

IN THE MATTER OF THE PUBLIC HEALTH ACT – ALBERTA
ORDER OF AN EXECUTIVE OFFICER

To: Gordon William Gripping
#1, 652 McDougall Rd. N.E.
Calgary, Alberta T2E 4Z7
(the “**Owner**”)

Re: The personal services facility located in Calgary, Alberta and municipally described as:
Ill Tattoos
#1, 652 McDougall Rd. N.E.
Calgary, Alberta T2E 4Z7

WHEREAS I, an **Executive Officer** of the **Calgary Health Region**, have inspected the above noted personal services facility pursuant to the provisions of the **Public Health Act**, RSA 2000, c. P-37, as amended;

AND WHEREAS such inspection disclosed that the following conditions exist in and about the above noted personal services facility which are or may become injurious or dangerous to the public health or which might hinder the prevention or suppression of disease, namely:

- a. Failure to obtain Calgary Health Region approval prior to opening a home based personal service facility,
- b. There are no stainless steel sinks for hand washing and/or cleaning of equipment,
- c. There is no designated sharps receptacle,
- d. Consent forms are not used to obtain client consent,
- e. There are no records maintained of clients having received tattoos.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act, Personal Services Regulation, Alberta Regulation 20/2003, Health Standards and Guidelines for Personal Services and the Health Standards and Guidelines for Tattooing exist in and about the above noted personal services facility, namely:

- a. Failure to obtain Calgary Health Region approval prior to opening a home based personal service facility which contravenes Page 2 of the Health Standards and Guidelines for Personal Services regarding Approval of Operation which states:

All personal service facilities are required to obtain approval to operate from the Regional Health Authority (RHA).

- b. There are no stainless steel sinks for hand washing and/or cleaning of equipment which contravenes Section 4 (1) of the Personal Services Regulation which states:

A personal service facility in which body piercing, ear piercing, electrolysis, tattooing or aesthetic services are provided must be equipped with a sink that is

- (a) stainless steel,*
- (b) supplied with soap and hot air dryers or single service towels in suitable dispensers,*
- (c) not in a washroom,*
- (d) only used for washing hands or cleaning equipment,*
- (e) only used by the staff and clients of the personal service facility, and*
- (f) in or readily accessible to the service provision area.*

And Section 4 (2) of the same Regulation which states:

A personal service facility in which body piercing or tattooing services are provided must be equipped with a second sink, in addition to the sink referred to in subsection (1), that is

- (a) equipped with hot and cold running water,*
- (b) stainless steel,*
- (c) not in a washroom,*
- (d) only used for cleaning equipment, and*
- (e) only used by the staff of the personal service facility.*

- c. There is no designated sharps receptacle which contravenes Section 3 (e) of the Personal Services Regulation which states:

A personal service facility must contain an appropriate number and type of waste disposal receptacles, including a puncture resistant container for the disposal of waste sharps if sharps are used in the personal service facility

- d. Consent forms are not used to obtain client consent which contravenes Page 3 of the Health Standards and Guidelines for Tattooing regarding Informed Consent which states:

Prior to conducting a tattoo procedure, the tattooist shall have the client sign a dated consent form acknowledging that he/she is:

- 18 years or older*
- undertaking this procedure of his/her own will*
- not under the influence of drugs or alcohol*
- aware that the tattoo is permanent*

- e. There are no records maintained of clients having received tattoos which contravenes Page 7 of the Health Standards and Guidelines for Tattooing regarding Record Keeping which states:

The operator shall maintain a daily record of names and addresses of clients, name of tattooist and store them for two years.

AND WHEREAS by virtue of the foregoing, the above noted premises are hereby declared to be **CLOSED**;

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the Owner immediately CLOSE the above noted personal services facility
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted personal services facility, namely:
 - a. Ensure service provision areas are in compliance with the Personal Services Regulation, Health Standards and Guidelines for Personal Services and the Health Standards and Guidelines for Tattooing.
 - b. Ensure health approval is granted by an executive officer to operate a home based or mobile personal service facility.
3. That, until such time as the work referred to in paragraph two is completed to the satisfaction of the undersigned, or an executive officer of the Calgary Health Region, the above noted premises shall remain closed.

Dated at Calgary, Alberta, this 24th day of July, 2008 in confirmation of a verbal order issued the same day.

Jeremy Vaughan, CPHI(C)
Executive Officer
Calgary Health Region

Section 5(2) of the Public Health Act provides that a person who is directly affected by this Order and considers himself or herself aggrieved hereby may appeal the same to the Public Health Appeal Board, 24th Floor, Telus Plaza North Tower, 10025 Jasper Avenue, Edmonton AB T5J 2N3, within ten (10) days. The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal.

The Owner is advised that the Public Health Act empowers the Calgary Health Region to carry out the terms of this Order on the Owner's behalf and at the Owner's expense should the Owner fail to comply with the terms hereof.

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