



500 CENTER AVENUE, BOX 779, MOORHEAD, MINNESOTA 56561
(218) 299-5301 TDD 711

TATTOO/BODY PIERCING LICENSE APPLICATION

Business Name: _____

Business Address _____ Phone # _____

Applicant's Name: _____

Applicant's Address _____ Phone # _____

List name & birth date of individuals who will engage in the practice of tattooing: _____

Brief description of the place or location at which the business is to be conducted: _____

Bond \$5,000

License Fee

\$ 35.00 (Renewal)

100.00 (New)

I agree to abide by the laws, ordinances and regulations pertaining thereto.

SIGNATURE _____ DATE _____

(For Office Use Only)

CHECK NUMBER _____

RECEIPT NUMBER _____

BOND NUMBER _____

BOND EXPIRES _____

LICENSE NUMBER _____

LICENSE EXPIRES _____

FINAL APPROVAL _____

Certificate of Compliance

Minnesota Workers' Compensation Law

PRINT IN INK or TYPE.

Minnesota Statutes, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in any activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minnesota Statutes, Chapter 176. The required workers' compensation insurance information is the name of the insurance company, the policy number, and the dates of coverage, or the permit to self-insure. If the required information is not provided or is falsely stated, it shall result in a \$2,000 penalty assessed against the applicant by the commissioner of the Department of Labor and Industry.

A valid workers' compensation policy must be kept in effect at all times by employers as required by law.

BUSINESS NAME (Individual name only if no company name used)	LICENSE OR PERMIT NO (if applicable)
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DBA (doing business as name) (if applicable)

BUSINESS ADDRESS (PO Box must include street address)	CITY	STATE	ZIP CODE
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YOUR LICENSE OR CERTIFICATE WILL NOT BE ISSUED WITHOUT THE FOLLOWING INFORMATION. You must complete number 1, 2 or 3 below.

NUMBER 1 COMPLETE THIS PORTION IF YOU ARE INSURED:

INSURANCE COMPANY NAME (not the insurance agent)

WORKERS' COMPENSATION INSURANCE POLICY NO.	EFFECTIVE DATE	EXPIRATION DATE
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NUMBER 2 COMPLETE THIS PORTION IF SELF-INSURED:

I have attached a copy of the permit to self-insure.

NUMBER 3 COMPLETE THIS PORTION IF EXEMPT:

I am not required to have workers' compensation insurance coverage because:

I have no employees.

I have employees but they are not covered by the workers' compensation law. (See Minn. Stat. § 176.041 for a list of excluded employees.) Explain why your employees are not covered: _____

Other: _____

ALL APPLICANTS COMPLETE THIS PORTION:

I certify that the information provided on this form is accurate and complete. If I am signing on behalf of a business, I certify that I am authorized to sign on behalf of the business.

APPLICANT SIGNATURE (mandatory)	TITLE	DATE
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NOTE: If your Workers' Compensation policy is cancelled within the license or permit period, you must notify the agency who issued the license or permit by resubmitting this form.

This material can be made available in different forms, such as large print, Braille or on a tape. To request, call 1-800-342-5354 (DIAL-DLI) Voice or TDD (651) 297-4198.

ARTICLE D. TATTOOS, BODY ART AND BODY PIERCING

2-6D-1: DEFINITIONS:

As used in this article, unless the context otherwise indicates, the following definitions shall apply:

BODY ART: The practice of physical body adornment by licensed establishments and operators using, but not limited to, the following techniques: body piercing, tattooing, cosmetic tattooing, branding, and scarification.

BODY ART ESTABLISHMENT: Any place or premises where the practices of body art, whether or not for profit, are performed, except where such practices are performed by a physician or surgeon who has a current license for the practice of medicine issued by the state of Minnesota.

BODY PIERCING: Puncturing or penetration of the skin of a person with presterilized single-use needles and the insertion of presterilized jewelry or other adornment thereto in the opening, except that puncturing the outer perimeter or lobe of the ear with a presterilized single-use stud-and-clasp ear-piercing system shall not be included in this definition.

EAR PIERCING: The puncturing of the noncartilaginous perimeter or lobe of the ear with a presterilized single-use stud-and-clasp ear-piercing system following manufacturer's instructions.

