officer and shall be compensated at a maximum rate of two-thirds the salary paid to the health officer of the county, municipality or district.

(d) Each public health nurse, sanitarian, and such other professional public health personnel appointed under the provisions of this act shall meet the position specifications established by the state merit rule for such positions. Boards of county commissioners, municipal, or district governing bodies are authorized and empowered to make appropriations for the compensation and necessary expenses for such public health personnel from such unencumbered funds as may be available. Said boards shall have the power to set all salaries for all personnel.

(e) Boards of county commissioners, municipal or district governing bodies may fix reasonable fees and charges for services, except for follow-up of communicable diseases and for individuals who receive services under the public health nursing infant home visitation subprogram created by W.S. 35-27-102. No person shall be denied necessary nursing services within the limits of available personnel because of an inability to pay the cost of such services.

- (i) Repealed By Laws 2001, Ch. 127, § 2.
- (ii) Repealed By Laws 2001, Ch. 127, § 2.
- (iii) Repealed By Laws 2001, Ch. 127, § 2.
- (iv) Repealed By Laws 2001, Ch. 127, § 2.
- (v) Repealed By Laws 2001, Ch. 127, § 2.

(f) Payment, in whole or in part for such services may be accepted from any person. Payment of any charges due may be accepted from a local county, state or federal public assistance agency or any combination thereof; or from any individual, governmental agency, or corporation, public or private, when such services are provided any person, including but not limited to a recipient of any type of social security aids administered by the federal or state governments, or a recipient of direct relief.

(g) All monies collected or appropriated hereunder shall be paid directly to the treasurer of the county, municipality or district, as the case may be, for credit to a county, municipal, or district health fund in the manner provided in W.S. 35-1-304, for county, municipal, and district health departments. Any monies credited to said fund shall be expended only for the compensation and necessary expenses for such public health personnel and claims or demand against said fund shall be allowed upon certification by the health officer or a designated member of the governing board.

**35-1-307. Purpose of health units.**

The establishment of full-time local health units is for public health and preventive medical purposes for the people of the state of Wyoming.

**35-1-308. Dissolution and discontinuance.**

Any county and/or city or district health department may be dissolved and discontinued by resolution of the board of county commissioners and/or city governing body of a county and/or city maintaining a county and/or city health department, or by resolutions of the boards of county commissioners and/or city governing board of the counties and/or cities maintaining a district health department; provided, however, that no

department shall be dissolved within the two (2) year period following the date of its establishment. Within ninety (90) days after the passage of a resolution or resolutions dissolving a department, the county and/or city or district board of health shall proceed to terminate the affairs of the department. After payment of all obligations, any moneys remaining in a county and/or city health department fund shall be credited to the general fund of the county and/or city, and any moneys remaining in a district health department fund shall be apportioned among the counties comprising the district in the same manner as the cost of maintaining the department was apportioned among the counties, and credited to their respective general funds. All other property of the county and/or city or district health department shall be disposed of as may be agreed upon by the county and/or city or district board of health.

**35-1-309. Adjacent county without department becoming part of health district by agreement.**

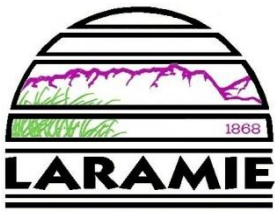
(a) Generally.-Any county adjacent to a district maintaining a district health department may become a part of such district by agreement between its board of county commissioners and the boards of county commissioners of the counties comprising the district. Any such county upon being accepted into the district, shall thereupon become subject to all the provisions of this act as though it were originally a part of the district.

(b) Withdrawing from districts.-Any county in a district may withdraw from the district by resolution of its board of county commissioners; provided, however, that no county may withdraw from a district within the two (2) year period following the establishment of the district or the county's becoming a part of the district, and then only after ninety (90) days written notice given to the department. In the event of withdrawal of a county from a district, any funds which had been appropriated by the county before withdrawal, to cover its proportionate share of maintaining the district, shall not be returned to the county withdrawing.

ARTICLE 4  
VITAL RECORDS

**35-1-401. Definitions.**

(a) As used in this act:



# City of Laramie Board of Health Rules and Regulations

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## CHAPTER I. ORGANIZATION

### **Section 1. Authority**

These rules and regulations are adopted under the City of Laramie Enrolled Ordinance No. 747.

### **Section 2. Name**

The name of this board is the Board of Health of the City of Laramie, Wyoming. The Board may be referred to as the Laramie Board of Health.

### **Section 3. Jurisdiction**

The City's Board of Health may enact rules and regulations pertaining to limit the spread of disease and the promotion of public health in the area over which such respective boards have jurisdiction. But in no instance shall such rules and regulations be less effective than, or in conflict with, rules and regulations promulgated by the state department of health. The City Health Officer shall have all powers vested by law in county health officers (W.S. 35-1-303).

### **Section 4. Control of Communicable Diseases**

The Board of Health shall have power to prescribe rules and regulations for the management and control of all communicable diseases, and to prescribe and fix penalties for the violation or refusal to obey such rules and regulations. (LMC 2.20.040)

### **Section 5. Powers and Duties**

The Laramie Board of Health shall have power to make rules and regulations governing its affairs, which are consistent with the laws of the state and the rules of the State Board of Health, and which, under the same limitations, prescribe the duties of the city health officer and Environmental Health Specialist. Such powers and duties of the State Board of Health include, but are not limited to, the following (W.S. 35-1-240).

A. Investigate and control the causes of epidemic, endemic, communicable, occupational and other diseases and afflictions, and physical disabilities resulting there from, affecting the public health.

- B. To abate nuisances when necessary for the protection of public health.
- C. To enforce such sanitary standards, as are or may be established by law, for the operation and maintenance of lodging houses, hotels, public conveyances and stations, schools, factories, workshops, industrial and labor camps, recreational resorts and camps, swimming pools, public baths and other buildings, centers, and places used for public gatherings.
- D. To disseminate public health information.
- E. Establish and maintain a food safety program.

### **Section 6. Term of Office**

The Laramie Board of Health shall consist of five (5) members, all of whom shall be qualified electors of Albany County, and one shall have the degree of Doctor of Medicine (MD) or the degree Doctor of Osteopathic Medicine (DO) and one shall have the degree of Doctor of Dental Surgery (DDS) or Doctor of Dental Medicine (DMD) when available in the county. One (1) member of the board to be appointed for one year; one (1) for two (2) years; one (1) for three (3) years, one (1) for four (4) years; and one (1) for five (5) years. Thereafter, appointments for full term shall be for five (5) years. Vacancies for un-expired terms shall be filled by appointment by the City Council.

### **Section 7. Officers**

The officers of the Board shall consist of a Chair, and Vice Chair, and Secretary.

### **Section 8. City Health Officer**

A city health officer, who shall be a regularly licensed physician residing in the City, shall be appointed by the City Manager. The term of office shall continue at the discretion of the City Manager or until a successor is appointed.

### **Section 9. Election of Officers**

The Chair, Vice Chair and Secretary shall be elected every two years, in odd numbered years, during the first quarter. Election shall be by majority vote of the entire membership of the Board.

### **Section 10. Duties of Officers**

- A. Chair. The Chair shall preside at all regular and special meetings unless he/she is incapacitated or absent. The Chair may move, second, and debate from the chair. The Chair shall be subject only to the limitations placed on

all members, and shall not be deprived of the rights and privileges of a board member by reason of acting as the Chair.

B. Vice Chair. The Vice Chair shall perform the duties and responsibilities of the Chair in the absence or inability of the Chair to act.

C. Secretary. The Secretary shall keep the minutes of the Board. Minutes of each meeting shall be submitted to the City Council and shall serve as the report from the Board.

D. Health Officer. The City Health Officer shall perform the duties duly prescribed by the Board of Health.

E. Temporary Chair. A quorum of the Board may elect a Temporary Chair to serve during the absence or inability to act of the Chair and Vice Chair.

### **Section 11. Meetings**

A. Regular. The Board shall meet quarterly, and more frequently at the discretion of the Chair. Members of the Board will be notified at each Board meeting of the next meeting date, time, and place. When possible, the next meeting's agenda shall be provided in advance to each Board member. Regular meetings are held in the Carnegie Building at 405 Grand Avenue, or as otherwise determined by the Chair. All regular meetings are open to the public, and the public shall be notified at least 24 hours in advance of each meeting.

