

MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



9-1

9:30 a.m. being the time set for public hearing on the Adoption of Ordinance 907.1, an Ordinance of the County of Riverside amending Ordinance 907 Regulating Body Art Facilities, Permanent Cosmetics and Body Piercing Facilities, the chairman called the matter for hearing.

The chairman closed the public hearing.

On motion of Supervisor Jeffries, seconded by Supervisor Ashley and duly carried, IT WAS ORDERED the reading being waived, that an Ordinance bearing the following title, is adopted.

ORDINANCE 907.1

AN ORDINANCE OF THE COUNTY OF RIVERSIDE  
AMENDING ORDINANCE NO. 907 REGULATING BODY ART FACILITIES,  
PERMANENT COSMETICS AND BODY PIERCING FACILITIES

Roll Call:

Ayes: Jeffries, Stone, Benoit and Ashley  
Nays: None  
Absent: Tavaglione

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on January 29, 2013 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors

Dated: January 29, 2013

Kecia Harper-Ihem, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

(seal)

By: [Signature] Deputy

AGENDA NO.

9-1

xc: Environmental Health, MC, COB



1 from transmission of infectious diseases through the application of proper Body Art procedures and the  
2 control of cross-contamination of instruments and supplies.

3  
4 Section 3. JURISDICTION. This Ordinance shall apply to all individuals performing  
5 Body Art procedures and all Body Art Facilities located within the County of Riverside. Riverside County  
6 hereby adopts, and incorporates by reference, the provisions related to Body Art as codified in California  
7 Health and Safety Code Section 119300, *et seq.* Additionally, pursuant to the authority granted in  
8 California Health and Safety Code Section 119324, all Body Art Practitioners and all Body Art Facilities  
9 located within the County of Riverside shall meet the additional requirements listed below. This  
10 ordinance shall be administered and implemented by the Riverside County Department of Environmental  
11 Health.

12  
13 Section 4. DEFINITIONS. The following definitions shall apply in the interpretation  
14 and enforcement of this ordinance

- 15 A. "Body Art" shall have the same definition as in California Health and Safety Code Section  
16 119301, subdivision (c).
- 17 B. "Body Art Facility" shall have the same definition as in California Health and Safety Code  
18 Section 119301, subdivision (d).
- 19 C. "Body Art Practitioner" shall have the same definition as in California Health and Safety  
20 Code Section 119301, subdivision (t)
- 21 D. "Department" shall mean the Riverside County Department of Environmental Health
- 22 E. "Enforcement Officer" shall mean the Director of Environmental Health and his or her  
23 duly authorized designees.

24  
25 Section 5. INSPECTION RESULTS.

- 26 A. All Body Art Facilities shall be inspected using an Official Inspection Form. The results  
27 of each inspection shall be represented by a placard posted by the Enforcement Officer.  
28 The placards shall be presented as either "PASS" or "RE-INSPECTION DUE".



1 D. The Body Art Facility owner or operator shall maintain records on site related to medical  
2 waste disposal for three years from date of generation.  
3

4 Section 7. PERMITS. No person shall act as a Body Art Practitioner or own or  
5 operate a Body Art Facility without holding a valid permit issued by the Department, except where  
6 excluded by California Health and Safety Code. Application for a permit shall be made to the Department  
7 upon a form issued by the Department, and shall be accompanied by a fee as listed below:

- |    |   |          |
|----|---|----------|
| 8  | • Permanent Body Art Facility Annual Permit             | \$200.00 |
| 9  | • Mobile Body Art Facility Annual Permit                | \$200.00 |
| 10 | • Body Art Practitioner Annual Registration             | \$50.00  |
| 11 | • Body Art Practitioner Initial Registration (one time) | \$50.00  |
| 12 | • Temporary Body Art Facility Permit (per event)        | \$150.00 |

13 In addition to the fees listed above, the following fees shall also apply to any Body Art Practitioner or  
14 Body Art Facility:

- |    |   |         |
|----|---|---------|
| 15 | • Body Art Re-Inspection – Charged at the current rate listed in Ordinance 640. |         |
| 16 | • Duplicate Practitioner Registration Card                                      | \$30.00 |

17 The fees listed in this Section shall be valid until such time as Ordinance 640 is amended to revise or  
18 include the fees set forth above. Any annual permit or registration shall be valid for no more than one  
19 year from the month of issue.  
20

21 Section 8. ENFORCEMENT. Notwithstanding the remedies set forth in California  
22 Health and Safety Code Section 119300 et seq., the Department reserves the right to issue administrative  
23 citations in accordance with Government Code Section 53069.4. An administrative citation may be issued  
24 for any violation of this ordinance. The following procedures shall govern the imposition, enforcement,  
25 collection and administrative review of administrative citations and penalties.

26 A. Notice of Violation. If the violation is not corrected within the period stated in the notice of  
27 violation, or if the violation creates an immediate danger to health or safety, an  
28 administrative citation may be issued by the Enforcement Officer. The notice of violation

1 shall specify the manner in which the conditions of the Body Art Facility or the actions of  
2 the Body Art Practitioner violate the provisions of this ordinance and the corrective actions  
3 required to correct the condition or conduct. The notice shall also state that failure to come  
4 into compliance with this ordinance could subject the permittee, Body Art Practitioner, or  
5 other person who owns, controls or operates a Body Art Facility to civil, administrative  
6 and criminal penalties. The failure of the notice to set forth all required contents shall not  
7 affect the validity of the proceedings.

8 B. Content of Citation. The administrative citation shall be issued on a form approved by  
9 County Counsel and shall contain the information listed below. The failure of the citation  
10 to set forth all required contents shall not affect the validity of the proceedings.

- 11 1. Date, location and approximate time the violation was observed.
- 12 2. The ordinance section violated and a brief description of the violation.
- 13 3. The amount of the administrative penalty imposed for the violation.
- 14 4. Instructions for the payment of the penalty, the time period by which it shall be  
15 paid, and the consequences of failure to pay the penalty within this time period.
- 16 5. Instructions on how to appeal the citation.
- 17 6. The signature of the Enforcement Officer.

