



**COCONINO COUNTY  
HEALTH AND HUMAN  
SERVICES UNIFIED  
HEALTH CODE**

**ORDINANCE 2019-16**

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**COCONINO COUNTY HEALTH AND HUMAN SERVICES  
UNIFIED HEALTH CODE  
ORDINANCE 2019-16**

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**COCONINO COUNTY HEALTH AND HUMAN SERVICES  
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CHAPTER 1  
GENERAL PROVISIONS**

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**SECTION 1-1 GENERAL PROVISIONS**

**REG. 1-1-1 TITLE**

This compilation and codification of the Regulations of the Coconino County Health and Human Services Department (“CCHHS”) is hereby declared by the Board of Supervisors of Coconino County (“Board of Supervisors”) shall hereafter constitute the official Coconino County Health and Human Services Unified Health Code (“Code”). Any reference to the number of any Section or Regulation contained herein shall be understood to refer to the position of the same under its appropriate title heading, its Chapter heading, and its Section heading, and to the general penalty clause relating thereto, as well as to the Section itself, when any reference is made to this Code by title in any legal document.

**REG 1-1-2 LEGAL AUTHORITY**

The Regulations in all Chapters of this Code are adopted pursuant to the authority granted by the Board of Supervisors which is authorized in Arizona Revised Statutes (“ARS”) § 11-251(17) to adopt provisions necessary to preserve the health of the people of Coconino County (the “County”) in ARS § 11-251(31) to make and enforce all local, police, sanitary and other regulations not in conflict with the general laws.

**REG. 1-1-3 DELEGATED AUTHORITY**

The Arizona Department of Health Services (“ADHS”) delegated authority to the Board of Supervisors as defined in ARS § 41-1001(7) to exercise functions, powers and duties conferred on the delegating agency by a provision of law. ARS § 41-1081 establishes standards of delegation as listed in Delegation Agreement No. AGR2017-043. The Board of Supervisors approved Delegation Agreement No. AGR2017-043 on June 20, 2017.

**REG. 1-1-4 PURPOSE AND ADOPTION**

- A. This Code, the Regulations adopted and contained herein, and the enforcement thereof by the Public Health Services District (the “District”) as part of CCHHS are designed and intended to provide minimum standards for the protection of the health of the people of the County and to prevent the creation or maintenance of unhealthy, unsanitary conditions or public health nuisances.
- B. The Regulations in this Code are adopted pursuant to the authority granted by ARS §§ 36-184, 11-251(17), (18), (31).
- C. The Regulations contained in Chapter 1 and Chapter 2 of this Code shall apply to all subsequent Chapters in this Code.

**REG. 1-1-5 AMENDMENTS**

- A. The Board of Supervisors, in conducting the District’s business, may adopt, amend and repeal all ordinances necessary or proper to carry out the duties, responsibilities and functions of the county which are not otherwise specifically limited in accordance with ARS § 11-251.05, or necessary to preserve the health of the county in accordance with ARS § 11-251.17.
- B. Any amendments to this Code shall set forth the Title, Chapter, Section, and Regulation number of the Section or Regulation to be amended and shall constitute sufficient compliance with any statutory requirement pertaining to the amendment or revision by the Board of Supervisors of any part of this Code. All such amendments or revisions shall be codified and prepared for insertion in their proper places in each copy of this Code. Each such replacement page shall be properly identified and shall be inserted in each copy of this Code within thirty (30) days from the date of its adoption.

**REG. 1-1-6 DEFINITIONS**

- A. The following definitions shall apply throughout this Code, unless a different meaning is clearly indicated by the context or is stated in any of the several chapters:
  - 1. ACC means the Arizona Administrative Code in its most recent version.
  - 2. ADHS means the Arizona Department of Health Services.
  - 3. ARS means the Arizona Revised Statutes.
  - 4. Administrative Completeness Review Time Frame means the number of days from agency receipt of an application for a license until an agency determines that the application contains all components required by this Code, including all information required to be submitted by other government agencies.
  - 5. Ample Water Supply means sufficient water quantity and water pressure to operate all of a transient dwelling’s bathtubs, showers, lavatories and water closet at all times: A public water system that complies with AAC R18-4, or an underground water source that complies with AAC R18-11-4 and R18-11-5 or with ARS § 45-811.01.