B. Special. Special meetings of the Board shall be held on call of the Chair, upon request of three members, or upon the request of the Environmental Health Specialist, with not less than 24 hours notice to all Board members. In an emergency (e.g. such as an outbreak of communicable disease or natural disaster where immediate action is needed), special meetings may be called without advance notice. The City shall use reasonable means to notify all members of the date, time, and place of each special meeting, and the purpose for which it is called.

### **Section 12. Quorum**

A quorum for the transaction of business at any regular or special meeting is three (3) members of the Board. If less than a quorum is present, those present may recess the meeting from time to time until a quorum is present.

If any meeting is convened where there is not a quorum, the members present may discuss routine matters but may not hear testimony or take formal action on any matter requiring motion and a vote.

### **Section 13. Actions**

All decisions of the Board shall be made by majority vote of the members present and voting. Every member present shall vote on each item requiring a vote, unless excused from voting by a majority of those present after briefly stating his/her reason for requesting to be excused from voting.

Minutes shall be approved by a majority vote of the members present and voting.

### **Section 14. Conduct of Meetings**

A. Order of Business. The business of all regular meetings shall be transacted in the following order unless by vote of the majority of the members present the order is changed:

1. Roll Call
2. Minutes of the Preceding Meeting(s)
3. Reports of Committees or City Officers
4. Old Business
5. New Business
6. Miscellaneous Business

B. Meeting Policy. All proceedings of the Board are public business, unless the Board by majority votes recesses or adjourns into executive session to consider matters, which may be considered in executive session by law. The Board may allow the City Manager, Environmental Health Specialist, City Attorney, stenographer, and other invited persons to attend executive sessions. With the Board's permission, members of the public may address the Board on items of business.

### **Section 15. Attendance**

A. Regular attendance of all Board members is essential to the proper conduct of the Board's business. If a member's attendance record is such that in the opinion of the other members he/she is not able to fulfill the duties of a Board member, the Board may, by majority vote of the entire membership, request the City Council to remove and replace that member.

B. The Board may request that the City Manager and other City staff attend its meetings. The City Health Officer is required to attend.

### **Section 16. Parliamentary Procedure**

For all procedural matters not specifically covered in these Bylaws, the controlling parliamentary authority for the Board of Health is Robert's Rules of Order, most recent revision.



The Chair, being a co-equal member of the Board, shall in addition to presiding, have a right to participate in debate, and shall vote on all motions, and not only where the vote of the chair would create or break a tie.

A motion, once stated and seconded, limits the debate to points relevant to the motion. Before a formal motion is made, general discussion of, and the presentation of information relevant to an agenda item being considered are in order.

Before the consideration of any measure or the taking of any action, concerning which a public hearing has not been previously held, or will not be held, the Chair may allow members of the audience to be heard. No member of the audience may be heard during or after the Board's discussion without consent of the Board. The Chair may reasonably limit audience participation at any time.

Reconsideration of any action of the Board may be allowed at any time, upon motion of any member of the Board, approved by at least three Board members.

Routine matters, such as setting meeting times and adjournment, setting future agenda items, or appointment of committees, may be by consensus rather than by motion and vote.

### **Section 17. Contested Case Procedure**

In contested cases before the Board, the procedures shall be as provided in Chapter 1.20 of the Laramie Municipal Code.

### **Section 18. Adoption and Amendments**

A. Adoption. These rules are in force when adopted by a majority of the entire membership of the Board and filed with the Laramie City Clerk and the Albany County Clerk.

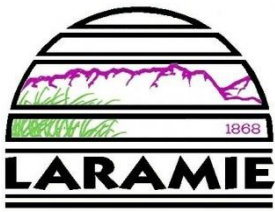
B. Amendment. These rules may be amended from time to time by majority vote of the entire membership at the next regular meeting, following the meeting at which the amendments were introduced.

### **Chapter II. Substantive Rules for Food Service**

### **Chapter III. Substantive Rules for Swimming Pools and Spa Pools**

### **Chapter IV. Substantive Rules for Tattoo and Body Piercing**

### **Chapter V. Enforcement**



# City of Laramie Board of Health Rules and Regulations

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### **Section 4. Control of Communicable Diseases**

The Board of Health shall have power to prescribe rules and regulations for the management and control of all communicable diseases, and to prescribe and fix penalties for the violation or refusal to obey such rules and regulations. (LMC 2.20.040)

### **Section 5. Powers and Duties**

The Laramie Board of Health shall have power to make rules and regulations governing its affairs, which are consistent with the laws of the state and the rules of the State Board of Health, and which, under the same limitations, prescribe the duties of the city health officer and Environmental Health Specialist. Such powers and duties of the State Board of Health include, but are not limited to, the following (W.S. 35-1-240).

A. Investigate and control the causes of epidemic, endemic, communicable, occupational and other diseases and afflictions, and physical disabilities resulting there from, affecting the public health.

- B. To abate nuisances when necessary for the protection of public health.
- C. To enforce such sanitary standards, as are or may be established by law, for the operation and maintenance of lodging houses, hotels, public conveyances and stations, schools, factories, workshops, industrial and labor camps, recreational resorts and camps, swimming pools, public baths and other buildings, centers, and places used for public gatherings.
- D. To disseminate public health information.
- E. Establish and maintain a food safety program.

### **Section 6. Term of Office**

The Laramie Board of Health shall consist of five (5) members, all of whom shall be qualified electors of Albany County, and one shall have the degree of Doctor of Medicine (MD) or the degree Doctor of Osteopathic Medicine (DO) and one shall have the degree of Doctor of Dental Surgery (DDS) or Doctor of Dental Medicine (DMD) when available in the county. One (1) member of the board to be appointed for one year; one (1) for two (2) years; one (1) for three (3) years, one (1) for four (4) years; and one (1) for five (5) years. Thereafter, appointments for full term shall be for five (5) years. Vacancies for un-expired terms shall be filled by appointment by the City Council.

### **Section 7. Officers**

The officers of the Board shall consist of a Chair, and Vice Chair, and Secretary.

### **Section 8. City Health Officer**

A city health officer, who shall be a regularly licensed physician residing in the City, shall be appointed by the City Manager. The term of office shall continue at the discretion of the City Manager or until a successor is appointed.

### **Section 9. Election of Officers**

The Chair, Vice Chair and Secretary shall be elected every two years, in odd numbered years, during the first quarter. Election shall be by majority vote of the entire membership of the Board.

### **Section 10. Duties of Officers**

- A. Chair. The Chair shall preside at all regular and special meetings unless he/she is incapacitated or absent. The Chair may move, second, and debate from the chair. The Chair shall be subject only to the limitations placed on

all members, and shall not be deprived of the rights and privileges of a board member by reason of acting as the Chair.

B. Vice Chair. The Vice Chair shall perform the duties and responsibilities of the Chair in the absence or inability of the Chair to act.

C. Secretary. The Secretary shall keep the minutes of the Board. Minutes of each meeting shall be submitted to the City Council and shall serve as the report from the Board.

D. Health Officer. The City Health Officer shall perform the duties duly prescribed by the Board of Health.

E. Temporary Chair. A quorum of the Board may elect a Temporary Chair to serve during the absence or inability to act of the Chair and Vice Chair.

### **Section 11. Meetings**

A. Regular. The Board shall meet quarterly, and more frequently at the discretion of the Chair. Members of the Board will be notified at each Board meeting of the next meeting date, time, and place. When possible, the next meeting's agenda shall be provided in advance to each Board member. Regular meetings are held in the Carnegie Building at 405 Grand Avenue, or as otherwise determined by the Chair. All regular meetings are open to the public, and the public shall be notified at least 24 hours in advance of each meeting.

B. Special. Special meetings of the Board shall be held on call of the Chair, upon request of three members, or upon the request of the Environmental Health Specialist, with not less than 24 hours notice to all Board members. In an emergency (e.g. such as an outbreak of communicable disease or natural disaster where immediate action is needed), special meetings may be called without advance notice. The City shall use reasonable means to notify all members of the date, time, and place of each special meeting, and the purpose for which it is called.

### **Section 12. Quorum**

A quorum for the transaction of business at any regular or special meeting is three (3) members of the Board. If less than a quorum is present, those present may recess the meeting from time to time until a quorum is present.

If any meeting is convened where there is not a quorum, the members present may discuss routine matters but may not hear testimony or take formal action on any matter requiring motion and a vote.

### **Section 13. Actions**

All decisions of the Board shall be made by majority vote of the members present and voting. Every member present shall vote on each item requiring a vote, unless excused from voting by a majority of those present after briefly stating his/her reason for requesting to be excused from voting.