18 C. Service of Citation.

- 19 1. If the permittee, Practitioner, or other person who has violated the ordinance is  
20 present at the scene of the violation, the Enforcement Officer shall attempt to obtain  
21 their signature on the administrative citation and shall deliver a copy of the  
22 administrative citation to them.
- 23 2. If the permittee, Practitioner, or other person who has violated the ordinance is a  
24 business, and the business owner is on the premises, the Enforcement Officer shall  
25 attempt to deliver the administrative citation to them. If the Enforcement Officer is  
26 unable to serve the business owner on the premises, the administrative citation may  
27 be left with the manager or employee of the business. If left with the manager or  
28 employee of the business, a copy of the administrative citation shall also be mailed

1 to the business owner by certified mail, return receipt requested.

- 2 3. If the permittee, Body Art Practitioner, business owner or other person cannot be  
3 located at the property, then the administrative citation shall be posted in a  
4 conspicuous place on or near the property and a copy mailed by certified mail,  
5 return receipt requested to the owner, permittee, Body Art Practitioner, or other  
6 person who has violated the Ordinance. The citation shall be mailed to the property  
7 address and/or the address listed for the Owner on the last County Equalized  
8 Assessment Roll.
- 9 4. The failure of any interested person to receive the citation shall not affect the  
10 validity of the proceedings.

11 D. Administrative Penalties.

- 12 1. The penalties assessed for each violation shall not exceed the following amounts:  
13 a. \$100.00 for a first violation;  
14 b. \$200.00 for a second violation of the same ordinance within one year; and  
15 c. \$500.00 for each additional violation of the same ordinance within one year.
- 16 2. Notwithstanding the penalty scheme outlined above, a Body Art Practitioner who  
17 fails to register with the Department or who violates any sterilization, sanitation,  
18 and safety standards adopted under Health and Safety Code Section 119301, shall  
19 be subject to a civil penalty of one thousand dollars (\$1,000) per violation  
20 (California Health & Safety Code Section 119323).
- 21 3. If the violation is not corrected, additional administrative citations may be issued  
22 for the same violation. The amount of the penalty shall increase at the rate specified  
23 above.
- 24 4. Payment of the penalty shall not excuse the failure to correct the violation nor shall  
25 it bar further enforcement action.
- 26 5. The penalties assessed shall be payable to the County of Riverside.

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1 E. Administrative Appeal.

2 1. Notice of Appeal. The recipient of an administrative citation may appeal the  
3 citation by filing a written notice of appeal with the Department. The written notice  
4 of appeal must be filed within twenty (20) days of the service of the administrative  
5 citation. Failure to file a written notice of appeal within this time period shall  
6 constitute a waiver of the right to appeal the administrative citation. The notice of  
7 appeal shall contain the following information:

- 8 a. A brief statement setting forth the appellant's interest in the proceedings;  
9 b. A brief statement of the material facts which the appellant claims supports  
10 his/her contention that no administrative penalty should be imposed or that  
11 an administrative penalty of a different amount is warranted;  
12 c. An address at which the appellant agrees notice of any additional  
13 proceeding or an order relating to the imposition of the administrative  
14 penalty may be received by mail.  
15 d. The notice of appeal must be signed by the appellant.

16 2. Administrative Hearing. Upon a timely written request by the recipient of the  
17 administrative citation, an administrative hearing shall be held as follows:

- 18 a. Notice of Hearing. Notice of the administrative hearing shall be given at  
19 least ten (10) days before the hearing to the person requesting the hearing.  
20 The notice may be delivered to the person or may be mailed to the address  
21 listed in the notice of appeal.  
22 b. Hearing Officer. The administrative hearing shall be held before the Board  
23 of Supervisors, the County Hearing Officer or the County Hearing Board.  
24 The hearing officer shall not be the Enforcement Officer who issued the  
25 administrative citation or their immediate supervisor or subordinate. The  
26 Board of Supervisors, the County Hearing Officer or the County Hearing  
27 Board may contract with a qualified provider to conduct administrative  
28 hearings or to process administrative citations.



1 c. Conduct of the Hearing. Except as may be required by the hearing officer,  
2 the Enforcement Officer who issued the administrative citation is not  
3 required to participate in the administrative hearing. The contents of the  
4 Enforcement Officer's file in the case shall be admitted as prima facie  
5 evidence of the facts stated therein. The hearing officer shall not be limited  
6 by the technical rules of evidence. If the person requesting the appeal fails  
7 to appear at the administrative hearing, the hearing officer shall make his or  
8 her determination based on the information contained in the notice of  
9 appeal.

10 d. Hearing Officer's Decision. The hearing officer's decision following the  
11 administrative hearing shall be delivered to the person requesting the  
12 hearing personally or sent by mail. The hearing officer may allow payment  
13 of the administrative penalty in installments, if the person provides evidence  
14 satisfactory to the hearing officer of an inability to pay the penalty in full.  
15 The hearing officer's decision shall contain instructions for obtaining  
16 review of the decision by the superior court.

17 F. Review of Administrative Hearing Officer's Decision.

18 1. Notice of Appeal. Within twenty (20) days of the date of the delivery or mailing of  
19 the hearing officer's decision, a person may contest that decision by filing an  
20 appeal to be heard by the superior court. The fee for filing the notice of appeal is  
21 twenty-five dollars (\$25.00). The failure to file the written appeal and to pay the  
22 filing fee within this period shall constitute a waiver of the right to an appeal and  
23 the decision shall be deemed confirmed. A copy of the notice of appeal shall be  
24 served in person or by first class mail upon the issuing agency by the contestant.

25 2. Conduct of Hearing. The conduct of the appeal is a subordinate judicial duty and  
26 may be performed by traffic trial commissioners and other subordinate judicial  
27 officials at the direction of the presiding judge of the court. The appeal shall be  
28 heard de novo, except that the contents of the issuing agency's file in the case shall

1 be received in evidence. A copy of the document or instrument of the issuing  
2 agency providing notice of the violation and imposition of the administrative  
3 penalty shall be admitted into evidence as prima facie evidence of the facts stated  
4 therein. The court shall request that the issuing agency's file on the case be  
5 forwarded to the court, to be received within fifteen (15) days of the request.

6 3. Judgment. The court shall retain the twenty-five dollar (\$25.00) fee regardless of  
7 the outcome of the appeal. If the court finds in favor of the contestant, the amount  
8 of the fee shall be reimbursed to the contestant by the Department. Any deposit of  
9 the fine or penalty shall be refunded by the issuing agency in accordance with the  
10 judgment of the court. If the fine or penalty has not been deposited and the decision  
11 of the court is against the contestant, the issuing agency may proceed to collect the  
12 penalty pursuant to any manner provided by law.

