



TATTOOING, BRANDING OR PIERCING APPRENTICE APPLICATION

Email - The completed application can be emailed to Kathryn.Bowman@wentzvillemo.gov

Or can be mailed/dropped off at:

City Hall – 1001 Schroeder Creek Blvd. Wentzville, MO 63385 (636) 327-5101

New Renewal Apprentice Application Fee \$5

Applicant must be at least 18 years of age.

Applicant to provide current photograph (or copy of photo ID).

Name of proposed place of employment where he/she will be will be working as an apprentice tattoo operator, body piercing operator or branding operator.

Business Name: _____

Business Address: _____

Business Phone: _____

Mailing Address: _____

Business Email Address: _____

Applicant Name: _____

Applicant Home Address: _____

Home Phone: _____ Cell Phone: _____

Email Address: _____

Date of Birth: _____ Place of Birth: _____

Height: _____ Weight: _____ Color of hair: _____ Color of eyes: _____ Sex: _____

Length of residence _____ (years). *If less than three years please list residences for the last three years.*

Address: _____

Date of Residence: _____ to _____

Address: _____

Date of Residence: _____ to _____

Address: _____

Date of Residence: _____ to _____

Tattooing, Branding or Piercing Apprentice Application

Names and addresses of Employers for last three years, including job/employment description for each position held:

Business Name: _____

Business Address: _____

Business Phone: _____

Mailing Address: _____

Business Email Address: _____

Dates of Employment: _____

Job Description: _____

Business Name: _____

Business Address: _____

Business Phone: _____

Mailing Address: _____

Business Email Address: _____

Dates of Employment: _____

Job Description: _____

Business Name: _____

Business Address: _____

Business Phone: _____

Mailing Address: _____

Business Email Address: _____

Dates of Employment: _____

Job Description: _____

Tattooing, Branding or Piercing Apprentice Application

Please list all training and/or experience (minimum of six months required) in a legally operated establishment in Missouri or another state:

Business Name: _____

Business Address: _____

Business Phone: _____

Mailing Address: _____

Business Email Address: _____

Dates of Employment: _____

Business Name: _____

Business Address: _____

Business Phone: _____

Mailing Address: _____

Business Email Address: _____

Dates of Employment: _____

Applicant Statement of Understanding:

I have read and fully understand all of the following requirements set forth in the attached code of the City of Wentzville. I agree that I will comply with all said requirements. I further understand that submitting this application does not guarantee issuance of license.

I, _____ (**print name**) hereby testify that the above information is correct, valid and truthful.

Signature of Applicant

Date

Owner Statement of Understanding:

I, _____ (**print name**) hereby agree the apprentice shall be supervised at all times by myself or a licensed operator.

Signature of Owner

Date

FOR OFFICE USE ONLY

Receipt: _____ Business License#: _____

Term of License: _____ through _____

Signature _____ Date _____

CHAPTER 650.TATTOO, BRANDING AND BODY PIERCING

Section 650.010. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Applicant means any person who applies for a license as required by this chapter.

Body piercing means the perforation of human tissue other than an ear for a nonmedical purpose.

Branding means a permanent mark made on human tissue by burning with a hot iron or other instrument.

Employee means any person, other than an operator, who renders any service to the licensee or customer and who receives compensation or any consideration and who has no physical contact with the licensee's customers or clients.

Health official means the code enforcement officer, the city administrator or his designee, or any person or agent employed or contracted as health officer by the city.

Minor means any person under the age of 18 years.

Operator means any person who engages in law of body piercing, branding, or tattooing.

Physician means any individual licensed under the laws of the state with the state board of registration for the healing arts.

Proof of age means a proper driver's license or other documentary or written evidence that proves that an individual is 18 years of age or older.

Tattoo means an indelible mark made on the body of another person by the insertion of a pigment under the skin or an indelible design made on the body of another person by production of scars other than by branding.

Tattooing, body piercing and branding establishment means any place or facility where the art of tattooing or body piercing or branding is performed.

(Code 2006, § 670.010; Code 2008, § 650.010; Ord.No.2282, § 1, 2-16-2005; Ord.No.2642, § 1, 11-29-2006)

State law reference(s)—Similar provisions, RSMo 324.520.

Section 650.020. Business licenses required; application.

It is unlawful for any person to own or operate a tattoo or body piercing or branding establishment in the city without having first obtained a business license in accordance with the procedures hereinafter set forth:

- (1) Any person desiring to operate a tattoo or body piercing or branding establishment shall make application for a license to the city upon forms approved by it containing the following information:
 - a. Name of applicant.
 - b. Residence of applicant.
 - c. If a partnership, the names and resident addresses of each of the partners, whether general or limited, and designating which.
 - d. If a corporation, the names and resident addresses of its officers, directors, shareholders, and the name of its resident agent for the purposes of service.
 - e. The location of the proposed establishment (establishment must be located in a zoned commercial district).
 - f. The proposed hours of operation.
 - g. The names of all current employees and their exact duties.
 - h. A complete description of all tattoo or body piercing or branding services to be provided.
 - i. An exact inventory of all equipment to be utilized, including names of manufacturers, and serial numbers (if any) of the equipment.