Minutes shall be approved by a majority vote of the members present and voting.

### **Section 14. Conduct of Meetings**

A. Order of Business. The business of all regular meetings shall be transacted in the following order unless by vote of the majority of the members present the order is changed:

1. Roll Call
2. Minutes of the Preceding Meeting(s)
3. Reports of Committees or City Officers
4. Old Business
5. New Business
6. Miscellaneous Business

B. Meeting Policy. All proceedings of the Board are public business, unless the Board by majority votes recesses or adjourns into executive session to consider matters, which may be considered in executive session by law. The Board may allow the City Manager, Environmental Health Specialist, City Attorney, stenographer, and other invited persons to attend executive sessions. With the Board's permission, members of the public may address the Board on items of business.

### **Section 15. Attendance**

A. Regular attendance of all Board members is essential to the proper conduct of the Board's business. If a member's attendance record is such that in the opinion of the other members he/she is not able to fulfill the duties of a Board member, the Board may, by majority vote of the entire membership, request the City Council to remove and replace that member.

B. The Board may request that the City Manager and other City staff attend its meetings. The City Health Officer is required to attend.

### **Section 16. Parliamentary Procedure**

For all procedural matters not specifically covered in these Bylaws, the controlling parliamentary authority for the Board of Health is Robert's Rules of Order, most recent revision.

The Chair, being a co-equal member of the Board, shall in addition to presiding, have a right to participate in debate, and shall vote on all motions, and not only where the vote of the chair would create or break a tie.

A motion, once stated and seconded, limits the debate to points relevant to the motion. Before a formal motion is made, general discussion of, and the presentation of information relevant to an agenda item being considered are in order.

Before the consideration of any measure or the taking of any action, concerning which a public hearing has not been previously held, or will not be held, the Chair may allow members of the audience to be heard. No member of the audience may be heard during or after the Board's discussion without consent of the Board. The Chair may reasonably limit audience participation at any time.

Reconsideration of any action of the Board may be allowed at any time, upon motion of any member of the Board, approved by at least three Board members.

Routine matters, such as setting meeting times and adjournment, setting future agenda items, or appointment of committees, may be by consensus rather than by motion and vote.

### **Section 17. Contested Case Procedure**

In contested cases before the Board, the procedures shall be as provided in Chapter 1.20 of the Laramie Municipal Code.

### **Section 18. Adoption and Amendments**

A. Adoption. These rules are in force when adopted by a majority of the entire membership of the Board and filed with the Laramie City Clerk and the Albany County Clerk.

B. Amendment. These rules may be amended from time to time by majority vote of the entire membership at the next regular meeting, following the meeting at which the amendments were introduced.

### **Chapter II. Substantive Rules for Food Service**

### **Chapter III. Substantive Rules for Swimming Pools and Spa Pools**

### **Chapter IV. Substantive Rules for Tattoo and Body Piercing**

### **Chapter V. Enforcement**

## Chapter 8.04

### FOOD SAFETY REGULATIONS

#### Sections:

- 8.04.010** Adoption of food safety regulations.  
**8.04.020** Licenses.

#### **8.04.010** Adoption of food safety regulations.

The board of health shall adopt regulations for the design, construction and operation of food establishments, and shall set standards for food operations and food handling within the city. Those regulations shall be equal in scope to regulations in current use by the Wyoming Department of Agriculture, Consumer Health Services. (Ord. 1339 § 2 (part), 2001)

#### **8.04.020** Licenses.

A. Any person processing, distributing, storing or preparing any food for wholesale or retail use shall obtain a license. The license is not transferable, shall be renewed on an annual basis and shall be prominently displayed in the establishment. No food establishment shall serve, hold for sale or sell food to the public without a valid license. An agricultural producer shall be exempt from the licensure requirement in this section for processing, distributing or sale of any raw agricultural commodity he produces. Licenses run from January 1st through December 31st of each calendar year, and must be renewed prior to expiration. Licenses not renewed prior to expiration are invalid. Yearly license fees may not be prorated.

B. Written application for a new license shall be made on an approved form and shall be signed by the applicant. An initial license fee of one hundred dollars shall accompany each application. The license fee for a temporary food event shall be twenty-five dollars which event shall not exceed fourteen days. License requirements and fees for temporary food events operated by nonprofit organizations shall be waived. Licenses may be renewed each year upon

application accompanied by a fee of fifty dollars. Any establishment which has a license on the effective date of this chapter shall pay a fee of fifty dollars for the following year and shall not be liable to pay the initial license fee of one hundred dollars.

C. Licenses may be revoked for due cause. Proceedings for the revocation of an establishment license may be commenced by the filing of a written application with the board of health. The application shall be accompanied by an affidavit stating the facility for which the license was issued has been inspected by a registered environmental health specialist or registered food safety specialist, the conditions which present an imminent health hazard and in his or her opinion conditions exist that present an imminent health hazard or that the license holder has willfully refused to allow an inspection of the premises. Upon receipt of the application, the board of health shall issue notice of a hearing to the license holder. The notice and the hearing shall be governed by the provisions of the Wyoming Administrative Procedure Act. If, upon completion of the hearing and consideration of the record, the board finds that the conditions present at the facility pose an imminent health hazard, or that the license holder has willfully refused to allow an inspection of the premises, the board shall issue an order of license revocation which shall include findings of fact and conclusions of law, and finding of actions necessary to cure the causes leading to the revocation. (Ord. 1339 § 2 (part), 2001)

## Chapter 8.08

### PUBLIC SWIMMING POOLS, SPAS AND BATHHOUSES

#### Sections:

- 8.08.010** Permit required.  
**8.08.020** Rules and regulations.

#### **8.08.010** Permit required.

It shall be unlawful to construct, alter, or operate a public swimming pool, plunge pool, wading pool,

wave pool, flow-through pool, flotation tank, flume, slide or bathhouse without first obtaining a permit from the city manager or designated representative. (Ord. 1339 § 3 (part), 2001)

#### **8.08.020 Rules and regulations.**

The board of health shall adopt rules and regulations establishing the minimum standards for the design, construction and operation of public swimming pools, plunge pools, wading pools, wave pools, flow-through pools, flotation tanks, flume tanks, slides and bathhouses. Those rules and regulations shall be equal in scope to those in current use by the Wyoming Department of Health. (Ord. 1339 § 3 (part), 2001)

### **Chapter 8.12**

#### **TATTOOING AND BODY PIERCING**

##### **Sections:**

- 8.12.010 License required.**
- 8.12.020 Rules and regulations.**
- 8.12.030 Definitions.**
- 8.12.040 Tattooing—Persons under eighteen years.**
- 8.12.050 Body piercing—Persons under eighteen years.**
- 8.12.060 Proof of age and identity.**
- 8.12.070 Penalty.**
- 8.12.080 Rules authorized.**

#### **8.12.010 License required.**

It is unlawful for any person to engage in the business of operating a tattoo or body piercing establishment or to engage in the practice of tattooing or body piercing without first obtaining a license. (Ord. 1339 § 4 (part), 2001)

#### **8.12.020 Rules and regulations.**

The board of health shall adopt minimum standards for the design, construction, operation, practice and licensing of tattooing and body piercing. Such rules shall be adequate to control epidemic, endemic and

communicable disease within the community, and as otherwise necessary for the protection of the general public health. (Ord. 1339 § 4 (part), 2001)

#### **8.12.030 Definitions.**

“Tattooing” means to puncture the skin of a person with a needle and insert indelible permanent colors through the puncture to leave permanent marks or designs.

