

RESOLUTION NO.: 2008-15
SUBJECT: Body Art Fee Increase
EFFECTIVE DATE: October 15, 2008

RESOLUTION OF THE EL PASO COUNTY **BOARD OF HEALTH**

WHEREAS, pursuant to Subpart 3 of Part 5 of Title 25, C.R.S., formerly Sections 25-1-506 and 507, C.R.S., the El Paso County Board of Health (“Board of Health”) has the power and duty to adopt regulations to initiate and carry out health programs that it deems necessary or desirable for the protection of the public health and the control of disease in El Paso County; and,

WHEREAS, in the exercise of that power and duty, the Board of Health previously adopted Chapter 6 Body Art Regulations, as well as its associated fees in Chapter 3 Fee Schedule and Civil Penalties; and,

WHEREAS, the Board of Health conducted a public hearing on July 16, 2008, which public hearing was continued to September 17, 2008, and further continued to October 15, 2008; and, has received and considered public comments relating to an initial proposal to indefinitely suspend El Paso County Board of Health Regulations, Chapter 6 Body Art Regulations, and repeal its associated fees contained in Chapter 3 Fee Schedule and Civil Penalties; and,

WHEREAS, the El Paso County Department of Health and Environment (“Health Department”) has met with numerous body art establishment owners and operators to discuss said proposal, and as a result of such discussions, the Health Department has recommended that said Body Art Regulations remain in effect and that revised body art fees be implemented;

NOW, THEREFORE, BE IT RESOLVED BY THE EL PASO COUNTY BOARD OF HEALTH:

1. That El Paso County Board of Health Regulations, Chapter 6 Body Art Regulations, shall remain in effect with the following special provisions:
 - a. Body art establishment licenses shall be issued by the Health Department for the period June 1, 2008, through May 31, 2009, upon payment of the revised annual fee of \$250.00. Body art establishments which previously made a partial payment of said fee shall be given credit for such payment.
 - b. No enforcement shall be brought against any body art establishment, including its owners or operators, for operating in good faith without a body art establishment license after June 1, 2008, except that such enforcement may proceed if such license is not obtained by December 1, 2008.

2. That El Paso County Board of Health Regulations Chapter 3 Fee Schedule and Civil Penalties, Section 1 Fees, is hereby amended as follows effective October 15, 2008:

Food and Living Environment – Body Art

Body Art Blood Borne Pathogen Training	\$30.00 per attendee
Body Art Plan Review (including pre-operational inspection)	\$175.00
Body Art Establishment License (retroactive to 6/1/2008)	\$250.00 annual
Re-inspection Fee (for any itemized inspection violation)	\$70.00 per visit
Temporary Event Fee	\$70.00 per vendor

MOVED, SECONDED AND ADOPTED BY THE EL PASO COUNTY BOARD OF HEALTH AT IT'S REGULARLY SCHEDULED MEETING HELD OCTOBER 15, 2008.

EL PASO COUNTY BOARD OF HEALTH