OPERATOR: Any person who controls, operates, manages, conducts, or practices body art activities at a body art establishment. The term includes an assistant or technician who performs body art activities and who works under the supervision, control or authority of somebody else who is an operator.

PERSON: An individual, any form of business or social organization or any other nongovernmental legal entity, including, but not limited to, corporations, partnerships, limited liability companies, trusts or unincorporated organizations.

PHYSICIAN: A person currently licensed by the state of Minnesota to practice medicine.

TATTOOING: Any method of placing ink or other pigment into or under the skin or mucosa by the aid of needles or any other instrument used to puncture the skin, resulting in permanent coloration of the skin or mucosa. This term includes all forms of cosmetic tattooing. (Ord. 2001-10, 5-21-2001)

2-6D-2: UNLAWFUL TO OPERATE BODY ART ESTABLISHMENT WITHOUT LICENSE; EXEMPTIONS:

It shall be unlawful to operate a body art establishment unless a license is first obtained from the city clerk. The provisions of this chapter do not apply to physicians nor to individuals who pierce only the noncartilaginous perimeter and lobe of the ear with a presterilized single use stud and clasp ear piercing system are exempt from these regulations; provided, however, that such individuals shall not be exempt from the applicable U.S. food and drug administration requirements. (Ord. 2001-10, 5-21-2001)

2-6D-3: LICENSE TO OPERATE BODY ART ESTABLISHMENT ISSUED ANNUALLY; DISPLAY OF LICENSE REQUIRED; ADOPTION OF REGULATIONS:

The license described in section [2-6D-2](#) of this article shall be issued annually, January 1, by the city clerk after an inspection and approval of the proposed body art establishment by the director of environmental health of the city of Moorhead, or his/her designee. The license shall be nontransferable. The license shall be displayed prominently in the body art establishment where it may be readily observed by clients.

The city does hereby adopt the regulations for owners and operators of body art establishments for the city of Moorhead. A copy of such regulations shall be posted in all body art establishments in a prominent location so that they may be read by clients and by operators and technicians of a body art establishment. (Ord. 2001-10, 5-21-2001)

2-6D-4: APPLICATION FOR LICENSE:

- A. Any person desiring a license to conduct a business where body art is practiced or to engage in the practice of body art shall file with the city an application in writing, signed by the applicant, containing the name of the applicant, if an individual; the names of copartners, if a partnership; and if a corporation, the names of the principal officers of such corporation and the individuals who will engage in the practice of body art, together with a brief description of the place or location at which the business is to be conducted, including therein for each individual named in the application, the appropriate date of birth.
- B. Each application shall be accompanied by the license fee and surety bond as hereinafter required.
- C. All applications for license shall be made upon forms furnished by the city, and upon presentation of the application, the license fee and the surety bond, the application shall thereafter be forwarded for investigation of the persons named in the application and inspection of the proposed location.
- D. The police department shall conduct criminal background investigations on the persons named in the application. In the event a national criminal background investigation is required, the applicant shall be responsible for all additional fees incurred for such and, upon request, provide additional information required to complete this process. All applicants are required to complete an informed consent authorizing the disclosure of all criminal history record information.
- E. Upon completion of the investigation, the application shall be forwarded to the council with recommendations for the council approval or denial of the license. (Ord. 2006-12, 6-19-2006)

2-6D-5: LICENSE FEES AND TERM:

- A. License Fees:

Initial license \$100.00

Renewals 35.00

- B. License Term: All licenses issued under this article shall be for a period of one year with the initial license to expire on December 31 of each year and all renewals thereof to run from January 1 to December 31 of each year. (Ord. 2001-10, 5-21-2001)

2-6D-6: SURETY BONDS:

A surety bond in the penal sum of five thousand dollars (\$5,000.00) with sufficient sureties, to be approved by authorized city personnel, shall accompany each application for a license and shall become effective upon the issuance of each license. The surety bond shall be conditioned upon the licensee and every person named in the application for such license, in every particular, conforming to the requirements of this article and with requirements of any law or other ordinance which may hereafter be passed regulating and licensing body art within the city. (Ord. 2001-10, 5-21-2001)