“Body piercing” means puncturing or penetration of a person’s skin, usually to allow the placing of jewelry or other adornment in the opening, for decorative or other non-medical purposes, by a person not directly under the supervision of a licensed physician as defined by W.S. 33-26-303. The site or location of the piercing on the patron’s body is included in this definition. Puncturing the outer perimeter or lobe of the ear using a pre-sterilized single use stud and clasp ear piercing system is not included in this definition. (Ord. 1340 § 1, 2001)

#### **8.12.040 Tattooing—Persons under eighteen years.**

No person shall knowingly place a tattoo upon or under the skin of a person who is under the age of eighteen years, except with the written consent given on the premises of the person’s parent or legal guardian. The tattooist shall require proof of age before administering a tattoo to any person. (Ord. 1340 § 2, 2001)

#### **8.12.050 Body piercing—Persons under eighteen years.**

No person shall knowingly perform body piercing upon a person who is under the age of eighteen years, except with the written consent given on the premises of the person’s parent or legal guardian. The person performing the procedure shall require proof of age before administering body piercing to any person. (Ord. 1340 § 3, 2001)

#### **8.12.060 Proof of age and identity.**

A motor vehicle driver’s license, a registration card issued under the federal Selective Service Act,



an identification card issued to a member of the armed forces, a valid United States passport or an identification card issued by the Wyoming department of transportation is prima facie evidence of the age and identity of the person. Proof that the tattooist demanded, was shown and acted in reasonable reliance upon the information contained in any one of the above documents as identification and proof of age is a defense to any criminal prosecution under this chapter.  
(Ord 1340 § 4, 2001)

**8.12.070 Penalty.**

Any person who violates this chapter shall, upon conviction, be punished by a fine not to exceed seven hundred fifty dollars.  
(Ord. 1340 § 5, 2001)

**8.12.080 Rules authorized.**

The board of health may make rules and regulations to require persons engaged in tattooing or body piercing to keep records of the identity and age of persons under the age of eighteen who receive a tattoo or piercing.  
(Ord. 1340 § 6, 2001)

**Chapter 8.16**

**GARBAGE\***

**Sections:**

**8.16.010 Definitions.**

**8.16.020 Premises to be kept clean.**

\*Editor's note—Ord. No. 1562, adopted Aug. 4, 2009, amended former Ch. 8.16, §§ 8.16.010—8.16.260, in its entirety Former Ch. 8.16 pertained to similar subject matter and derived from the prior codification and the following:

Ord. No.	Section	Date
753	1	1983
874	1	1986
1199	1—3	1996
1239	1	1998
1509	1, 2	2007
1560		6- 2-09

- 8.16.030 Containers—Required.**
- 8.16.040 Securing garbage, refuse and other materials.**
- 8.16.050 Receptacles—Specifications.**
- 8.16.060 Receptacles—Location—Security.**
- 8.16.070 Receptacles—Placing of liquids.**
- 8.16.080 Occupancy taken as proof of refuse accumulation.**
- 8.16.090 Hauling—Restricted to city—Exceptions.**
- 8.16.100 Hauling—Contracting for nonsingle-kitchen units.**
- 8.16.110 Collector's license—Fee.**
- 8.16.120 Collection vehicle—License required—Revocation.**
- 8.16.130 Collection vehicle—Requirements—Inspection.**
- 8.16.140 Storage over twenty-four hours.**
- 8.16.150 Nonresidents using the landfill.**
- 8.16.160 Depositing on streets and public places.**
- 8.16.170 Collection—Temporary termination.**
- 8.16.180 Fees—Households—Generally.**
- 8.16.190 Fees—Households—Basic cans.**
- 8.16.200 Fees—Households—Additional Receptacles.**
- 8.16.210 Fees—Multiple unit buildings.**
- 8.16.220 Fees—Petition for waiver.**
- 8.16.230 Rate schedule for city-provided receptacles two-cubic yards and larger.**
- 8.16.240 Use of receptacle belonging to another forbidden.**
- 8.16.250 Refuse removal refusal.**
- 8.16.260 Purpose—Enforcement.**

3. Be living on the property from which the nuisance is abated.

B. Applications for waiver of nuisance abatement costs shall be filed with the city manager on forms supplied by the city, within ten days after receipt of a notice of assessment. All information required to be given on such form shall be supplied and verified by the applicant. The maximum amount that may be waived under this section for any one parcel of real property or any one person shall be five hundred dollars per calendar year. (Ord. 1483 § 16, 2006). (Ord. No. 1535, § 1, 9-2-2008)

**8.32.250 Vehicle impoundment—Transfer of title to the city.**

Title to any impounded nuisance vehicle not reclaimed by the registered responsible person(s) or any lien holder within thirty days of the date of the report of an abandoned vehicle shall vest in the city. A change in the title may be obtained by the city pursuant to the authority of this chapter and the procedure established in state statutes to obtain a change in title. (Ord. 1483 § 17, 2006). (Ord. No. 1535, § 1, 9-2-2008)

**8.32.260 Emergency abatement.**

If any nuisance exists in such a condition so menacing to the public health, peace or safety that it is necessary that it be summarily abated, the city manager may proceed to abate the nuisance without notice or hearing. The determination of costs, notice of assessment and an appeal of charges for an emergency abatement shall be subject to the provisions of Section 8.32.230. (Ord. No. 1535, § 1, 9-2-2008)

**8.32.270 Personal liability of owner.**

The owner of the property on which a public nuisance was abated by the city shall be personally liable to the city for the reasonable costs incurred as a result of that abatement. (Ord. No. 1535, § 1, 9-2-2008)

**8.32.280 Removal—Voluntary consent—Affidavit.**

The author of a nuisance may voluntarily consent to its removal by the city. To give such con-

sent, all responsible persons of the property shall execute an affidavit acceptable to the city manager, stating that there are no other responsible person(s) of the property or lien holders having a security interest in the property; that the responsible person(s) waive the right to hearing under Section 8.32.210; that the responsible person(s) will reimburse the city for the actual costs of removal and administrative overhead attributable to removal; and that reimbursement will be made to the city within thirty days of removal. The affidavit shall contain an agreement by the responsible person(s) to indemnify the city for any loss, damage or expense alleged by any person as a result of removal or disposal. The affidavit shall release the city from any and all liability on account of the removal and disposal of a nuisance. (Ord. No. 1535, § 1, 9-2-2008)

**8.32.290 Other methods of abating nuisances.**

Nothing in this title shall be deemed to limit the use of other lawful methods of abating nuisances, including, but not limited to, taking action in district court. (Ord. No. 1535, § 1, 9-2-2008)

**8.32.300 Severability.**

If any section, subsection, sentence, clause, phrase or portion of the ordinance codified in this chapter is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance codified in this chapter. (Ord. No. 1535, § 1, 9-2-2008)

**Chapter 8.36**

**HOTELS AND LODGINGHOUSES**

**Sections:**

**8.36.010 Compliance with chapter.**

**8.36.020 Screening and ventilation.**

**8.36.030 Cleanliness—Generally.**

**8.36.040 Water supply and sewage facilities.**

**8.36.050 Toilet, bath and lavatory facilities.**

**8.36.060 Garbage disposal.**

**8.36.070 Adequacy determined by board of health.**

**8.36.010 Compliance with chapter.**

It is unlawful for any person to conduct in the city a tourist camp, tourist court, motel, hotel or commercial roominghouse and boardinghouse except in compliance with the provisions of this chapter. (Prior code § 19-36).

**8.36.020 Screening and ventilation.**

The owner or person legally in charge of any of

the businesses enumerated in Section 8.36.010 shall see that his premises are properly screened, ventilated and in all respects sanitary. (Prior code § 19-37).

#### **8.36.030 Cleanliness—Generally.**

A. It is unlawful for any person legally in charge of any buildings designated in Section 8.36.010, to permit or allow the beds, bedding, floors, roofs, ceilings or walls to become dirty, broken, foul or become or remain infested with bedbugs, cockroaches, injurious insects or rodents.

B. It is unlawful for any person, owner, lessee or person legally in charge of any business designated in Section 8.36.010 to permit the premises or surroundings to be littered with accumulations of garbage, rubbish, trash or wastes of any nature. (Prior code § 19-38).

#### **8.36.040 Water supply and sewage facilities.**

In all cases where any of the establishments designated in Section 8.36.010 provide their own water supply and sewage facilities, they shall be adequate, safe and sanitary in all respects. (Prior code § 19-39).

#### **8.36.050 Toilet, bath and lavatory facilities.**

All establishments designated in Section 8.36.010 shall provide their places with adequate, sanitary and convenient toilets, baths and lavatory facilities. (Prior code § 19-40).

#### **8.36.060 Garbage disposal.**

All establishments designated in Section 8.36.010 shall comply with all respects with the provisions of Chapter 8.16, pertaining to garbage disposal. (Prior code § 19-41).

#### **8.36.070 Adequacy determined by board of health.**

The board of health shall investigate and determine the necessary facilities required in all premises where camping or lodging in establishments designated in Section 8.36.010 is permitted, to the end that the same may be kept in good repair, in a sanitary condition,

free from infectious or contagious diseases and complies with the terms of this chapter and the rules and regulations of the board of health. The owner or caretaker shall report immediately to the board of health anyone having or suspected of having any infectious or contagious disease. (Prior code § 19-42).