13  
14 Section 9. PUBLIC NUISANCE DECLARATION. Any Body Art Facility or Body  
15 Art Practitioners found in violation of this ordinance are hereby declared to be a public nuisance and  
16 dangerous to the health and safety of Riverside County.

17  
18 Section 10. CIVIL ACTIONS.

19 A. Injunctive Relief and Abatement. Whenever, in the judgment of the Enforcement Officer,  
20 any person is engaged in or about to engage in any act or practice which constitutes or will  
21 constitute a violation of any provision of this Ordinance, or any rule, regulation, order,  
22 permit or conditions of approval issued thereunder, upon the request of the Enforcement  
23 Officer, the County Counsel or District Attorney may commence proceedings for the  
24 abatement, removal, correction and enjoinder thereof, and require the violator to pay civil  
25 penalties and/or abatement costs.

26 B. Civil Remedies and Penalties. Any person, whether acting as principal, agent, employee,  
27 Owner, lessor, lessee, tenant, occupant, operator, contractor or otherwise, who willfully  
28 violates the provisions of this ordinance or any rule, regulation, order or conditions of

1 approval issued thereunder, shall be liable for a civil penalty not to exceed \$1,000.00 for  
2 each day or portion thereof, that the violation continues to exist. In determining the amount  
3 of the civil penalty to impose, the court shall consider all relevant circumstances,  
4 including, but not limited to, the extent of the harm caused by the conduct constituting a  
5 violation, the nature and persistence of such conduct, the length of time over which the  
6 conduct occurred, the assets, liabilities, and net worth of the violator, whether corporate or  
7 individual, and any corrective action taken by the violator.  
8

9 Section 11. COSTS AND DAMAGES. Any person, whether acting as a principal,  
10 agent, employee, Owner, lessor, lessee, tenant, occupant, operator or contractor, or otherwise, violating  
11 any provisions of this Ordinance or the rules, regulations, orders, Permits or conditions of approval issued  
12 thereunder, shall be liable to the County of Riverside for costs of abatement and any damages suffered by  
13 the County, its agents and agencies, as a result of such violations.  
14

15 Section 12. RECOVERY OF ATTORNEYS' FEES IN NUISANCE ABATEMENT  
16 CASES. In any action, administrative proceeding, or special proceeding to abate a nuisance,  
17 attorneys' fees may be recovered by the prevailing party. In no action, administrative proceeding, or  
18 special proceeding shall an award of attorneys' fees to a prevailing party exceed the amount of reasonable  
19 attorneys' fees incurred by the County in the action or proceeding.  
20

21 Section 13. REMEDIES AND PENALTIES. All remedies and penalties provided  
22 for herein shall be cumulative and not exclusive. The conviction and punishment of any person hereunder  
23 shall not relieve such person from the responsibility of correcting, removing or abating the violation, nor  
24 prevent the enforced correction, removal or abatement thereof. Each and every day during any portion of  
25 which any violation of this ordinance or the rules, regulations, orders, permits or conditions of approval  
26 issued thereunder is committed, continued, or permitted by such person, shall be deemed a separate and  
27 distinct offense.  
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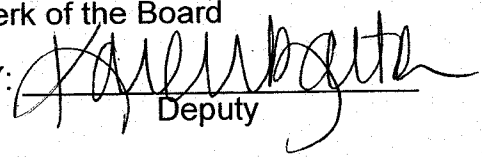
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STATE OF CALIFORNIA        )  
  )  
COUNTY OF RIVERSIDE        )        SS

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on January 29, 2013, the foregoing ordinance consisting of 2 Sections was adopted by the following vote:

AYES:       Jeffries, Stone, Benoit and Ashley  
NAYS:       None  
ABSENT:     Tavaglione

DATE:       January 29, 2013

KECIA HARPER-IHEM  
Clerk of the Board  
BY:   
Deputy

SEAL

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

902



**FROM:** Department of Environmental Health

**SUBMITTAL DATE:**  
December 4, 2012

**SUBJECT:** Revision of Riverside County Ordinance No. 907 Regulating Body Art Facilities, Permanent Cosmetics and Body Piercing Facilities

**RECOMMENDED MOTION:** That the Board of Supervisors:

- 1) Introduce and set for public hearing Revised Ordinance No. 907, an Ordinance of the County of Riverside Regulating Body Art Facilities, Permanent Cosmetics and Body Piercing Facilities;
- 2) Authorize the Clerk of the Board to place an advertisement for a public hearing in the appropriate local publications; and
- 3) Upon the close of the public hearing, adopt amended Ordinance No. 907.

(continued)

\_\_\_\_\_  
Steve Van Stockum, Director

SVS:JW

FORM APPROVED BY COUNTY COUNSEL  
BY: ERIC STOPHER  
DATE: 12/4/12  
Departmental Concurrence

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	12/13

<b>SOURCE OF FUNDS:</b> Contract revenue and Department budget	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:** APPROVE

BY:   
Michael R. Shetler

**County Executive Office Signature**

- Policy
- Policy
- Consent
- Consent

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Ashley, seconded by Supervisor Jeffries and duly carried, IT WAS ORDERED that the above ordinance is approved as introduced with waiver of reading and is set for public hearing January 29, 2013 at 9:30 a.m.

Ayes: Jeffries, Stone, Benoit and Ashley  
Nays: None  
Absent: Tavaglione  
Date: January 8, 2013  
xc: Environmental Health, COB

Kecia Harper-Ihem  
Clerk of the Board  
By:

Dep't Recomm.: Per Exec. Ofc.:	Prev. Agn. Ref.: 5/17/11, 3.5; 11/20/12, 3.24	District: All	Agenda Number:
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**BACKGROUND:**

In August of 2011, Ordinance 907 was passed by the Board of Supervisors to create a defined set of standards for health and safety at body art facilities within Riverside County due to the minimal state-wide regulations. On July 1, 2012, the State of California implemented the Safe Body Art Act which greatly increased the state-wide standards for the regulation of the body art industry. The new State regulations control a large portion of the body art industry. However, the state laws also provide for local jurisdictions to create additional regulations so long as the local regulations do not conflict with and/or limit state law.

Accordingly, Ordinance 907 is being revised to remove any sections that conflict with the Safe Body Art Act and to make reference to the Safe Body Art Act as the lead statute for body art regulation. The revised Ordinance 907 contains only those items that are particular to the County of Riverside and those areas that were not addressed in the Safe Body Art Act.

