

ORDINANCE NO. 914 (19)

AN ORDINANCE AMENDING PART 9, CHAPTER 14 OF THE MOORE MUNICIPAL CODE; TATTOOING, BODY PIERCING AND MEDICAL MICROPIGMENTATION, SECTION 9-1401, AND SECTION 9-1413 ELIMINATING THE SURETY BOND REQUIREMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR REPEALER.

NOW THEREFORE, BE IT ORDAINED BY THE City Council of Moore, Oklahoma:

Sec. 9-1401. - Tattooing, body piercing, medical micropigmentation.

(A) It shall be unlawful for any person to perform or offer to perform body piercing or tattooing on a child under 18 years of age. No person under 18 years of age shall be allowed to receive a tattoo. No person under 18 years of age shall be allowed to receive a body piercing procedure unless the parent or legal guardian of such child gives written consent for the procedure, and the parent or legal guardian of the child is present during the procedure. No person shall be allowed to purchase or possess tattoo equipment or supplies without being licensed either as a state medical micropigmentologist or as a state tattoo artist.

(B) Tattooing shall not be performed upon a person impaired by drugs or alcohol. A person impaired by drugs or alcohol is considered incapable of consenting to tattooing and incapable of understanding tattooing procedures and aftercare suggestions.

(C) 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:

Apprentice means any person who is training under the supervision of a licensed tattoo artist. That person cannot independently perform the work of tattooing. The term "apprentice" also means any person who is training under the supervision of a licensed body artist. That person cannot independently perform the work of body piercing.

Artist means the person who actually performs the body piercing or tattooing procedure.

Body piercing means a procedure in which an opening is created in a human body solely for the purpose of inserting jewelry or other decoration; provided, however, the term does not include ear piercing.

Body piercing operator means any person who owns, controls, operates, conducts, or manages any permanent body piercing establishment whether actually performing the work of body piercing or not. A mobile unit, including, but not limited to, a mobile home, recreational vehicle, or any other nonpermanent facility, shall not be used as a body piercing establishment.

Tattooing means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment, provided that medical micropigmentation, performed pursuant to the provisions of the Oklahoma Medical Micropigmentation Regulation Act, shall not be construed to be tattooing.

Tattoo operator means any person who owns, controls, operates, conducts, or manages any permanent tattooing establishment whether performing the work of tattooing or not, or a temporary location that is a fixed location at which an individual tattoo operator performs tattooing for a specified period of not more

than seven days in conjunction with a single event or celebration, where the primary function of the event or celebration is tattooing.

(D) This chapter shall not apply to any act of a licensed practitioner of the healing arts performed in the course of such practitioner's practice of the practitioner.

Sec. 9-1413. - Application.

Any body piercing operator, tattooing operator, or artist desiring a license for tattooing or body piercing shall file a written application with the city clerk, license and permit division. The applicant shall furnish the following information:

- (1) A state department of health license issued in the appropriate category;
- (2) The type of ownership of the business (i.e., whether individual, partnership, corporation, or otherwise);
- (3) The name, style, and designation under which the business or practice is to be conducted;
- (4) The business address and all telephone numbers where the business is to be conducted;
- (5) A complete list of the names and residence address of all operators and employees in the business and the name and residence address of the manager or other person principally in charge of the operation;
- (6) The following personal information concerning the applicant, if an individual; and concerning each stockholder holding more than ten percent of the stock of the corporation, each officer and each director, if the applicant is a corporation; and concerning the partners, including limited partners, if the applicant is a partnership; and the holder of any lien, of any nature, upon the business or the equipment used therein; and concerning the manager or other person principally in charge of the operation of the business:
 - a. Name, complete residence address and residence telephone numbers;
 - b. The two previous addresses immediately prior to the present address of the applicant;
 - c. Written proof that the applicant is at least 18 years of age;
 - d. Height, weight, color of hair and eyes, and sex;
 - e. Two front-face-portrait photographs taken within 30 days of the date of the application and at least two inches by two inches in size;
 - f. All criminal convictions, except misdemeanor traffic violations; and
 - g. A complete set of fingerprints taken and to be retained on file by the police chief or his authorized representatives;
- (7) Such other information, identification, and physical examination of the applicant as shall be deemed necessary by the police chief to discover the truth of the matters hereinbefore required to be set forth in the application;
- (8) Authorization for the city, its agents and employees to seek information and conduct an investigation into the truth of the statements set forth in the application and the qualifications of the applicant for the permit.


Severability. If any of the provisions of this ordinance are determined to be unconstitutional or unlawful by any court of competent jurisdiction, the remainder shall be severable and unaffected.

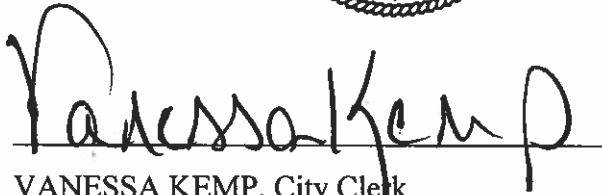
Repealer. Any ordinance or parts thereof in conflict with this section are hereby repealed.

PASSED AND APPROVED THIS 3rd DAY OF JUNE, 2019.



ATTEST: (Seal)


GLENN LEWIS, Mayor


VANESSA KEMP, City Clerk

APPROVED AS TO FORM AND LEGALITY:


RANDY C. BRINK, City Attorney

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THE SURETY BOND REQUIREMENT;
PROVIDING FOR SEVERABILITY; AND
PROVIDING FOR REPEALER, BE IT ORDAINED
BY THE CITY COUNCIL OF THE CITY OF
MOORE.
Glenn Lewis, Mayor
Vanessa Kemp, City Clerk

Proof of Publication

In the District Court of Cleveland County, State of Oklahoma

Case No: ORD 914

Affidavit of Publication

State of Oklahoma, County of Cleveland, ss:
I, the undersigned publisher, editor or Authorized Agent of the Norman
Transcript, do solemnly swear that the attached advertisement was
published in said paper as follows:

1st Publication

June 7, 2019

That said newspaper is Daily, in the city of Norman, Cleveland County,
Oklahoma, a Daily newspaper qualified to publish legal notices,
advertisements and publications as provided in Section 106 of Title 25,
Oklahoma Statutes 1971, as amended, and complies with all other
requirements of the laws of Oklahoma with reference to legal
publications.

That said Notice, a true copy of which is attached hereto, was published
in the regular edition of said newspaper during the period and time of
publications and not in a supplement, on the above noted dates.

Kathrina Bennett

Signature

Subscribed and sworn before me on this 7th day of June 2019.

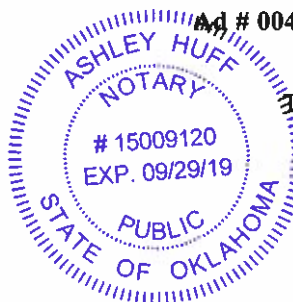
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June 7, 2019.

Please include the case number on
your check.