- (2) Upon receipt of such application and payment of the business license fee, the city shall then issue a business license to the applicant. The establishment shall be inspected periodically for determining whether or not the establishment and the person performing the art of tattooing or body piercing or branding therein are in compliance with all applicable health provisions contained within this chapter. It is unlawful for any person or operator of a tattooing or body piercing or branding establishment willfully to prevent or restrain the code enforcement officer or his designee from entering any licensed establishment where tattooing or body piercing or branding is being performed for inspecting the premises, after proper identification is presented to the operator.
- (3) Any change of ownership shall require a new license application with additional license fees. The license may be revoked or suspended for any violation of this chapter.
- (4) No tattoo establishment may attempt to remove a tattoo from any person or allow such a procedure to take place on its premises.

(Code 2006, § 670.020; Code 2008, § 650.020; Ord.No.2282, § 2, 2-16-2005; Ord.No.2642, § 1, 11-29-2006)

Section 650.030. Operator's license required; application.

It is unlawful for any person to act as a tattoo operator, body piercing operator or branding operator, or for any person to employ another person as a tattoo operator, body piercing operator or branding operator unless such person has been licensed by the director of the division of professional registration of the state.

- (1) Any person desiring to act as an operator at any tattoo or body piercing or branding establishment in the city shall make application for an operator's license to the city upon forms approved by it and containing the following information:
 - a. A copy of the state license for each operator must accompany the operator's license application.
 - b. Name, address and telephone number.
 - c. Date and place of birth.
 - d. Height, weight, sex and color of eyes and hair.
 - e. Previous address for the last three years.
 - f. Name of proposed place of employment where he will be working as a tattoo operator, body piercing operator or branding operator.
 - g. Names and addresses of employers for the last three years plus a job or employment description for each position held.
 - h. Training or experience.
 - i. Current photograph (or copy of photo identification).
- (2) An operator's license may be issued, after investigation, if it is determined that the applicant is at least eighteen (18) years of age and has at least six months' experience, training or apprenticeship as tattoo operator or body piercing operator or branding operator (as applicable) in a legally operated establishment in this state or another state.
- (3) Application for an operator's license, in addition to the information required in subsection (1) of this section, shall be accompanied by an application fee of \$5.00. The operator's license shall be renewable annually on July 31 of each year so long as no health violations have been incurred.
- (4) No license issued under this chapter shall be transferable or assignable.
- (5) Notwithstanding anything to the contrary herein, any person desiring to become an operator, but who lacks the requisite training and experience required by subsection (2) of this section, may be permitted to work as an operator's apprentice, provided that:
 - a. The apprentice is supervised at all times by a licensed operator;
 - b. The apprentice complies with application process set forth above and all provisions set forth herein pertaining to operators; and
 - c. The apprentice is at least eighteen (18) years of age.

(Ord.No.4026 , § 1, 10-23-2019 Editor's note(s)—Ord.No.4026 , § 1, adopted Oct.23, 2019, repealed the former § 650.030 and enacted a new § 650.030 as set out herein. The former § 650.030 pertained to the same subject matter and derived from Code 2006, § 670.030; Code 2008, § 650.030; Ord.No.2282, § 3, adopted Feb.6, 2005; Ord.No.2642, § 1, adopted Nov.29, 2006; and Ord.No.3031, § 1, adopted Nov.4, 2009.

Section 650.040. Prerequisites to tattooing or body piercing or branding.

No tattoo or body piercing or branding shall be administered except by conforming to all of the following:

- (1) Performing tattooing and body piercing or branding is prohibited on any person under the age of 18 years without the written consent of that person's parent or legal guardian. That consent shall be on a form provided by the health official and given in person to the operator by the parent or legal guardian before the tattooing or body piercing or branding procedure commences. In addition, the parent or legal guardian shall present photographic identification to the operator and leave with the operator photocopies of that photographic identification. For purposes of this chapter, photographic identification may include a state driver's license or state identification card.
- (2) Obtaining or attempting to obtain any tattooing and body piercing establishment or operator license by means of fraud, misrepresentation or concealment is prohibited.
- (3) Notice of permanency. Before administering the tattoo or branding, the patron shall be advised that the tattoo or brand should be considered permanent; that it can only be removed with a surgical procedure; and that any effective removal will leave permanent scarring and possible disfigurement. A written cautionary notice to that effect shall be furnished to and signed by the patron.
- (4) Skin condition. The skin surface to be tattooed or pierced or branded shall be free of rash, pimples, infection or recent (less than two years) scar tissue. The patron must be in apparent good health, and the skin to be tattooed or pierced or branded is generally in a healthy condition to all appearances.
- (5) Sobriety of patron. Tattoos or body piercing or branding shall not be administered to any person under the influence of drugs or alcohol, and the operator is charged with the responsibility of making reasonable observation and inquiry to assure himself that the patron is in fact sober and not under the influence of drugs.
- (6) Record form. The tattoo or body piercing or branding establishment shall keep a permanent record of all patrons tattooed or pierced or branded stating name, age, address, date of tattoo or body piercing or branding, operator's name and the place on the body where tattooed or part of body pierced or branded, and a description of the design of the tattoo or brand. All such records shall be maintained in the tattoo or body piercing or branding establishment for a period of three years and shall be made available to the code enforcement officer or law enforcement officer upon request.
- (7) No tattoo or body piercing or branding establishment shall permit tattooing or body piercing or branding to be administered by an apprentice except under the direct supervision of a licensed operator.
- (8) The tattoo or body piercing or branding operator shall wear a clean, easily cleanable shirt while administering a tattoo or piercing tissue or branding tissue.