**FISCAL:**

The approval of this ordinance amendment will result in no cost to the County; implementation expenses will be paid through fees.

SUMMARY OF PROPOSED ORDINANCE NO. 907.1

AN ORDINANCE OF THE COUNTY OF RIVERSIDE  
AMENDING ORDINANCE NO. 907 REGULATING  
BODY ART FACILITIES, PERMANENT COSMETICS  
AND BODY PIERCING FACILITIES

This summary is presented pursuant to California Government Code Section 25124(b); a certified copy of the full text of Ordinance No. 907.1 may be examined at the Office of the Clerk of the Board of Supervisors of the County of Riverside located at 4080 Lemon Street, 1<sup>st</sup> Floor, Riverside, California.

Ordinance No. 907.1 amends Ordinance 907, regulating Body Art Facilities, Permanent Cosmetics and Body Piercing Facilities (generally referred to as "Body Art"), in order to ensure Ordinance 907 is consistent with state law. Body art includes body piercing, branding, permanent cosmetics, and tattooing. Ordinance 907 required owners, operators, and practitioners to follow safe and healthy practices, including the use of sterilized equipment and the maintenance of a sterile work environment and established minimum standards that applied to body art facilities, both permanent and temporary, and practitioners of body art to help protect both the practitioner and the client from transmission of infectious diseases.

Ordinance 907 was adopted by the Board of Supervisors of Riverside County on August 16, 2011. Subsequent to this adoption, the state of California enacted AB 300 which expanded the existing state statutes that govern body art. AB 300 became effective July 1, 2012. As a result of the enactment of AB 300, Riverside County's ordinance is amended to delete sections that are duplicative and/or contradict state law and is amended to add further regulations that are permissible under state law.

The major components of Ordinance No. 907.1 amend Ordinance 907 to do the following:

Delete sections that are duplicative and/or contradictory of state law.

Incorporate, by reference, the entirety of the statutory scheme resulting from the enactment of AB 300, including the restriction on performance of body art, registration requirements, ear piercing, and enforcement of the regulations.

Adds permissible, and stricter, regulations that do not conflict with state law as allowable pursuant to state law.

Sets forth the associated fees for permits, inspections, and practitioner registrations.

Contains the penalties for violations of the ordinance requirements, which include criminal infractions, misdemeanors, monetary administrative penalties, injunctive relief, abatement, and other civil remedies and defines a violation as a nuisance.





1           Section 2.     PURPOSE.   The purpose of this Ordinance is to establish minimum  
2 standards that apply to Body Art Facilities and Practitioners for the safe practice of Body Art in Riverside  
3 County.  These regulations are intended to protect both the Practitioner and the Client from transmission  
4 of infectious diseases through the application of proper Body Art procedures and the control of Cross-  
5 contamination of Instruments and supplies.

6  
7           Section 3.     JURISDICTION.  This Ordinance shall apply to all individuals performing  
8 Body Art procedures and all Body Art Facilities located within the County of Riverside.  Riverside County  
9 hereby adopts, and incorporates by reference, the provisions related to Body Art as codified in California  
10 Health and Safety Code Section 119300, *et seq.*  Additionally, pursuant to the authority granted in  
11 California Health and Safety Code Section 119324, all Body Art Practitioners and all Body Art facilities  
12 located within the County of Riverside shall meet the additional requirements listed below.  This  
13 Ordinance shall be administered and implemented by the Riverside County Department of Environmental  
14 Health.

15  
16           Section 4.     DEFINITIONS.  The following definitions shall apply in the interpretation  
17 and enforcement of this ordinance

- 18       A.       “Body Art” shall have the same definition as in California Health and Safety Code Section  
19               119301 (c).
- 20       B.       “Body Art Facility” shall have the same definition as in California Health and Safety Code  
21               Section 119301 (d).
- 22       C.       “Body Art Practitioner” shall have the same definition as in California Health and Safety  
23               Code Section 119301 (t)
- 24       D.       “Department” shall mean the Riverside County Department of Environmental Health
- 25       E.       “Enforcement Officer” shall mean the Director of Environmental Health and his or her  
26               duly authorized designees.
- 27  
28

1            Section 5.      INSPECTION RESULTS.

2            A.            All Body Art Facilities shall be inspected using an Official Inspection Form. The results  
3            of each inspection shall be represented by a placard posted by the Enforcement Officer.  
4            The placards shall be presented as either "PASS" or "RE-INSPECTION DUE".

5            1.            The "PASS" placard shall be used to indicate that the Body Art Facility has been  
6            inspected to the standards of the California Health and Safety Code Sections  
7            119300, et seq. and this ordinance, and no items on the most recent inspection form  
8            are noted as requiring re-inspection.

9            2.            The "RE-INSPECTION DUE" placard shall be used to indicate the Body Art  
10            Facility has conditions that require additional inspection(s) by the Enforcement  
11            Officer.

12            3.            The placards shall be provided by the Enforcement Officer.

13            4.            The placards shall be posted in a conspicuous place within the facility as  
14            determined by the Enforcement Officer, shall be publicly viewable and shall be  
15            removed only by the Enforcement Officer.

16            5.            The placards shall contain the Signature of the Enforcement Officer and Date of the  
17            most recent inspection.

18            B.            The Body Art Facility shall make a copy of the most recent Inspection Report available to  
19            the public upon request. The public report availability shall be noted on the placard.

20  
21            Section 6.      FACILITY AND PRACTITIONER REQUIREMENTS    Notwithstanding

22            the operational requirements set forth in California Health and Safety Code Section 119300, et seq, a  
23            body art facility or practitioner operating within Riverside County shall also comply with the following  
24            requirements:

25            A.            Sterile gloves shall be used by a practitioner at the point of puncturing the skin and  
26            inserting the pre-sterilized jewelry in the pierced area.

1 B. The Body Art Facility owner shall be responsible to report to the Department any  
2 accidental needle or device penetration of the skin affecting a Practitioner, employee,  
3 customer or any other member of the public within 72 hours of the incident.

4 C. The Body Art Facility owner shall be responsible for notifying the Department, in writing,  
5 within seven (7) days of a practitioner leaving or a new practitioner beginning work at the  
6 facility.

7 D. The Body Art Facility owner shall maintain records related to medical waste disposal for  
8 three years from date of generation.