6. Approval of Construction means the successful completion of both the administrative and substantive completeness reviews upon the construction of a new or remodeled facility.
7. Approved means acceptable to the District and so stated in writing.
8. Board and/or Board of Supervisors means the Coconino County Board of Supervisors.
9. CCHHS means Coconino County Health and Human Services.
10. Certificate means a printed and signed document issued as the result of completing and successfully passing a County approved training or instructional program.
11. Certificate Holder means an individual that has successfully completed a County approved certification program/training and received a certificate indicating completion and passing the course.
12. Certification means an approved County training program including Body Art Operator certification, Food Managers' certification, Food Handlers' certification, or Backcountry certification that certifies an individual successfully completes said training course. Certification cannot be used as a health license or permit.
13. Chief Health Officer ("CHO") means the Director of the District and/or an authorized agent.
14. Cold Water means water with a temperature between 33° F and 74° F.
15. Complaint means information indicating the need for inspection due to possible violations of this Code.
16. County means Coconino County.
17. Critical Item means a provision of this Code that, if in noncompliance, is more likely than other violations to contribute to contamination, illness, or environmental health hazards. "Critical item" is an item that is denoted in this Code with a superscript C.
18. Department means the Arizona Department of Health Services or the Arizona Department of Environmental Quality.
19. District means the Public Health Services District as part of CCHHS.
20. Drinking Water means water for human consumption that meets the requirements of AAC Title 18, Chapter 4, or R18-11-4 and R18-11-5 or with ARS § 45-811.01 for underground water sources.
21. Food Establishment means an entity that stores, prepares, packages, serves, or otherwise provides food for human consumption directly to a consumer or indirectly through a delivery service.
22. Hazard means a biological, chemical, or physical property that may cause an unacceptable consumer health risk.
23. Hearing Officer means an individual that conducts administrative hearings in a contested case or an appealable agency action and that makes decisions regarding the contested case or appealable action.
24. Hot Water means water with a temperature from 95° F to 120° F.

25. Imminent Health Hazard means a hazard may exist because of an emergency such as a fire, flood, extended interruption of electrical or water service, sewage backup, ability to maintain proper temperatures, misuse of poisonous or toxic materials, onset of an apparent communicable disease outbreak or other circumstance that may endanger public health.
26. License means a written permit, license, stamp or seal of approval issued by the District.
27. Local Health Department/District means:
  - i. The administrative division of an Arizona county, city, or town that manages environmental and health-related issues; or
  - ii. A public health services district under ARS Title 48, Chapter 33; or
  - iii. The District as defined in Chapter 1 of this Code.
28. Municipality means any incorporated area within Coconino County.
29. Permit means a written permit, license, stamp or seal of approval issued by the District.
30. Person includes any firm, trust, partnership, association, institution, public body, corporation, individual or any other entity and includes the plural as well as the singular.
31. Unified Health Code means of all the Regulations which are adopted by the Board of Supervisors, pursuant to ARS §§ 36-184 and 11-251, and such other sections and subsections of the Arizona Revised Statutes as may be cited as the "Legal Authority" in specific Sections and/or Regulations of this Code, and which remain in full force and effect.
32. Regulation means the regulations of this Unified Health Code.
33. Regulatory Authority means the District operating under the delegation of authority from the Department.
34. Refuse means all putrescible and non-putrescible solid and semi-solid wastes, except human excreta, but including garbage, rubbish, ashes, manure, street cleanings, dead animals, abandoned automobiles, and industrial wastes.
35. Seasonal refers to any operation that is open six months or less during a calendar year and is a non-permanent structure meaning a mobile unit, cart, or structure with wheels.
36. Substantive Review Time Frame means the number of days after the completion of the administrative completeness review time frame during which an agency determines whether an application or applicant for a license meets all substantive criteria required by this Code.

