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### **Sec. 12-509. Authority.**

The legal authority for this article is O.C.G.A. §§ 16-5-71, 16-5-71.1, 16-12-5, 31-3-4, 31-5-1 et seq. and 31-40-1 et seq.

(Ord. of 10-5-2023(1), § 1(Exh. A))

### **Sec. 12-510. Purpose.**

- (a) The purpose of this article is to establish reasonable standards for individuals performing body art procedures and for the facilities in which those procedures are provided. If followed, such standards should ensure the health and safety of all individuals performing and receiving these services. They also provide for the permitting and regular inspection of studios wherein body art activities are to be performed and contain enforcement provisions including revocation of the certification of any person or permit of any studio deemed in violation of this article.

(Ord. of 10-5-2023(1), § 1(Exh. A))

- (b) **The regulations of the county board of health, adopted by resolution February 12, 2024, based upon rules of the state's department of public health, as referenced in chapter 511-3-8, as now or hereafter amended, and having been adopted by resolution of the board of commissioners on May 14, 2024, as the health regulations governing body art studios for the county are made a part of this Code as though fully set out at length in this section. Copies of the body art regulations are on file in the office of the clerk of the board of commissioners.**

**(Ord. No. HSO2024-001(GCID 2024-0408), Exh. A, 5-14-2024)**

### **Sec. 12-511. Applicability.**

- (a) These regulations do not apply to a physician or osteopath licensed under O.C.G.A. ch. 34 of tit. 43, or to a technician acting under the direct supervision of such licensed physician or osteopath.
- (b) Individuals who pierce only the lobe of the ear (and not the ear cartilage, nose or eyebrows, etc.) with a pre-sterilized single-use stud and clasp ear piercing system are exempt from these regulations, provided that such ear piercing systems conform to the manufacturer's directions on use and applicable FDA requirements.
- (c) The department and the applicable health authority retain the authority to investigate consumer complaints and outbreaks relating to the alleged misuse or improper disinfection of ear piercing systems.
- (d) These rules shall take effect six months after official posting by the Secretary of State.

(Ord. of 10-5-2023(1), § 1(Exh. A))

State law reference(s)—O.C.G.A. §§ 31-40-1; 31-40-6.