

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

**To: Gary Martin**  
6007 8 Avenue SE  
Calgary, Alberta T2A 0B3  
(the “**Owner**”)

**Re:** The personal services facility located in Calgary, Alberta and municipally described as:  
  
Grave Marking Tattoo  
6007 8 Avenue SE

WHEREAS I, an **Executive Officer** of the **Alberta Health Services**, 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. There is evidence that tattoos are being offered out of the private residence.
- b. The owner did not obtain health approval prior to operating the personal services facility.
- c. The facility does not have a separate stainless steel sink to be used only by staff and clients for washing hands.
- d. The facility does not have a second stainless steel to be used only by staff for cleaning equipment.
- e. There is no evidence of an approved sterilizer onsite.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act, Personal Services Regulation, Alberta Regulation 20/2003, and the Alberta Health Standards and Guidelines for Personal Services, October 1995, exist in and about the above noted personal services facility, namely:

- a. There is evidence that tattoos are being offered out of the private residence. This is in of Section 5 of the Regulation.
- b. The owner did not obtain health approval prior to operating the personal services facility. This is in contravention of Part I of Standards and Guidelines.
- c. The facility does not have a separate stainless steel sink to be used only by staff

and clients for washing hands. This is in contravention of Section 4(1) of the Regulation.

- d. The facility does not have a second stainless steel to be used only by staff for cleaning equipment. This is in contravention of Section 4(2) of the Regulation.
- e. There is no evidence of an approved sterilizer onsite. This is in contravention of Section 6(2) of the Regulation.

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. Obtain health approval prior to the operation of this personal services facility.
  - b. Develop a service provision area that is separate from any sleeping, dining, bathing, washroom or food preparation areas.
  - c. Install a stainless steel sink equipped with soap and paper towels in or readily accessible to the service provision area that is used only by staff and clients for washing hands.
  - d. Install a second stainless steel sink to be used only by staff for cleaning equipment.
  - e. Obtain an approved autoclave to sterilize reusable equipment and instruments and maintain in accordance with the operation manual.
  - f. Until approval is granted, cease advertisement of the tattooing business to the public.
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 1st day of December, 2009, confirming a verbal order issued on the 25<sup>th</sup> day of November, 2009.

---

Dana East, B.Sc., B.Tech, CPHI(C)  
Executive Officer  
Alberta Health Services

***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, 24<sup>th</sup> 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 Alberta Health Services 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.**

---

**Airdrie**

Airdrie Public Health Centre  
604 Main Street South  
Airdrie, AB T4B 3K7  
Phone: 403-912-8400  
Fax: 403-912-8410

**Banff**

Banff Health Centre  
303 Lynx Street  
PO Box 1266  
Banff, AB T1L 1B3  
Phone: 403-762-2990  
Fax: 403-762-5570

**Calgary/Mountain View/Rocky View**

Calgary Health Region, *Southport*  
10101 Southport Rd SW  
Calgary, AB T2W 3N2  
Phone: 403-943-2288  
Fax: 403-943-8056

**Canmore**

Canmore Public Health  
#104, 800 Railway Avenue  
Canmore, AB T1W 1P1  
Phone: 403-678-5656  
Fax: 403-678-5068

**Claresholm**

Claresholm Public Health  
5221 2<sup>nd</sup> Street W  
PO Box 1391  
Claresholm, AB T0L 0T0  
Phone: 403-625-4061  
Fax: 403-625-4062

**Didsbury**

Didsbury Health Unit  
PO Box 130  
1210 -20th Avenue  
Didsbury, AB T0M 0W0  
Phone: 403-335-7292  
Fax: 403-335-7610

**Okotoks**

Okotoks Public Health Centre  
11 Cimarron Commons  
Okotoks, AB T1S 2E9  
Phone: 403-995-2600  
Fax: 403-995-2639

**Strathmore**

Public Health Building  
650 Westchester Road  
Strathmore, AB T1P 1H8  
Phone: 403-361-7200  
Fax: 403-361-7244

[www.calgaryhealthregion.ca/envhealth](http://www.calgaryhealthregion.ca/envhealth)