9  
10 Section 7. PERMITS. No person shall act as a Body Art Practitioner or operate a  
11 Body Art Facility without holding a valid permit issued by the Department, except where excluded by  
12 California Health and Safety code. Application for a permit shall be made to the Department upon a form  
13 issued by the Department, and shall be accompanied by a fee as listed below:

- |    |   |          |
|----|---|----------|
| 14 | • Permanent Body Art Facility Annual Permit             | \$200.00 |
| 15 | • Mobile Body Art Facility Annual Permit                | \$200.00 |
| 16 | • Body Art Practitioner Annual Registration             | \$50.00  |
| 17 | • Body Art Practitioner Initial Registration (one time) | \$50.00  |
| 18 | • Temporary Body Art Facility Permit (per event)        | \$150.00 |

19 In addition to the fees listed above, the following fees shall also apply to any Body Art Practitioner or  
20 Body Art Facility:

- |    |  |         |
|----|--|---------|
| 21 | • Body Art Re-Inspection – Charged at the current rate listed in Ordinance 640 |         |
| 22 | • Duplicate Practitioner Registration Card                                     | \$30.00 |

23 The fees listed in this Section shall be valid until such time as Ordinance 640 is revised past version  
24 640.13. Any annual permit or registration shall be valid for no more than one year from the month of  
25 issue.

1            Section 8.      ENFORCEMENT      Notwithstanding the remedies set forth in California  
2 Health and Safety code Section 119300 et seq., the Department reserves the right to issue Administrative  
3 Citations in accordance with Government Code Section 53069.4. An administrative citation may be  
4 issued for any violation of this Ordinance. The following procedures shall govern the imposition,  
5 enforcement, collection and administrative review of administrative citations and penalties.

6            A.            Notice of Violation. If the violation is not corrected within the period stated in the notice of  
7 violation, or if the violation creates an immediate danger to health or safety, an  
8 administrative citation may be issued by the Enforcement Officer. The notice of violation  
9 shall specify the manner in which the conditions of the Body Art Facility or the actions of  
10 the Practitioner violate the provisions of this Ordinance and the corrective actions required  
11 to correct the condition or conduct. The notice shall also state that failure to come into  
12 compliance with this Ordinance could subject the permittee, Practitioner, or other person  
13 who owns, controls or operates a Body Art Facility to civil, administrative and criminal  
14 penalties. The failure of the notice to set forth all required contents shall not affect the  
15 validity of the proceedings.

16            B.            Content of Citation. The administrative citation shall be issued on a form approved by  
17 County Counsel and shall contain the information listed below. The failure of the citation  
18 to set forth all required contents shall not affect the validity of the proceedings.

- 19            1.            Date, location and approximate time the violation was observed.
- 20            2.            The Ordinance section violated and a brief description of the violation.
- 21            3.            The amount of the administrative penalty imposed for the violation.
- 22            4.            Instructions for the payment of the penalty, the time period by which it shall be  
23            paid, and the consequences of failure to pay the penalty within this time period.
- 24            5.            Instructions on how to appeal the citation.
- 25            6.            The signature of the Enforcement Officer.

1 C. Service of Citation.

- 2 1. If the permittee, Practitioner, or other person who has violated the Ordinance is  
3 present at the scene of the violation, the Enforcement Officer shall attempt to obtain  
4 their signature on the administrative citation and shall deliver a copy of the  
5 administrative citation to them.
- 6 2. If the permittee, Practitioner, or other person who has violated the Ordinance is a  
7 business, and the business owner is on the premises, the Enforcement Officer shall  
8 attempt to deliver the administrative citation to them. If the Enforcement Officer is  
9 unable to serve the business owner on the premises, the administrative citation may  
10 be left with the manager or employee of the business. If left with the manager or  
11 employee of the business, a copy of the administrative citation shall also be mailed  
12 to the business owner by certified mail, return receipt requested.
- 13 3. If no one can be located at the property, then the administrative citation shall be  
14 posted in a conspicuous place on or near the property and a copy mailed by  
15 certified mail, return receipt requested to the Owner, permittee, Practitioner, or  
16 other person who has violated the Ordinance. The citation shall be mailed to the  
17 property address and/or the address listed for the Owner on the last County  
18 Equalized Assessment Roll.
- 19 4. The failure of any interested person to receive the citation shall not affect the  
20 validity of the proceedings.

21 D. Administrative Penalties.

- 22 1. The penalties assessed for each violation shall not exceed the following amounts:
- 23 a. \$100.00 for a first violation;
- 24 b. \$200.00 for a second violation of the same Ordinance within one year; and
- 25 c. \$500.00 for each additional violation of the same Ordinance within one  
26 year.
- 27
- 28

- 1           2.     Notwithstanding the penalty scheme outlined above, a Practitioner who fails to  
2                     register with the Department or who violates any sterilization, sanitation, and safety  
3                     standards adopted under Health and Safety Code Section 119301, shall be subject  
4                     to a civil penalty of one thousand dollars (\$1,000) per violation (California Health  
5                     & Safety Code Section 119323).
- 6           3.     If the violation is not corrected, additional administrative citations may be issued  
7                     for the same violation. The amount of the penalty shall increase at the rate specified  
8                     above.
- 9           4.     Payment of the penalty shall not excuse the failure to correct the violation nor shall  
10                    it bar further enforcement action.
- 11          5.     The penalties assessed shall be payable to the County of Riverside.

12    E.       Administrative Appeal.

- 13          1.     Notice of Appeal. The recipient of an administrative citation may appeal the  
14                    citation by filing a written notice of appeal with the Department. The written notice  
15                    of appeal must be filed within twenty (20) days of the service of the administrative  
16                    citation. Failure to file a written notice of appeal within this time period shall  
17                    constitute a waiver of the right to appeal the administrative citation. The notice of  
18                    appeal shall contain the following information:
  - 19                    a.     A brief statement setting forth the appellant's interest in the proceedings;
  - 20                    b.     A brief statement of the material facts which the appellant claims supports  
21                        his/her contention that no administrative penalty should be imposed or that  
22                        an administrative penalty of a different amount is warranted;
  - 23                    c.     An address at which the appellant agrees notice of any additional  
24                        proceeding or an order relating to the imposition of the administrative  
25                        penalty may be received by mail.
  - 26                    d.     The notice of appeal must be signed by the appellant.