## **Chapter 8.40**

### **NOISE**

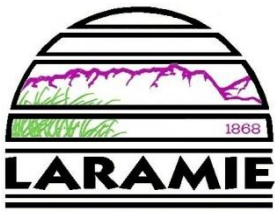
#### **Sections:**

##### **Article I. Noise Pollution—General**

- 8.40.005** Noise from electronic devices prohibited.
- 8.40.010** Noise prohibited.
- 8.40.020** Classification—Measurement of noise.
- 8.40.030** Permissible noise levels.
- 8.40.040** Permissible increases.
- 8.40.050** Periodic, impulsive noises.
- 8.40.060** Construction projects.
- 8.40.070** Railroad rights-of-way.
- 8.40.080** Permit for relief.
- 8.40.090** Exception.
- 8.40.095** School-sponsored marching bands.

##### **Article II. Noise Pollution—Vehicles**

- 8.40.100** Vehicle noise limits.
- 8.40.110** Emergency vehicles excepted.
- 8.40.120** Modifications prohibited.
- 8.40.130** Motorcycles and off-highway vehicles—Scope.
- 8.40.140** Motorcycles and off-highway vehicles—Definitions.
- 8.40.150** Motorcycles and off-highway vehicles—Use.
- 8.40.160** Motorcycles and off-highway vehicles—Mufflers.
- 8.40.170** Motorcycles and off-highway vehicles—Other regulations.
- 8.40.180** Violation—Penalty.



# City of Laramie Board of Health Rules and Regulations

## CHAPTER IV. BODY ARTIST AND BODY ART ESTABLISHMENTS

### Section 1. Authority

The City of Laramie Board of Health, “The Board,” has authority to adopt rules and regulations under Sections 2.20.030, 2.20.040, and 8.12 of the Laramie Municipal Code and Sections 16-3-103, 35-1-303, and 15-1-103 (a) (xxix) of the Wyoming Statutes. The Board finds that licensing, inspection, and regulation of body art establishments is within the Board’s duty to control epidemic, endemic, and communicable disease within the community and is necessary for the protection of public health.

### Section 2. Purpose and Definitions

#### Purpose

The purpose of these regulations is to establish the safe and sanitary practice of body art, the safe and sanitary physical environment where body art is performed, and the safe and sanitary conditions of equipment used in body art procedures.

#### Definitions

**After care** – written instructions given to the client, specific to the body art procedure(s) rendered, about caring for the body art and surrounding area, including information about when to seek medical treatment, if necessary.

**Antiseptic** - an agent that destroys disease-causing micro-organisms on human skin or mucosa.

**Bloodborne Pathogens** - pathogenic organisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to hepatitis B virus (HBV), hepatitis C virus (HCV) and human immunodeficiency virus (HIV).

**Board of Health or City of Laramie Board of Health** - this Laramie City Council appointed board has the authority to enact rules and regulations pertaining to the prevention of disease and the promotion of public health. The Board of Health has the authority to prescribe and fix penalties for the violation or refusal to obey such rules and regulations.

**Body Art** - the practice of physical body adornment by licensed establishments and practitioners using, but not limited to, the following techniques: body piercing, tattooing, and cosmetic tattooing. This definition does not include branding, scarification, or braiding. This definition does not include practices that are considered medical procedures by the Board of Registration in Medicine, such as implants under the skin, which procedures are prohibited. Nor does this definition include piercing of the perimeter or lobe of the ear with pre-sterilized single-use stud-and-clasp ear-piercing systems.

**Body art establishment** - a location, place, or business that has been granted a license by the City of Laramie, whether public or private, where the practices of body art are performed, whether or not for profit.

**Body Art Practitioner or practitioner or body artist** - a specifically identified individual who has been granted a license by the City of Laramie to perform body art in an establishment that has been granted a license by the City of Laramie.

**Body Piercing** - puncturing or penetration of the skin of a person with pre-sterilized single-use needles and the insertion of pre-sterilized jewelry or other adornment thereto in the opening, except that puncturing the outer perimeter or lobe of the ear with a pre-sterilized single-use stud-and-clasp-ear-piercing system shall not be included in this definition.

**Cleaning area** - the areas in a body art establishment used in the sterilization, sanitation or other cleaning of instruments or other equipment used for the practice of body art.

**Client** - a member of the public who requests a body art procedure at a body art establishment.

**Communicable Disease** - a disease which is capable of being transmitted from person-to-person.

**Contaminated Waste** - any liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; sharps and any wastes containing blood and other potentially infectious materials, as defined in 29 Code of Federal Regulations Part 1910.1030, known as "Occupational Exposure to Blood borne Pathogens."

**Contamination/contaminated** - the presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.

**Cosmetic Tattooing** - also known as permanent cosmetics, micro-pigment implantation or dermal pigmentation, means the implantation of permanent pigment around the eyes, lips and cheeks of the face and hair.

**Department** - refers to the City of Laramie.

**Disinfectant** - a product registered as a disinfectant by the U.S. Environmental Protection Agency.

**Disinfection** - the destruction of disease-causing microorganisms on inanimate objects or surfaces, thereby rendering these objects safe for use or handling.

**Ear piercing** - the puncturing of the outer perimeter or lobe of the ear with a pre-sterilized single-use stud-and-clasp ear-piercing system, following the manufacturer's instructions.

**Exposure** - an event whereby there is an eye, mouth or other mucous membrane, non-intact skin or parenteral contact with the blood or body fluids of another person or contact of an eye, mouth or other mucous membrane, non-intact skin or parenteral contact with other potentially infectious matter.

**Exposure Control Plan** - a written plan outlining the practices and procedures for the safe operation of a body art establishment to address the following areas: client protection and care, exposure to blood protocol, how to eliminate or reduce blood exposures, use of personal protective equipment, engineering controls, contaminated waste management, and record keeping.

**Gloves** - coverings for the hands, which are disposable and single-use, and are labeled for surgical or examination purposes. Gloves for instrument cleaning shall be heavy-duty, multiuse, and waterproof.

**Hand sink** - a lavatory equipped with hot and cold running water under pressure, used solely for washing hands, arms, or other portions of the body.

**Hectograph** - a copy made from a prepared gelatin surface to which the original document has been transferred.

**Infectious waste** - blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials; items caked with blood or other potentially infectious materials that can release these materials upon handling; contaminated sharps; and human pathological/anatomical waste.

**Jewelry** - any ornament inserted into the body, which must be made of surgical implant-grade stainless steel; solid 14 k or 18 k white or yellow gold; niobium, titanium, or platinum; or a dense, low-porosity plastic, which is free of nicks, scratches, or irregular surfaces.

**Minor** - any person under the age of 18 years.

**Mobile body art establishment** - a body art establishment that reports to and operates from a permanent body art establishment and is readily moveable; is a motorized, wheeled vehicle; or is a towed, wheeled vehicle designed and equipped to conduct body art procedures.

**Operator** - any person who individually, or jointly or severally with others, owns, or controls and establishment, but might not be a body art practitioner.

**Person in Charge** - the owner, manager, or individual (s) present at the body art establishment who is responsible for the operation at the time of an inspection. If no individual is responsible, then any employed person present is the person in charge. If multiple body artists share operation of the establishment, then each artist shall be considered a person in charge and shall be accountable for all requirements of this regulation with regard to common areas and practices in addition of his/her own separate areas and practices.

**Personal Protective Equipment** - specialized clothing or equipment worn by an employed for protection against a hazard. General work clothes (e.g., uniforms, pants, shirts or blouses) not intended to function as protection against a hazard are not considered to be personal protective equipment.

**Piercing** - puncturing or penetration of the skin or mucosa of a person and the insertion of jewelry or other adornment in the opening, except that of puncturing the outer perimeter or lobe of the ear with sterilized stud-and-clasp ear-piercing systems. Pre-sterilized instrument—those that are commercially sterilized by the manufacturer. Packaging shall bear a legible sterilization lot number and sterilization date.

**Procedure surface areas** - any surface of an inanimate object that contacts the client's skin during a body art procedure and all surfaces where instruments and supplies are placed during a procedure.

**Regulated waste** - liquid or semi-liquid or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated sharps; and pathological and microbiological wastes containing blood or other potentially infectious materials.

**Sanitize** - the application of a U.S. EPA registered sanitizer on a cleaned surface in accordance with the label instructions.