(Code 2006, § 670.040; Code 2008, § 650.040; Ord.No.2282, § 4, 2-16-2005; Ord.No.2642, § 1, 11-29-2006)

State law reference(s)—Similar provisions, RSMo 324.520.

Section 650.050. Sanitation, requirements for tattoo or body piercing or branding establishments.

All tattoo or body piercing or branding establishments shall comply with the following requirements:

- (1) Tattoo or body piercing or branding establishments shall be well lit, at least 200 footcandles in tattoo or body piercing or branding area and 100 footcandles in remaining area.
- (2) The establishment will be at least 100 square feet minimum to accommodate required equipment and business done thereon.
- (3) Walls, floors and ceilings shall be clean and in good repair and maintained in a clean condition at all times. The tattooing or body piercing or branding area and restrooms shall have smooth washable surfaces.
- (4) A handwashing sink with hot and cold water, disposable towels in a dispenser and germicidal hand soap must be located within each tattoo or body piercing or branding booth or enclosure and must be conveniently located. At least one restroom must be provided with a toilet and handwashing sink equipped as noted above for every three operators. The restroom shall be mechanically vented to the outside and a waste container shall be used for trash. The restroom door shall be self-closing.

- (5) The tattoo or body piercing or branding area shall be separated from customers and observers by a partition or wall.
- (6) All tables and chairs used in the tattoo or body piercing or branding area shall be of an easily cleanable material.
- (7) The establishment shall be properly heated and ventilated. The tattooing or body piercing or branding establishment shall be well ventilated and provided with an artificial light source equivalent to at least 20 footcandles three feet off the floor, except that at least 100 footcandles shall be provided at the level where the tattooing and body piercing procedure is being performed, and where instruments and sharps are assembled.
- (8) All infectious waste, including blood contaminated materials, needles and sharps, shall be managed and disposed of by a licensed infectious waste hauler in accordance with the relevant rules and regulations of the state.
- (9) In general, the entire premises of the tattoo or body piercing or branding establishment must be kept clean and in good condition at all times.
- (10) Sterilization procedures shall be in full compliance with the standards of hygiene established by the state director of the division of professional registration and the county division of health.
- (11) No video camera of the tattoo or piercing or branding process shall be allowed at any time.

(Code 2006, § 670.050; Code 2008, § 650.050; Ord.No.2282, § 5, 2-16-2005; Ord.No.2642, § 1, 11-29-2006)

Section 650.060. Violations by licensees.

- (a) If the holder of any license issued pursuant to this chapter violates any provision of this chapter or that license, the health official shall issue a warning for the first offense, and the city may suspend or revoke a license or refuse to renew for subsequent offenses.
- (b) No license shall be suspended or revoked, nor shall any application to renew a license be refused, until the licensee has been afforded an opportunity for a hearing before the board of aldermen after notice of at least five working days, except if the health official determines that the operation constitutes an immediate hazard to public health, or the licensee interferes with the health official's performance of his duties at which time the health official may suspend the license pending a hearing before the board of aldermen. Such interference includes refusal to permit access to the premises of a licensee's tattooing and body piercing or branding establishment.
- (c) Warning and notices of violation and hearing shall be served either personally or by certified mail, postage prepaid, to the licensee's address of record. Notices of violations and hearing shall state the date, time and place of hearing and set forth the charges against the licensee.
- (d) The decision of the board of aldermen shall be final, subject to appeal under RSMo ch.536.

(Code 2006, § 670.150; Code 2008, § 650.060; Ord.No.2282, § 15, 2-16-2005)

Section 650.070. Joint responsibility.

If an operator violates this chapter while performing tattooing and body piercing or branding, the establishment shall also be deemed to be in violation and the establishment license shall also be subject to warnings and the administrative penalties of suspension or revocation in accordance with the provisions of this chapter.

(Code 2006, § 670.160; Code 2008, § 650.070; Ord.No.2282, § 16, 2-16-2005)