1           2.     Administrative Hearing. Upon a timely written request by the recipient of the  
2           administrative citation, an administrative hearing shall be held as follows:

3           a.     Notice of Hearing. Notice of the administrative hearing shall be given at  
4           least ten (10) days before the hearing to the person requesting the hearing.  
5           The notice may be delivered to the person or may be mailed to the address  
6           listed in the notice of appeal.

7           b.     Hearing Officer. The administrative hearing shall be held before the  
8           Director. The hearing officer shall not be the Enforcement Officer who  
9           issued the administrative citation or their immediate supervisor or  
10          subordinate. The Director may contract with a qualified provider to conduct  
11          administrative hearings or to process administrative citations.

12          c.     Conduct of the Hearing. Except as may be required by the hearing officer,  
13          the Enforcement Officer who issued the administrative citation shall not  
14          participate in the administrative hearing. The contents of the Enforcement  
15          Officer's file in the case shall be admitted as prima facie evidence of the  
16          facts stated therein. The hearing officer shall not be limited by the technical  
17          rules of evidence. If the person requesting the appeal fails to appear at the  
18          administrative hearing, the hearing officer shall make his or her  
19          determination based on the information contained in the notice of appeal.

20          d.     Hearing Officer's Decision. The hearing officer's decision following the  
21          administrative hearing shall be delivered to the person requesting the  
22          hearing personally or sent by mail. The hearing officer may allow payment  
23          of the administrative penalty in installments, if the person provides evidence  
24          satisfactory to the hearing officer of an inability to pay the penalty in full.  
25          The hearing officer's decision shall contain instructions for obtaining  
26          review of the decision by the superior court.



1 F. Review of Administrative Hearing Officer's Decision.

- 2 1. Notice of Appeal. Within twenty (20) days of the date of the delivery or mailing of  
3 the hearing officer's decision, a person may contest that decision by filing an  
4 appeal to be heard by the superior court. The fee for filing the notice of appeal is  
5 twenty-five dollars (\$25.00). The failure to file the written appeal and to pay the  
6 filing fee within this period shall constitute a waiver of the right to an appeal and  
7 the decision shall be deemed confirmed. A copy of the notice of appeal shall be  
8 served in person or by first class mail upon the issuing agency by the contestant.
- 9 2. Conduct of Hearing. The conduct of the appeal is a subordinate judicial duty and  
10 may be performed by traffic trial commissioners and other subordinate judicial  
11 officials at the direction of the presiding judge of the court. The appeal shall be  
12 heard de novo, except that the contents of the issuing agency's file in the case shall  
13 be received in evidence. A copy of the document or Instrument of the issuing  
14 agency providing notice of the violation and imposition of the administrative  
15 penalty shall be admitted into evidence as prima facie evidence of the facts stated  
16 therein. The court shall request that the issuing agency's file on the case be  
17 forwarded to the court, to be received within fifteen (15) days of the request.
- 18 3. Judgment. The court shall retain the twenty-five dollar (\$25.00) fee regardless of  
19 the outcome of the appeal. If the court finds in favor of the contestant, the amount  
20 of the fee shall be reimbursed to the contestant by the Department. Any deposit of  
21 the fine or penalty shall be refunded by the issuing agency in accordance with the  
22 judgment of the court. If the fine or penalty has not been deposited and the decision  
23 of the court is against the contestant, the issuing agency may proceed to collect the  
24 penalty pursuant to any manner provided by law.
- 25  
26  
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28



1            Section 11.    RECOVERY OF ATTORNEYS' FEES IN NUISANCE ABATEMENT

2 CASES.        In any action, administrative proceeding, or special proceeding to abate a nuisance,  
3 attorneys' fees may be recovered by the prevailing party. In no action, administrative proceeding, or  
4 special proceeding shall an award of attorneys' fees to a prevailing party exceed the amount of reasonable  
5 attorneys' fees incurred by the County in the action or proceeding.  
6  
7

8            Section 12.    REMEDIES AND PENALTIES.    All remedies and penalties provided

9 for herein shall be cumulative and not exclusive. The conviction and punishment of any person hereunder  
10 shall not relieve such person from the responsibility of correcting, removing or abating the violation, nor  
11 prevent the enforced correction, removal or abatement thereof. Each and every day during any portion of  
12 which any violation of this Ordinance or the rules, regulations, orders, Permits or conditions of approval  
13 issued thereunder is committed, continued, or permitted by such person, shall be deemed a separate and  
14 distinct offense.  
15

16            Section 13.    SEVERABILITY.    If any provision, clause, sentence or paragraph of this

17 Ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity  
18 shall not affect the other provisions or applications of the provisions of this Ordinance which can be given  
19 effect without the invalid provision or application, and to this end, the provisions of this Ordinance are  
20 hereby declared to be severable.”  
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Section 2. This ordinance shall take effect thirty (30) days after its adoption.

BOARD OF SUPERVISORS OF THE COUNTY  
OF RIVERSIDE, STATE OF CALIFORNIA

By: \_\_\_\_\_  
Chairman

ATTEST:

CLERK OF THE BOARD:

By: \_\_\_\_\_  
Deputy

(SEAL)

APPROVED AS TO FORM

By:   
ERIC STOPHER  
Deputy County Counsel



OFFICE OF  
CLERK OF THE BOARD OF SUPERVISORS  
1st FLOOR, COUNTY ADMINISTRATIVE CENTER  
P.O. BOX 1147, 4080 LEMON STREET  
RIVERSIDE, CA 92502-1147  
PHONE: (951) 955-1060  
FAX: (951) 955-1071

KECIA HARPER-IHEM  
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR  
Assistant Clerk of the Board

January 10, 2013

THE PRESS ENTERPRISE  
ATTN: LEGALS  
P.O. BOX 792  
RIVERSIDE, CA 92501

E-MAIL: [legals@pe.com](mailto:legals@pe.com)  
FAX: (951) 368-9018

RE: INTRODUCTION OF ORDINANCE NO. 907 REGULATING BODY ART FACILITIES

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Sunday, January 13, 2013**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, **WITH TWO CLIPPINGS OF THE PUBLICATION**.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

*McGil*

Cecilia Gil, Board Assistant to  
KECIA HARPER-IHEM, CLERK OF THE BOARD

**Gil, Cecilia**

---

**From:** mtinajero@pe.com on behalf of Master, PEC Legals <legalsmaster@pe.com>  
**Sent:** Thursday, January 10, 2013 9:15 AM  
**To:** Gil, Cecilia  
**Subject:** Re: [Legals] FOR PUBLICATION: Introduction of Ord. No. 907

Received for publication on Jan. 13. Proof with cost to follow.

