

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

To: William Jeffery Barker
139 Castelbrook Rise NE
Calgary, Alberta T3J 1Y3
(the “**Owner**”)

Re: The personal services facility located in Calgary, Alberta and municipally described as:

Outlaw Tattoo
139 Castlebrook Rise NE

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. The owner did not obtain health approval prior to operating the personal services facility.
- b. There is no stainless steel hand sink installed in or readily accessible to the service provision area.
- c. There is no second stainless steel sink provided to be used for cleaning equipment.
- d. The autoclave/sterilizer may not be sufficient to achieve sterilization of hollow and packaged instruments.
- e. There is no evidence of spore tests being completed on the autoclave.
- f. Proper chairs that are impervious to moisture and easily cleanable are not provided in the service area.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act, Personal Services Regulation, Alberta Regulation 20/2003, the Alberta Health Standards and Guidelines for Personal Services, October 1995, and the Alberta Health Standards and Guidelines for Tattooing, June 2002, exist in and about the above noted personal services facility, namely:

- a. The owner did not obtain health approval prior to operating the personal services facility. This is in contravention to Part I of Standards and Guidelines for Personal Services.

- b. There is no stainless steel hand sink installed in or readily accessible to the service provision area. This is in contravention to Section 4(1) of the Regulation.
- c. There is no second stainless steel sink provided to be used for cleaning equipment. This is in contravention of Section 4(2) of the Regulation.
- d. The autoclave/sterilizer may not be sufficient to achieve sterilization of hollow and packaged instruments. This is in contravention of Section 6(2) of the Regulation.
- e. There is no evidence of spore tests being completed on the autoclave. This is in contravention of Part 12 of the Standards and Guidelines for Tattooing.
- f. Proper chairs that are impervious to moisture and easily cleanable are not provided in the service area. This is in contravention of Part V. 13 of the Standards and Guidelines for Personal Services.

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. Install a stainless steel sink equipped with soap and paper towels that is used only by staff and clients for washing hands.
 - c. Install a second stainless steel sink to be used only by staff for cleaning equipment.
 - d. Obtain an approved autoclave to sterilize reusable equipment and instruments and maintain in accordance with the operation manual.
 - e. Submit spore tests from the autoclave at least once every month.
 - 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 2nd December, 2009, confirming a verbal order issued on the 25th 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, 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 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.

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Fax: 403-912-8410

Banff

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Calgary/Mountain View/Rocky View

Calgary Health Region, *Southport*
10101 Southport Rd SW
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Canmore

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