2-6D-7: INSPECTIONS OF LICENSED PREMISES:

The chief of police, or any officer of the police department, or the director of environmental health, or any agency which the city has contracted to do such work, may, at any time, enter upon any licensed premises for the purpose of inspection or to determine whether the licensed premises are in compliance with any and all ordinances of the city and regulations adopted by the city of Moorhead. A copy of the inspection report must be furnished to the license holder or operator of the body art establishment. (Ord. 2001-10, 5-21-2001)

2-6D-8: LICENSES; TERMINATION, SUSPENSION, REVOCATION:

All licenses issued under the provisions of this article, unless otherwise specifically provided, shall terminate on December 31 following the date of issuance; provided, however, that any license issued under the provisions of this chapter may, under certain circumstances, be terminated, suspended or revoked by the commission.

- A. The council may, in its discretion, suspend or revoke for cause any license issued under the provisions of this article. The grounds for suspension or revocation shall, among others, include the following:
1. The licensee has filed a petition in bankruptcy.
 2. An individual licensee, one of the partners in a partnership licensee, or one of the officers in a corporation licensee, or any individual in active management of the licensed business is convicted of violating any of the provisions of this article.
 3. The licensee has been convicted of a felony under the laws of the United States or under the laws of one of the several states.
 4. The licensee has made any false statement in his application for a license.
 5. The licensee has violated one or more of the regulations created pursuant to section [2-6D-3](#) of this article.
- B. The grounds enumerated in subsection A of this section shall not be deemed to be exclusive and any license issued under the provisions of this article may be suspended or revoked by the council for any other reason deemed by the council to be sufficient in order to promote and protect the health, safety, and welfare of the public. When any license is suspended or revoked by the council pursuant to the provisions of this section, or when the licensee voluntarily ceases business, no portion of the permit fee previously paid shall be returned to the licensee or to anyone claiming under or through him.
- C. No license issued under the provisions of this article shall be suspended or revoked for cause by the council without a public hearing. In the event that the council intends to consider the suspension or revocation of any license for cause, it shall direct the city clerk to notify the licensee of its intention to consider the same. The notice shall specify the time and place of the suspension or revocation hearing and shall be served upon the licensee or his managing agent in the same manner as provided by law for the service of a summons in a civil action. No suspension or revocation hearing shall be held before the expiration of fifteen (15) days after the date of the service of the notice upon the licensee.

If, upon such hearing, it appears to the council that sufficient cause exists for the suspension or revocation of a license issued pursuant to the provisions of this chapter, the council shall make its order suspending or revoking the said license. (Ord. 2001-10, 5-21-2001)

2-6D-9: UNLAWFUL PRACTICES:

In addition to such other prohibitions as are contained in this chapter:

- A. No person shall perform body art on any body part of a person under the age of eighteen (18) without the written consent of the parent or legal guardian of such minor and without said parent or legal guardian being present during such procedure.
- B. No person shall obtain or attempt to obtain any body art establishment license by means of fraud, misrepresentation or concealment.
- C. No person shall perform body art procedures unless such procedures are performed in a body art establishment with a current license.
- D. No person shall perform body art procedures unless they are at least eighteen (18) years of age.
- E. No person shall interfere with an appropriate enforcement officer in the performance of an inspection or in the performance of any other duties. Wilful failure by the licensee to post regulations which are required to be posted pursuant to section [2-6D-3](#) of this article shall be unlawful. (Ord. 2001-10, 5-21-2001)

2-6D-10: LOCATION RESTRICTIONS:

No person shall engage in the practice of body art at any place other than the place or location named or described in the application and license, nor, in any event, shall such business or practice be conducted at a location other than within the C-1 or C-2 commercial classification district within the city. (Ord. 2001-10, 5-21-2001)

2-6D-11: PENALTY:

Any person violating any provision of this article shall, upon conviction, be penalized in accordance with the provisions of section [1-4-2](#) of this code. In addition, the city shall have the right to apply for injunction or restraining order from the appropriate courts for enforcement of the terms and conditions of this article. (Ord. 2001-10, 5-21-2001)