

St. Louis City Ordinance 64418

FLOOR SUBSTITUTE

BOARD BILL NO. [98] 57

INTRODUCED BY ALDERMAN MARIT CLARK

An ordinance pertaining to tattooing, branding and body piercing; repealing Ordinance 51842, approved on April 3, 1963, and enacting in lieu thereof a new ordinance prohibiting any person from tattooing, branding or performing body piercing on a minor unless such person obtains the prior written informed consent of the minor's parent or legal guardian; further prohibiting any person from tattooing, branding or performing body piercing on another person if the other person is under the influence of intoxicating liquor or a controlled substance; directing the health commissioner to promulgate rules and regulations relative to the hygienic practice of tattooing and sanitary operations of tattoo establishments; holding the owner of any tattooing, branding or body piercing establishment jointly responsible for any violation of this ordinance committed by said owner's employee or agent; containing definitions, a penalty clause and an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Ordinance 51842, approved on April 3, 1963, is hereby repealed. In lieu thereof a new ordinance is enacted to read as follows.

SECTION TWO. As used in this ordinance, the following terms shall have the following meanings:

- (1) "Body piercing", the perforation of human tissue, other than an ear, for a nonmedical purpose;
- (2) "Branding", a permanent mark made on human tissue by burning with a hot iron or other instrument;
- (3) "Controlled substance", any substance defined in section 195.010, RSMo;
- (4) "Minor", a person under the age of eighteen;
- (5) "Tattoo", one or more of the following:
 - (a) An indelible mark made on the body of another person by the insertion of a pigment under the skin; or

(b) An indelible design made on the body of another person by production of scars other than by branding.

SECTION THREE. No person shall tattoo, brand or perform body piercing on a minor unless such person obtains the prior written informed consent of the minor's parent or legal guardian. The minor's parent or legal guardian shall execute the written informed consent required pursuant to this subsection in the presence of the person performing the tattooing, branding or body piercing on the minor, or in the presence of an employee or agent of such person.

SECTION FOUR. A person shall not tattoo, brand or perform body piercing on another person if the other person is under the influence of intoxicating liquor or a controlled substance.

SECTION FIVE. No practitioner of tattooing , branding or body piercing shall practice and no establishment in which tattoos, brands or body piercing are applied shall be operated without a license issued by the License Collector pursuant to the Revised Code of the City of St. Louis.

SECTION SIX. The health commissioner shall promulgate rules and regulations relative to the hygienic practice of tattooing, branding and body piercing and the sanitary operation of establishments offering such services.

SECTION SEVEN. Every act or omission constituting a violation of any of the provisions of this ordinance by any employee or other agent of the owner of any establishment where body tattooing, branding or body piercing is performed shall be deemed to be the act or omission of the owner of the establishment and such owner shall be subject to the same penalties as the employee or agent.

SECTION EIGHT. PENALTY

Any person found guilty or entering a plea of guilty to any violation of this ordinance shall be fined not less than Two Hundred Dollars (\$200.00) nor more than Five Hundred Dollars (\$500.00) for each violation or shall be imprisoned for a period not to exceed Ninety (90) days in jail or shall receive both a fine and imprisonment.

SECTION NINE. EMERGENCY CLAUSE.

This being an ordinance for the preservation of public peace, health, and safety, it is hereby declared to be an emergency measure within the meaning of

Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore shall become effective immediately upon its passage and approval by the mayor.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
05/29/98	05/29/98	LEG		
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
07/10/98			07/17/98	07/17/98
ORDINANCE	VETOED		VETO OVR	
64418				