#### **REG. 1-1-7 DUTIES**

The owner, person-in-charge or control, lessee, tenant, and occupant of every building, establishment, premises, place, potable water supply, sewerage, waste, or drainage system has the duty to and shall keep, place, and preserve the same in such condition, and shall conduct and maintain the same in such manner, that it shall not be dangerous to the public health, be a nuisance, or in violation of the Regulations of this Code.

**REG. 1-1-8                    PENALTY**

A person violating any of the Regulations of this Code, except as may be otherwise indicated in a specific regulation, is guilty of a class 3 misdemeanor (See, ARS § 36-191).

**REG. 1-1-9                    CONSTITUTIONALITY OR VALIDITY**

Should any section, sentence, clause, phrase, or word of this Code be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of said Code shall not be affected thereby.

**COCONINO COUNTY HEALTH AND HUMAN SERVICES  
UNIFIED HEALTH CODE  
CHAPTER 2  
PERMITS, LICENSES AND CERTIFICATES; ENFORCEMENT AND OTHER  
REQUIREMENTS**

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REG. 2-5-4	CEASING OPERATION AND SUSPENSION OR REVOCATION OF PERMIT, LICENSE OR CERTIFICATE

**SECTION 2-1 GENERAL PROVISIONS**

All Sections and Regulations in Chapter 2 of this Code are applicable to all subsequent chapters of this Code unless specifically stated otherwise.

**REG. 2-1-1 ISSUANCE OF PERMITS, LICENSES AND CERTIFICATES**

- A. Any person desiring to conduct an operation which requires a permit, license or certificate shall make written application to the District. No construction shall commence

until the required plans have been approved and an Approval to Construct has been issued. Construction shall be in conformance with the approved plans and specifications.

- B. No application for a permit or license shall be issued until a complete sanitary inspection has been conducted and all critical deficiencies have been corrected. The applicant shall demonstrate to the District compliance with pertinent State, County, and Municipal health laws, regulations, and ordinances.
- C. An establishment permit or license issued by the District shall bear all of the following information:
  - 1. The name of the establishment.
  - 2. The street address of the establishment.
  - 3. The full name of the permit or license holder.
  - 4. A unique identification number assigned by the District.

**REG. 2-1-2 PERMIT, LICENSE AND CERTIFICATE REQUIREMENTS**

- A. Establishments required to have a permit or license to operate shall apply for a permit or license from the District. Only persons who comply with all the requirements of this Code shall be entitled to receive and retain such permits and licenses.
- B. Except as may be otherwise specified in individual regulations in this Code, permits and licenses are valid for a specified period of time from the date of issuance, unless sooner suspended or revoked by the District.
  - 1. A license issued by the District is valid for a period not to exceed one (1) year from the date of issuance. The license may be suspended or revoked after an opportunity for a hearing by the District if the permit or license holder violates any of the terms or provisions of this Code.
  - 2. A permit is valid for a specified period of time from the date of issuance.
  - 3. Prior to the issuance of any permit or license, an inspection of the premises and all installations thereon shall be made by the District.
  - 4. Inspections shall be made as frequently as deemed necessary to verify compliance with these Regulations.
- C. Appropriate training certificates shall be obtained by individuals, if certification is required by a Chapter of this Code that the facility is licensed or permitted under.
  - 1. A certificate issued by the District is valid for a period not to exceed three (3) years from the date of issuance. The certificate may be suspended or revoked after an opportunity for a hearing by the District if the certificate holder violates any of the terms or provisions of this Code.

**REG. 2-1-3 PLAN REVIEW REQUIREMENTS**

- A. A license applicant or license holder shall submit to the District properly prepared plans and specifications for review and approval before:
  - 1. The construction of a licensed establishment; or
  - 2. The conversion of an existing structure for use as a licensed establishment; or
  - 3. The remodeling of a licensed establishment if the District determines that plans and specifications are necessary to ensure compliance with this Chapter.