On Thu, Jan 10, 2013 at 8:34 AM, Gil, Cecilia <[CCGIL@rcbos.org](mailto:CCGIL@rcbos.org)> wrote:

Attached is an Introduction of Ordinance, for publication on Sunday, January 13, 2013. Please confirm. THANK YOU!

*Cecilia Gil*

Board Assistant to the  
Clerk of the Board of Supervisors  
951-955-8464

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RIVERSIDE, CA 92502-1147  
PHONE: (951) 955-1060  
FAX: (951) 955-1071

KECIA HARPER-IHEM  
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR  
Assistant Clerk of the Board

January 10, 2013

THE DESERT SUN  
ATTN: LEGALS  
P.O. BOX 2734  
PALM SPRINGS, CA 92263

E-MAIL: [legals@thedesertsun.com](mailto:legals@thedesertsun.com)  
FAX: (760) 778-4731

RE: INTRODUCTION OF ORDINANCE NO. 907 REGULATING BODY ART FACILITIES

To Whom It May Concern:

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Sincerely,

*McGil*

Cecilia Gil, Board Assistant to  
KECIA HARPER-IHEM, CLERK OF THE BOARD

**Gil, Cecilia**

---

**From:** Moeller, Charlene <CMOELLER@palmspri.gannett.com>  
**Sent:** Thursday, January 10, 2013 8:51 AM  
**To:** Gil, Cecilia  
**Subject:** RE: FOR PUBLICATION: Introduction of Ord. No. 907

Ad received and will publish on date(s) requested.

**Charlene Moeller** | Media Sales Legal Notice Coordinator

The Desert Sun Media Group  
750 N. Gene Autry Trail, Palm Springs, CA 92262  
t 760.778.4578 | f 760.778.4731  
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---

**From:** Gil, Cecilia [<mailto:CCGIL@rcbos.org>]  
**Sent:** Thursday, January 10, 2013 8:35 AM  
**To:** tds-legals  
**Subject:** FOR PUBLICATION: Introduction of Ord. No. 907

Attached is an Introduction of Ordinance; for publication on Sunday, January 13, 2013. Please confirm. THANK YOU!

*Cecilia Gil*

Board Assistant to the  
Clerk of the Board of Supervisors  
951-955-8464

**THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.  
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**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE**

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1<sup>st</sup> Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, January 29, 2013 at 9:30 a.m.** to consider adoption of the following ordinance:

**SUMMARY OF PROPOSED ORDINANCE NO. 907.1**

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE  
AMENDING ORDINANCE NO. 907 REGULATING  
BODY ART FACILITIES, PERMANENT COSMETICS  
AND BODY PIERCING FACILITIES**

This summary is presented pursuant to California Government Code Section 25124(b); a certified copy of the full text of Ordinance No. 907.1 may be examined at the Office of the Clerk of the Board of Supervisors of the County of Riverside located at 4080 Lemon Street, 1<sup>st</sup> Floor, Riverside, California.

Ordinance No. 907.1 amends Ordinance 907, regulating Body Art Facilities, Permanent Cosmetics and Body Piercing Facilities (generally referred to as "Body Art"), in order to ensure Ordinance 907 is consistent with state law. Body art includes body piercing, branding, permanent cosmetics, and tattooing. Ordinance 907 required owners, operators, and practitioners to follow safe and healthy practices, including the use of sterilized equipment and the maintenance of a sterile work environment and established minimum standards that applied to body art facilities, both permanent and temporary, and practitioners of body art to help protect both the practitioner and the client from transmission of infectious diseases.

Ordinance 907 was adopted by the Board of Supervisors of Riverside County on August 16, 2011. Subsequent to this adoption, the state of California enacted AB 300 which expanded the existing state statutes that govern body art. AB 300 became effective July 1, 2012. As a result of the enactment of AB 300, Riverside County's ordinance is amended to delete sections that are duplicative and/or contradict state law and is amended to add further regulations that are permissible under state law.

The major components of Ordinance No. 907.1 amend Ordinance 907 to do the following:

Delete sections that are duplicative and/or contradictory of state law.

Incorporate, by reference, the entirety of the statutory scheme resulting from the enactment of AB 300, including the restriction on performance of body art, registration requirements, ear piercing, and enforcement of the regulations.

Adds permissible, and stricter, regulations that do not conflict with state law as allowable pursuant to state law.

Sets forth the associated fees for permits, inspections, and practitioner registrations.

Contains the penalties for violations of the ordinance requirements, which include criminal infractions, misdemeanors, monetary administrative penalties, injunctive relief, abatement, and other civil remedies and defines a violation as a nuisance.

Any person affected by the above matter(s) may submit written comments to the Clerk of the Board before the hearing or may appear and be heard in support or opposition to the project at the time of the hearing. If you challenge the above item(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence, to the Board of Supervisors at, or prior to, the public hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1<sup>st</sup> Floor, Post Office Box 1147, Riverside, CA 92502-1147

Dated: January 10, 2013

Kecia Harper-Ihem, Clerk of the Board  
By: Cecilia Gil, Board Assistant

MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



3.22

On motion of Supervisor Stone, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the recommendation from Environmental Health regarding the Introduction of Ordinance No. 907, an Ordinance of the County of Riverside Regulating Body Art Facilities, Permanent Cosmetics and Body Piercing Facilities is continued to Tuesday, January 8, 2013 at 9:00 a.m.

\_\_\_\_\_

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on December 18, 2012 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors  
Dated: December 18, 2012  
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

(seal)

By: Kellington Deputy

AGENDA NO.  
3.22

xc: Environmental Health, COB

## Rector, Kimberly

---

**From:** Wagner, Lisa M  
**Sent:** Tuesday, December 18, 2012 8:13 AM  
**To:** Harper-Ihem, Kecia; Rector, Kimberly; Gil, Cecilia; Eckles, April  
**Subject:** Continued Items for 12/18/12

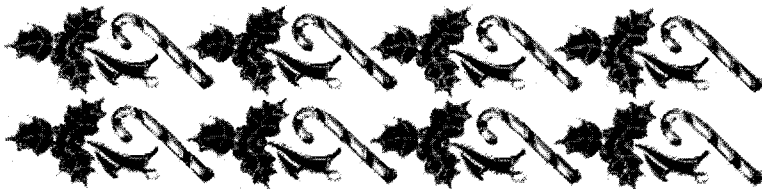
Per our conversation this a.m., Pam Walls just told me that they want to continue items 3.22 and 3.23 until January 8.