**Sharps** - any object, sterile or contaminated, that may intentionally or accidentally cut or penetrate the skin or mucosa, including but not limited to, needle devices, lancets, scalpel blades, razor blades, and broken glass.

**Sharps containers** - a puncture resistant, leak-proof container that can be closed for handling, storage, transportation, and disposal and that is labeled with the International Biohazard Symbol.

**Single use items** - products or items that are intended for one-time, one-person use and are disposed of after use on each client, including, but not limited to, cotton swabs or balls, tissues or paper products, paper or plastic cups, gauze and sanitary coverings, razors, piercing needles, scalpel blades, stencils, ink cups, and protective gloves.

**Spore test**- monitoring system for sterilizing equipment such as autoclave, dry heat, chemiclave, and ETO sterilizers with biological spore strips to ensure they are sterilizing properly. Monitoring is required through a third party mail-in program.

**Sterilize** - the use of physical or chemical procedure to destroy all microbial life including highly resistant bacterial endospores.

**Sterilization Equipment** - any equipment that is designed and labeled by the manufacturer as a medical instrument sterilizer and is used for the destruction of microorganisms and their spores.

**Sterilizer monitoring** - provided by routine spore testing to ensure that the sterilizer is functioning properly.

**Tattoo** - the indelible mark, figure or decorative design introduced by insertion of dyes or pigments into or under the subcutaneous portion of the skin.

**Tattooing** - any method of placing ink or other pigment into or under the skin or mucosa by the aid of needles or any other instrument used to puncture the skin, resulting in permanent coloration of the skin or mucosa. This term includes all forms of cosmetic tattooing.

**Temporary establishment** - A body art establishment that operates at a fixed location for a period of time not to exceed 14 consecutive days in conjunction with a single event or celebration.

**Temporary License** - a license that allows a body art practitioner to work within the City of Laramie for up to 14 days.

**Universal Precautions** - an approach to control infection. The concept where all human blood and human body fluids are treated as if known to be infectious for HIV, HBV, and other blood borne pathogens.

### **Section 3. Licensing**

It is unlawful for any person to engage in the business of operating a body art establishment or to engage in the practice of body art without first obtaining a license from the City of Laramie.

#### **Establishment Licensing (Tattoo and Body Piercing)**

- A. An application for license shall be submitted on a form provided by the Department. Any change of ownership or location shall require a new application and license, with payment of fees therefore.
- B. Establishment licenses shall be renewed annually and run from January 1 through December 31 of each calendar year. The initial license for engaging in the business of operating a body art establishment within the City shall be \$100.00. The annual renewal license fee shall be \$50.00. Any establishment operator who fails to renew the license within 30 days of the expiration must reapply and pay the initial fee.
- C. Before an establishment license is issued, the applicant shall obtain a Certificate of Inspection from the Department, indicating that the establishment has been inspected and is in compliance with the provisions of these regulations.

#### **Body Artist Licensing (Tattoo and Body Piercing)**

- A. An application for license shall be submitted on a form provided by the Department. Artists' licenses shall be renewed annually and run from January 1 through December 31 of each calendar year. The initial fee for engaging in the business of body art within the City of Laramie shall be \$75.00. The annual renewal fee shall be \$50.00. Any body artist who fails to renew the license within 30 days of the expiration must reapply and pay the initial fee.
- B. The artists must possess and demonstrate knowledge of universal precautions, health and safety precautions, disinfection and sterilization techniques, procedures for infection and exposure control.

#### **Visiting Artists/Temporary License**

- A. An application for visiting body art practitioner license shall be submitted to the Department on forms provided by the Department.

- B. The visiting artist or temporary license applicant must provide proof of completion of a blood borne pathogen/universal precaution class within the year prior to the date of issuance.
- C. A visiting artist license is limited to 14 days. A visiting artist may re-apply three times per calendar year for three different visiting artist licenses, for a total of 42 days per year.
- D. The fee for each 14 day visiting artist license is \$25.00.
- E. Licenses shall be posted in a prominent and conspicuous area where patrons may readily see them.
- F. The visiting artist must submit a letter of agreement from the owner of the licensed establishment in which the visiting artist will be working.
- G. Any disciplinary action against the visiting artist shall be against the visiting artist and the resident body art practitioner under whose establishment license the visiting artist is practicing.

### **Temporary Demonstration License Requirements**

- A. A temporary license may be issued by the Department for education, trade show or product demonstration purposed only. The license will be valid for up to 14 days.
- B. A person who wishes to obtain a temporary demonstration license must submit the request in writing for review by the Department, at least 14 days prior to the event. The request should specify:
  - 1. The purpose for which the license is requested
  - 2. The period of time during which the license is needed
  - 3. The fulfillment of operator requirements
  - 4. The location where the temporary demonstration license will be used
- C. The applicant's event must be contained in a completely enclosed, non-mobile facility (e.g., inside a permanent building.)
- D. Compliance with all of the requirements in these regulations includes but is not limited to the following:
  - 1. Hand wash facilities shall be easily accessible to each procedure area. Hand wash facilities shall comply with Section 6, paragraph J; or

temporary hand-wash facilities shall consist of soap, single-use paper towels, covered garbage receptacle, and an adequate supply of potable water (at a temperature of at least 110°F) dispensed through a continuous flow spout. Wastewater shall be collected and disposed of in a sanitary manner.

- E. Body artists may bring pre-sterilized instrument, or instruments which have been sterilized at another location with documentation showing a negative spore test result within the previous 30 days. On-site sterilizing equipment may be used; however, there must be an adequate number of sterilizing equipment to accommodate the instruments requiring sterilization. Each sterilizing equipment in use must have manufacturer's instructions and evidence of spore test performed on the sterilization equipment 30 days or less prior to the date of the event. Otherwise, only single-use prepackaged, sterilized equipment obtained from reputable suppliers or manufactures will be allowed.
- F. Sterilizing equipment bags must be labeled as to the date and time of the sterilization.
- G. Instruments, ink bottles, germicidal spray bottles, tattoo machines, and other similar items that may be handled during the tattoo process, must be covered with single-use plastic sleeves. Sleeves shall be discarded between patrons.
- H. All temporary body artists must follow the procedures outlined in Section 10 of these regulations.

#### **Section 4. Requirement of Premises**

- A. All new, remodeled, temporary, and mobile body art establishments require Department-approved plans. The plans must be approved prior to temporary events, operation of a mobile unit, or commencing work, and prior to issuance of any building, plumbing, or electrical license.
- B. All facilities shall be constructed and completed in accordance with all applicable local codes, including the layout of the reception area, the procedure areas, the cleaning and sterilization area, and the toilet facilities.
- C. A body art establishment must have a minimum floor area of 60 square feet for one artist and 40 square feet for each additional artist. Multiple body art stations shall be separated by dividers or partitions, at a minimum.
- D. All walls, floors, ceilings and procedure surfaces shall be smooth, free of open holes or cracks, light-colored, washable, and in good repair. Walls, floors, ceilings shall remain in good repair and in clean condition.

- E. All procedure surfaces, including client chairs/benches, shall be of such construction as to be easily cleaned and sanitized after each client.
- F. All body art establishments shall be completely separated by solid partitions or by walls extending from floor to ceiling, from any room used for human habitation, any food establishment or room where food is prepared, any hair salon, any retail sales, or any other such activity that may cause potential contamination of work surfaces.
- G. Effective measures shall be taken by the body art operator to protect against entrance into the establishment and against the breeding or presence on the premises of insects, vermin, and rodents. Insects, vermin, and rodents shall not be present in any part of the establishment, its appurtenances, or appertaining premises.
- H. The establishment shall be well ventilated and provided with adequate artificial light source.
- I. No animals of any kind shall be allowed in a body art establishment except service animals used by persons with disabilities. Fish aquariums shall be allowed in waiting rooms and nonprocedural areas.
- J. There shall be no potted plants in the body art or piercing procedure area.
- K. All facilities shall have a waiting area that is separate from the body art procedure area, and separate from the instrument cleaning, sterilization, and storage areas.
- L. A separate, readily accessible hand sink with hot and cold running water, under pressure, preferably equipped with a wrist or foot-operated controls and supplied with liquid soap, and disposable paper towels shall be readily accessible within the body art establishment. One hand sink shall serve no more than three operators. In addition, there shall be a minimum of one lavatory, excluding any service sinks, and one toilet in a body art establishment.
- M. Distinct, separate areas shall be used for cleaning equipment, wrapping/packaging equipment, and for the handling and storage of sterilized equipment.
- N. Sewage, including liquid wastes, shall be discharged to a sanitary sewer or to a waste system constructed, operated, and maintained according to the law.