- B. To be considered administratively complete, the following forms, information and fees must be submitted for a licensed establishment approval to construct:
1. Documentation of:
    - a. Planning and Zoning approval for this proposed establishment,
    - b. Approved public water system, and
    - c. Approved wastewater facilities.
  2. A complete and signed Plan Review Worksheet and plans containing detailed information on structural requirements, operational requirements, operator requirements, equipment schedule, site plan, floor plan, finish schedule, lighting schedule, mechanical schematics, construction materials, and sanitary requirements.
  3. A floor plan of the facility. In the drawing include location of all plumbing fixtures, including hand sinks, janitorial sinks, etc., and where plumbing and wastewater line location, will be positioned. Information on ventilation, lighting, doors and windows must be verified in the plan review process, as well. “Pre-submittal” meetings may be scheduled to discuss requirements, or any other questions pertaining to plan review.
  4. Equipment types, manufacturers, model numbers, locations, dimensions, performance capabilities, and installation specifications.
  5. Evidence that procedures ensure compliance with the requirements of this Code are developed or are being developed.
  6. Procedures for operating the establishment.
  7. Other information for the proposed construction, conversion, or modification, for constructing a licensed establishment.
  8. Required fee for a Plan Review as approved by the County. The current approved fee schedule for the District is available at District offices as well as on the County website.
- C. Preoperational inspections shall be conducted by the District to verify that the establishment is constructed and equipped in accordance with the approved plans and modifications, has established standard operating procedures, and is in compliance with Arizona law and this Code.

**REG. 2-1-4 PERMIT AND LICENSING TIMEFRAMES**

- A. This Section applies to the District which has been delegated by the Department to comply with ARS §§ 11-1605 through 11-1606.
- B. The District approval timeframes described in ARS § 11-1601 are set forth in Table 1. The applicant or permit or license holder and the District may agree in writing to extend the substantive review and the overall timeframe, but an extension may not exceed 25% of the overall timeframe.
- C. The administrative completeness review timeframe begins on the date that the District receives an application or request for approval.
  1. The District shall mail or send an electronic notice of administrative completeness or deficiencies to the applicant or permit or license holder within the timeframe.



- a. A notice of deficiencies shall list each deficiency and the information and documentation needed to complete the application or request for approval.
  - b. If the District issues a notice of deficiencies within the administrative completeness review time-frame, the administrative completeness review time-frame and the overall time-frame are suspended from the date that the notice is issued until the date that the District receives the missing information from the applicant or permit or license holder.
  - c. If within 180 days the applicant or permit or license holder fails to submit all of the information and documents listed in the notice of deficiencies, the District shall consider the application or request for approval withdrawn.
- 2. If the District issues a permit or license or other approval to the applicant or license holder during the administrative completeness review timeframe, the District shall not issue a separate written notice of administrative completeness.
- D. The substantive review timeframe begins on the administrative completeness notice date.
  - 1. The District shall mail or send electronically written notification of approval or denial of the application or other request for approval to the applicant or permit or license holder within the substantive review timeframe.
  - 2. As part of the substantive review for a facility permit or license, the District may complete an inspection that may require more than one (1) visit to the facility.
  - 3. During the substantive review timeframe, the District may make one (1) comprehensive written request for additional information, unless the District and the applicant or permit or license holder have agreed in writing to allow the District to submit supplemental requests for information.
- E. The District shall issue a license or approval unless:
  - 1. The District determines that the establishment permit or license application or the establishment does not satisfy all of the requirements of this Chapter, or
  - 2. For a request for a variance, the District determines that the request fails to demonstrate that the variance will not result in a health hazard or nuisance, or
  - 3. For a request for approval of plans and specifications, the District determines that the plans and specifications do not satisfy all of the requirements of this Chapter, or
  - 4. For a request for approval of a quality assurance program, the District determines that the quality assurance program does not satisfy all requirements of this Chapter.
    - a. If the District disapproves an application or request for approval, the District shall send the applicant or License holder a written notice of disapproval setting forth the reasons and all other information required by ARS § 11-1606.
- F. For the purpose of computing timeframes, the day of the act, event, or default from which the designated period of time begins, shall not be included. Intermediate Saturdays, Sundays, and legal holidays shall be included in the computation. The last day of the period computed shall be included unless it is a Saturday, Sunday, or legal holiday, in

which event, the period runs until the end of the next day that is not a Saturday, Sunday, or legal holiday.