Thanks

*Lisa M. Wagner*

Executive Assistant  
Riverside County Clerk of the Board of Supervisors  
Phone: 951-955-1063  
Fax: 951-955-1071

*Please note that, as a cost saving measure, the County Administrative Center and the Clerk of the Board is closed every Friday.*





OFFICE OF  
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KECIA HARPER-IHEM  
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR  
Assistant Clerk of the Board

February 5, 2013

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P.O. BOX 792  
RIVERSIDE, CA 92501

FAX: (951) 368-9018  
E-MAIL: [legals@pe.com](mailto:legals@pe.com)

RE: ADOPTION OF ORDINANCE NO. 907.1

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Thursday, February 7, 2013**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, WITH TWO CLIPPINGS OF THE PUBLICATION.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

*Mcgil*

Cecilia Gil, Board Assistant to  
KECIA HARPER-IHEM, CLERK OF THE BOARD

**Gil, Cecilia**

---

**From:** neller@pe.com on behalf of Master, PEC Legals <legalsmaster@pe.com>  
**Sent:** Tuesday, February 05, 2013 8:05 AM  
**To:** Gil, Cecilia  
**Subject:** Re: [Legals] FOR PUBLICATION: Adoption of Ord. No. 907.1

Received for publication on 2/7

-Nick

Thank You!



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Please Note: Deadline is 10:30 AM two (2) business days prior to the date you would like to publish.

**\*\*Additional days required for larger ad sizes\*\***

On Mon, Feb 4, 2013 at 4:57 PM, Gil, Cecilia <[CCGIL@rcbos.org](mailto:CCGIL@rcbos.org)> wrote:

Hello! Attached is an Adoption of Ord., for publication on Thursday, Feb. 7, 2013.

Please confirm. THANK YOU!

*Cecilia Gil*

Board Assistant to the  
Clerk of the Board of Supervisors  
[951-955-8464](tel:951-955-8464)

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PHONE: (951) 955-1060  
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KECIA HARPER-IHEM  
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR  
Assistant Clerk of the Board

February 5, 2013

THE DESERT SUN  
ATTN: LEGALS  
P.O. BOX 2734  
PALM SPRINGS, CA 92263

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E-MAIL: [legals@thedesertsun.com](mailto:legals@thedesertsun.com)

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Sincerely,

*Mcgil*

Cecilia Gil, Board Assistant to  
KECIA HARPER-IHEM, CLERK OF THE BOARD

**Gil, Cecilia**

---

**From:** Moeller, Charlene <CMOELLER@palmspri.gannett.com>  
**Sent:** Tuesday, February 05, 2013 9:15 AM  
**To:** Gil, Cecilia  
**Subject:** RE: FOR PUBLICATION: Adoption of Ord. No. 907.1

Ad received and will publish on date(s) requested.

**Charlene Moeller** | Media Sales Legal Notice Coordinator

The Desert Sun Media Group  
750 N. Gene Autry Trail, Palm Springs, CA 92262  
t 760.778.4578 | f 760.778.4731  
[legals@thedesertsun.com](mailto:legals@thedesertsun.com) / [dpwlegals@thedesertsun.com](mailto:dpwlegals@thedesertsun.com)

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---

**From:** Gil, Cecilia [<mailto:CCGIL@rcbos.org>]  
**Sent:** Monday, February 04, 2013 4:57 PM  
**To:** tds-legals  
**Subject:** FOR PUBLICATION: Adoption of Ord. No. 907.1

Hello! Attached is an Adoption of Ord., for publication on Thursday, Feb. 7, 2013.  
Please confirm. THANK YOU!

*Cecilia Gil*

Board Assistant to the  
Clerk of the Board of Supervisors  
951-955-8464

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BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SUMMARY OF ORDINANCE NO. 907.1

AN ORDINANCE OF THE COUNTY OF RIVERSIDE  
AMENDING ORDINANCE NO. 907 REGULATING BODY ART FACILITIES, PERMANENT COSMETICS  
AND BODY PIERCING FACILITIES

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Ordinance No. 907.1 amends Ordinance 907, regulating Body Art Facilities, Permanent Cosmetics and Body Piercing Facilities (generally referred to as "Body Art"), in order to ensure Ordinance 907 is consistent with state law. Body art includes body piercing, branding, permanent cosmetics, and tattooing. Ordinance 907 required owners, operators, and practitioners to follow safe and healthy practices, including the use of sterilized equipment and the maintenance of a sterile work environment and established minimum standards that applied to body art facilities, both permanent and temporary, and practitioners of body art to help protect both the practitioner and the client from transmission of infectious diseases.

Ordinance 907 was adopted by the Board of Supervisors of Riverside County on August 16, 2011. Subsequent to this adoption, the state of California enacted AB 300 which expanded the existing state statutes that govern body art. AB 300 became effective July 1, 2012. As a result of the enactment of AB 300, Riverside County's ordinance is amended to delete sections that are duplicative and/or contradict state law and is amended to add further regulations that are permissible under state law.

The major components of Ordinance No. 907.1 amend Ordinance 907 to do the following:

Delete sections that are duplicative and/or contradictory of state law.

Incorporate, by reference, the entirety of the statutory scheme resulting from the enactment of AB 300, including the restriction on performance of body art, registration requirements, ear piercing, and enforcement of the regulations.

Adds permissible, and stricter, regulations that do not conflict with state law as allowable pursuant to state law.

Sets forth the associated fees for permits, inspections, and practitioner registrations.

Contains the penalties for violations of the ordinance requirements, which include criminal infractions, misdemeanors, monetary administrative penalties, injunctive relief, abatement, and other civil remedies and defines a violation as a nuisance.

This ordinance shall take effect thirty (30) days after its adoption.

John J. Benoit, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **January 29, 2013**, the foregoing Ordinance consisting of fourteen (14) sections was adopted by said Board by the following vote:

AYES: Jeffries, Stone, Benoit, and Ashley  
NAYS: None  
ABSENT: Tavaglione

Kecia Harper-Ihem, Clerk of the Board  
By: Cecilia Gil, Board Assistant