- O. Refuse, excluding infectious wastes, shall be placed in a lined waste receptacle and disposed of at a frequency that does not create a health or sanitation hazard.
- P. Discarded sharps shall be disposed of in sharps containers.
- Q. Infectious/regulated waste other than sharps shall be placed in impervious, tear resistant plastic bags, which are red in color and marked with the Universal Biological Hazard symbol.

### **Section 5. Mobile Body Art Establishments**

- A. License holders are responsible for ensuring that all local agency regulations are complied with, such as, but not limited to zoning and business license requirements.
- B. Mobile body art establishments are licensed for use only at special events, lasting 14 calendar days or less. Licenses must be obtained at least 14 days prior to the event, and no body art procedures are to be performed before the license is issued. Permit holders are responsible for ensuring that all other local regulations are complied with, including, but not limited to, zoning and business license requirements.
- C. Body art performed pursuant to this section shall be done only from an enclosed vehicle such as a trailer or mobile home. No body art procedures shall be performed outside the vehicle.
- D. Mobile body art establishments must have approved sterilization equipment available, in accordance with all the requirements in Section 9. If there is no on-board sterilization equipment, the mobile vehicle shall be associated with an approved permanent facility. Such vehicles shall have onboard sufficient instruments, equipment, and supplies to perform procedures safely.
- E. The mobile body art establishment shall be used only for the purpose of performing body art procedures. No habitation or food preparation is permitted inside the vehicle unless the body art work station is separated by walls, floor to ceiling, from culinary or domicile areas.
- F. The mobile body art establishment shall be equipped with an equipment washing sink and a separate hand sink for the exclusive use of the operator/artist for hand washing and preparing the client for the body art

procedures. The hand sink shall be supplied with hot and cold running water under pressure to a mixing type faucet, and liquid soap and paper towels in dispensers. An adequate supply of potable water shall be maintained for the mobile establishment at all times during operation. The source of the water and storage (in gallons) of the tank(s) shall also be identified.

- G. All liquid wastes shall be stored in an adequate storage tank with a capacity at least 50 percent greater than the capacity of the on-board potable water supply. Liquid wastes shall be disposed of at a site approved by the Department.
- H. If there is not an on-board restroom, the mobile vehicle shall be operated within two hundred feet of a public restroom with a hand washing sink, paper towels, and liquid soap.
- I. All body art operators/artists working in a mobile body art establishment must be licensed by the City of Laramie and comply with the requirements of these regulations.
- J. Mobile body art establishments must receive an initial inspection prior to use to ensure compliance with structural requirements.
- K. Licenses shall be posted in a prominent and conspicuous area where patrons may readily see them.
- L. No animals, except service animals of clients, shall be allowed in the mobile body art establishment at any time.

## **Section 6. Minimum Requirements for Body Art Establishments**

- A. The body art establishment must have a person(s) in charge at all times who is responsible for the operation.
- B. The following information on each artist working at the establishment shall be on file and available for inspection by the Department:
  - 1. Full legal name
  - 2. Home address
  - 3. Home phone number
- C. The person in charge shall have access to the following information and it shall be on the premises for review by the Department:

1. Contract or agreement for sharps disposal and/or other infectious/regulated waste disposal
2. Spore test monthly results
3. Client records for 3 years
4. Manufacturer's information on sterilization equipment
5. Infection and exposure control written procedures
6. Establishment license posted in a prominent location.

## **Section 7. Client Records**

- A. The person in charge shall have access to and shall maintain client records on the premise for a minimum of three (3) years. The client records shall be available for review by the Department.
- B. The following information shall be documented and used by the body artists to determine the client's suitability for receiving a body art procedure. The client shall be asked to disclose if he/she has any of the following:
  1. Diabetes
  2. Hemophilia
  3. Skin diseases or skin lesions
  4. Allergies or adverse reactions to latex, pigments, dyes, disinfectants, soaps, or metals
  5. Any other information that would aid the body artist in the client's body art healing process evaluation
  6. Communicable disease
  7. History of epilepsy, seizures, fainting, or narcolepsy
- C. Client consent form shall include the following:
  1. Name, address, and current phone number of the client
  2. Legal Guardian consent signature space for minors ages 16 and 17, as per Wyoming State Statute 14-3-107.
  3. Date of the procedure
  4. The type and location of the body art
  5. Source/manufacturer and lot number of ink, pigment, or dyes if any are used in the procedure
  6. Documentation that both written and verbal instructions regarding risks, outcome, and aftercare were given to the client including:
    - a. Name, address, and phone number of the establishment and the name of the body artist who performed the procedure
    - b. Directions on when to consult a physician to include signs of infection, allergic reaction, and expected duration of healing
    - c. Detailed description of how to care for the body art procedure site
    - d. Explanation that body art should be considered permanent



- e. Possible side effects from the procedure
  - f. Indication that this facility is licensed by the City of Laramie
- D. A body artist shall immediately report to the Department any known or suspected communicable disease associated with the practice of body art.

### **Section 8. Infection and Exposure Control Written Procedures**

- A. Every mobile, temporary, or permanent body art establishment shall have and comply with written procedures for infection and exposure control. All procedures developed for the written plan shall comply with Occupational Safety and Health Administration, Centers for Disease Control and Prevention standards, and all city and state regulations.
- B. These written procedures shall include, but are not limited to:
1. Instrument cleaning and sterilization;
  2. Cleaning and disinfection of the procedure area (s), as required in Section 10.
  3. Universal precaution procedures;
  4. Post-exposure procedures;
  5. Hand washing procedures;
  6. Infectious waste management plan, including; segregation, identification, packaging, storage, transport, treatment, disposal, and contingency planning for blood spills or loss of infectious/regulate waste; and
  7. Chemical storage and safety.

### **Section 9. Instruments/Sterilization**

All non-disposable instruments that penetrate body tissue shall be properly cleaned, packaged, or wrapped with a process indicator, sterilized, and stored appropriately to prevent cross-contamination. All other instruments shall be cleaned and disinfected after each use. Single-use items shall not be used on more than one client for any reason. After use, all single-use needles, razors, and other sharps shall be immediately disposed of in an approved sharps containers.

- A. Instrument Cleaning
1. Used instruments shall be placed in an impervious or rigid plastic-covered container, and soaked in an instrument soaking solution until cleaning can be performed. The solution shall be changed as recommended by the manufacturer.
  2. All instruments placed in the procedure area shall be repackaged and re-sterilized.
  3. Utility gloves shall be worn while cleaning instruments

4. Instruments shall be properly disassembled for cleaning according to manufacturer's recommendations.
5. All instrument components shall be cleaned, either manually or in an ultrasonic cleaner with lid in place, using the appropriate cleaning agent specific to the type of cleaning performed, following manufacturer's specifications.
6. Organic matter must be properly removed.

B. Instrument Packaging/ Wrapping

1. Utility gloves shall be worn to package/wrap instruments.
2. Process indicators are required.
3. All packages shall be labeled with the time and date of sterilization. Packages must be dated with an expiration date not to exceed six months. Peel packs may be labeled with an expiration date not to exceed twelve months.

C. Instrument Sterilization

1. Sterilizers/sterilizing equipment shall be used, cleaned and maintained according to the manufacturer's specifications, with appropriate adjustments for altitude.
2. The operator's manual for the sterilizer shall be available on the premises.
3. Sterilizer Monitoring
  - a. Sterilizer monitoring shall be performed at least monthly (unless more frequent monitoring is specified by the manufacturer) by using a commercial biological monitoring (spore) system.
  - b. All biological indicators shall be analyzed by a laboratory independent from the establishment.
  - c. Biological indicator test results shall be maintained on the premises for a minimum of three (3) years and must be available for inspection at all times.

D. Instrument Storage

1. Hands shall be washed prior to handling sterilized instrument packs.
2. After sterilization, the instruments shall be stored in a dry, clean area reserved for the storage of sterile instruments.

E. Single-Use Items

1. Single-use items shall not be used on more than one client.
2. Contaminated single-use needles, razors, and other sharps shall be disposed of immediately in approved sharps containers.