**Table 1.**

Type of Approval	Statutory Authority	Overall Timeframe	Administrative Completeness Review Timeframe	Substantive Review Timeframe
Body Art Establishment License	ARS§36-136(H)(4)	60	30	30
Approval of Request for Variance	ARS§36-136(H)(4)	90	30	60
Approval of Plans and Specifications	ARS§36-136(H)(4)	90	30	60
Approval of Quality Assurance Program	ARS§36-136(H)(4)	90	30	60

**REG. 2-1-5 MODIFICATIONS AND VARIANCES**

- A. The District may grant a variance by modifying or waiving the requirements of this Code if, in the opinion of the District, a health hazard or nuisance will not result from the variance. If a variance is granted, the District shall retain the information in its records for the establishment.
- B. Documentation of Proposed Variance and Justification. Before a variance is approved, the following shall be provided:
  - 1. A statement of the proposed variance citing relevant section numbers of this Code and
  - 2. The rationale and analysis for how potential public health hazards and nuisances will be alternatively addressed by the proposal.
- C. Conformance with Approved Procedures. If the District grants a variance, the permit or license holder shall do all of the following:
  - 1. Comply with the plans and procedures that are submitted and approved.
  - 2. Provide to the District, upon request, records that demonstrate the following are routinely employed and maintained:
    - a. Verification of the effectiveness of the operation or process; and
    - b. Necessary corrective actions if there is failure.

**REG. 2-1-6 PROHIBITIONS**

- A. It shall be unlawful for any person to conduct an operation for which a permit, license or certificate is required within Coconino County, or its police jurisdiction, who does not possess a valid permit, license or certificate to do so, issued to said person by the Chief

Health Officer. Only a person who complies with the requirements of this Regulation and other pertinent regulations shall be entitled to receive and retain such a permit, license or certificate.

1. Permits, licenses or certificates shall not be transferable from one person to another person.
2. Permits and licenses may not be transferred if the licensed facility moves to a different building or location.
3. Change of ownership of a permitted or licensed establishment requires a new owner(s) to apply for a new permit or license.
4. Licenses must be renewed annually. Permits and certificates must be renewed as specified in the applicable codes.
5. A valid permit, license or certificate shall at all times be kept on the premises or vehicle designated and displayed in a conspicuous manner therein or thereon. Where practical, permits, licenses or certificates shall be framed and protected against soilage.
6. All permitted and licensed establishments shall be open at reasonable times to inspection by the District.

**SECTION 2-2                    RESPONSIBILITIES OF THE PARTIES**  
**REG. 2-2-1                    RESPONSIBILITIES OF THE PERMIT, LICENSE OR**  
**CERTIFICATE HOLDER**

- A. Upon acceptance and retention of the issued permit, license or certificate, the permit, license or certificate holder shall do all of the following:
1. Post the permit, license or certificate in the facility in a location that is conspicuous to consumers.
  2. Comply with the provisions of this Code, including the conditions of a granted variance and approved plans.
  3. Immediately discontinue operations and notify the District if an imminent health hazard may exist.
  4. Allow representatives of the regulatory authority access to the establishment.
  5. Replace existing facilities and equipment with those that comply with this Code if:
    - a. Facilities and equipment constitute a public health hazard or nuisance or no longer comply with the criteria upon which facilities and equipment were accepted;
    - b. Required because of a change of ownership; or,
    - c. The facilities and equipment are replaced in the normal course of operation.
  6. Comply with the regulatory timeframes for corrective actions specified in inspection reports, notices, orders, warnings, and other directives issued by the District in regard to the permitted or licensed facility or in response to community emergencies.