F. Times when sterilizing equipment may not be required for a body art establishment and procedure.

1. The permanent cosmetic technician or tattoo artist is not required to have an ultrasonic cleaner and sterilizing equipment if only individually packaged, sterile, single-use, needles, needle chambers, machine tips, machine casings, and combo couplers are used.
2. If a manual device is used, it shall be single and disposable.
3. The use of some rotary pens (also called cosmetic machines) is permitted. Any rotary pen that uses a sponge at the opening of a chamber to stop the pigment or body fluids from getting into the machine or is designed in a manner that doesn't allow it to be properly cleaned and sterilized shall not be permitted.
4. Only rotary pens that have detachable, disposable, sterile combo couplers and detachable, disposable or casings that can be cleaned and sterilized can be used. Pre-sterilized needles shall be used in all procedures.
5. Fresh pigment and disposable pigment containers shall be used for each client. Used pigment and pigment containers shall be discarded after each client.

G. Instrument Recall

1. In the event of a positive biological indicator result or mechanical failure, all items sterilized since the time of the last negative biological monitor result shall immediately be recalled and prohibited from use until cause of the positive biological indicator test result is identified. The sterilizer shall not be used to sterilize instruments until the cause of positive indicator testing is identified.
2. Biological monitor testing shall be repeated, and if negative, all recalled items may be used and sterilization may continue. If repeat testing is positive, sterilizer servicing shall be performed. The sterilizer may not be used until sterilizer service is complete, and biological indicator testing is negative.

## **Section 10. Body Art Procedure**

A. Prohibitions include:

1. The reuse of needles in any procedure; only single-use needles will be used for body art.
2. A body artist may not engage in the practice of body art while under the influence of alcohol or mind altering drugs.
3. Procedures performed on any client who is noticeably impaired by drugs or alcohol.

4. Smoking, eating, and drinking in the procedure and/or instrument cleaning areas.
5. Procedures performed on skin surfaces that have sunburn, rash, acne, jaundice, boils, infections, moles, or manifest any evidence of unhealthy conditions.
6. No body artist shall perform a body art procedure upon a minor, unless the body artist has received express written consent from the minor's parent or guardian on premises.
7. Minors are prohibited from engaging in the administration of body art.
8. A body artist who knowingly has an infectious disease in the communicable stage may not practice body art.

B. The following procedures shall be practiced by all body artists:

1. Before beginning a procedure, use an Environmental Protection Agency (EPA) registered disinfectant, according to label instructions, to disinfect surfaces.
2. Thoroughly wash hands with soap and warm water for at least 20 seconds before and after serving each client. Following thorough washing, hands shall be dried using clean, disposable paper towels.
3. Wear new, clean, disposable examination gloves for each client and for each procedure. If a glove is pierced, torn, or contaminated, both gloves must be properly removed and discarded. Hands shall be washed prior to donning a clean pair of gloves, and immediately upon removing gloves.
4. Change drapes, lap cloths, or aprons between clients.
5. Wear new, clean gloves while assembling instruments and supplies to be used in the procedure. All sterilized instruments shall remain in the sterile packages until opened in front of the client.
6. Dispense all substances used in the procedures from containers in a manner to prevent contamination of the unused portion. For example, substances from multi-use containers shall be dispensed into single-use portions and shall be applied to only one client.
7. Discard single-use ointment tubes, applicators, and supplies after the procedure.
8. After each client, use an EPA registered disinfectant according to label instructions, and a single-use paper towel to wipe all surfaces after the procedure. Surfaces include, but are not limited to, counters, tables, equipment, chairs, recliners, shelving, cabinets, and supplies.
9. If spray bottles are used to dispense liquids, the liquid shall be sprayed onto a single use wipe rather than directly onto the client.
10. Each client shall be provided written after care instructions, specific to the body art procedure(s) rendered, about caring for the body art and surrounding area. Information about when to seek medical care, if necessary, shall be included.

11. A body artist shall wear clean, laundered clothing and shall maintain good personal hygiene.

C. Procedures Specific to Tattooing

1. The use of hectograph or single use stencils shall be required for applying a tattoo outline to the skin, except that, when the design is drawn free-hand, non-toxic single-use devices shall be used. Multi-use stencils are prohibited.
2. Before placing the design on the skin, the body artist shall clean the area with soap and, if necessary, shave off any hair with a disposable, single-use safety razor. The area shall be treated with an antiseptic prior to stencil application.
3. Inks, dyes, or pigments in single-use containers shall be used for each client. Any remaining unused dye or pigment shall be discarded immediately following the tattoo procedure.
4. If inks, dyes, or pigments are prepared by the body artist, a list of ingredients and the procedure used in the production must be on file for review by the inspector.
5. All inks, dyes, and pigments must be nontoxic and approved for use in body art.
6. Excess ink, dye, or pigment applied to the skin during tattooing shall be removed with a clean single-use product.
7. After the procedure is completed, the area shall be covered with clean gauze or an appropriate covering and held in place with a suitable skin tape.

D. Procedures Specific to Body Piercing

1. All body piercing needles shall be sterile, single-use, and manufactured for either medical or body piercing purposes. All needles shall be disposed of immediately after use in a sharps container.
2. Only sterilized jewelry meeting the definition found in Section 9 of these regulations, in new or good condition, shall be used for initial piercing.
3. High-porosity jewelry, such as plastic or acrylic, is prohibited for use in initial piercing procedures.
4. Stud-and-clasp systems shall only be used on the earlobe or the outer perimeter of the ear.

**Section 11. Inspections**

- A. Agents of the Department, after proper identification, shall be permitted to enter any body art establishment during business hours for the purpose of making inspections, investigating complaints, and to determine compliance

with these regulations. Such inspections will be conducted as often as necessary throughout the year to ensure compliance with these regulations. Agents of the Department shall only enter a procedure area with the client's consent.

- B. The agents shall inspect and document any violations that exist. A copy of the completed report shall be furnished to the person in charge by the end of the next workday following conclusion of the inspection.
- C. It is unlawful for any person to interfere with the Department in the performance of its duties.

## **Section 12. Enforcement**

### **Procedure for Summary Suspension:**

- A. These procedures apply when the Environmental Health Specialist determines that an imminent health hazard exists. Including but not limited to:
  - 1. Fire;
  - 2. Flood;
  - 3. Extended interruption of electrical or water services;
  - 4. Sewage back up;
  - 5. And/or after consultation with the Health Officer
- B. The Environmental Health Specialist shall provide written notice to the license holder or the person in charge. Notice is to include:
  - 1. License is immediately suspended and that all operations shall cease;
  - 2. Reasons for suspension;
  - 3. The type of imminent threat;
  - 4. Name and address of the Environmental Health Specialist to whom notice for re-inspection may be made;
  - 5. The Environmental Health Specialist may certify that the reason for the suspension is resolved.
  - 6. The Board of Health is notified of the summary suspension.
- C. The Environmental Health Specialist does not need to provide prior warning, notice of hearing, or a hearing prior to summary suspension.
- D. The license holder may request a contested case hearing within 5 business days of the summary suspension.

- E. The Laramie Board of Health will hold a hearing, if requested, within 10 business days of the suspension.
- F. The Environmental Health Specialist will provide a notice of reinstatement to the license holder or person in charge when the imminent health hazard no longer exists.

**Procedure for Revocation of License:**

- A. This policy applies when:
  - 1. The condition for summary suspension is not corrected;
  - 2. For failure to correct critical violations from a routine inspection;
  - 3. If there is a history of non-compliance with this Rule; or
  - 4. For refusal to grant access to the regulatory authority.
- B. The revocation notice shall state:
  - 1. That the license shall be revoked fifteen (15) calendar days after receipt of the revocation notice and that all operations shall cease at that time unless a contested case hearing is requested;
  - 2. The revocation notice shall be sent by certified mail, return receipt requests;
  - 3. The reasons for revocation;
  - 4. That the license holder may request a hearing by submitting a request within fifteen (15) days of the receipt of the notice of revocation;
  - 5. The name and address of the City of Laramie representative to whom a request for a hearing may be made;
  - 6. If a hearing is requested, the hearing shall be conducted by a hearing officer in accordance with the Wyoming Administrative Procedure Act. W.S. 16-3-107 through 115 and the Laramie Municipal Code Chapter 1.20.
  - 7. The licensee may appear in person, by counsel, or with counsel licensed to practice in the State of Wyoming.
- C. The final decision, accompanied by written findings of fact and conclusions of law and order shall be issued by the Chair of the Laramie Board of Health.
- D. The final decision shall be delivered to the license holder by certified mail, return receipt requested.