7. Accept notices issued and served by the District according to law; and be subject to the administrative, civil, injunctive, and criminal remedies authorized by law for failure to comply with this Code or a directive given by the District, including timeframes for corrective actions.
8. Renew licenses annually by paying the specified fee. Renew permits and certificates as specified in the applicable codes.

**REG. 2-2-2                      RESPONSIBILITIES OF THE DISTRICT**

- A. The District shall provide the location of an electronic copy of this Code to the permit, license or certificate holder when a permit, license or certificate is first issued so the license holder is notified of District requirements.
- B. Failure to provide the information in this Section does not prevent the District from taking authorized action or seeking remedies if the permit, license or certificate holder fails to comply with this Code or an order, warning, or directive from the District.
- C. The District shall conduct inspections of the permitted or licensed establishment during the establishment's normal hours of operation or at other reasonable times. Inspectors shall show proper identification and provide the permit or license holder or person in charge with a verbal or written purpose of the inspection.
- D. Inspections shall be conducted as often as necessary, as specified in the applicable chapters of this Code to assure that the requirements of the permit or license are being met.
- E. Access to a permitted or licensed establishment for inspection is a condition of the acceptance and retention of the establishment's permit or license. Inspections are generally conducted unannounced to obtain a more accurate assessment of normal operating practices and conditions. Exceptions can be made during construction and preoperational inspections where an appointment is needed to ensure that all parties are available for discussion or where work is intermittent and access to a new establishment is limited; or during follow-up inspections which may require the presence of specific personnel or management from the establishment.
- F. Inspections shall comply with the inspection rights provisions of ARS § 11-1603.

**REG. 2-2-3                      DUTIES OF THE CHIEF HEALTH OFFICER**

- A. The Chief Health Officer's duties are as follows:
  1. Inspection of Premises. The Chief Health Officer shall review all reported violations of this Code or Ordinance. Upon receiving a report of a public nuisance violation, the Chief Health Officer shall inspect the site of the alleged violation. During an inspection the Chief Health Officer shall take careful and comprehensive notes as to the condition and existing uses of the subject property, location, property owner and address, and specific sections of ARS § 36-601(A) corresponding to the alleged violation(s).
  2. Right to Enter Premises. The Chief Health Officer shall enter the premises for inspection or abatement pursuant to ARS § 36-603.

3. Notice of Violation. If the Chief Health Officer determines that a violation is occurring on the subject property, he/she shall serve notice to the property owner/occupant of the violation(s). The notice of violation shall cite the nature of the violation, the Section of this Code violated, information of possible penalties if violation is not ceased and steps necessary to bring the subject property into compliance. The notice shall order the owner or occupant to remove the nuisance within twenty-four (24) hours at their expense.

**SECTION 2-3 FEES**

**REG. 2-3-1 FEE REQUIREMENTS**

A. Fees required for operational permits and licenses.

1. As identified in REG. 2-1-6(A) of this Code, “it shall be unlawful for any person to conduct an operation for which a permit, license or certificate is required within Coconino County, or its police jurisdiction, who does not possess a valid permit, license or certificate to do so, issued by the Chief Health Officer.”
2. As identified in REG. 2-2-1(8) of this Code, the owner of a facility requiring a license as authorized by this Code shall obtain and renew their license annually by paying a specified fee as authorized by REG. 2-2-1 of this Code. Only a person who complies with the requirements of this Regulation and other pertinent regulations shall be entitled to receive and retain such a permit, license or certificate.
3. Definition of Terms.
  - a. Expired means a permit, license or certificate which has expired and is no longer valid.
  - b. Delinquent means license fees that have not been paid and are more than 60 days expired.
  - c. Late Fee means any license which is deemed delinquent is subject to a late fee as authorized by the Schedule of Fees prepared by the District and approved by the Board.

- B. Pursuant to ARS § 36-187, the District will charge reasonable fees for issuing or renewing permits or licenses for other services authorized by law and by the rules and regulations of the State Board of Health. All such fees shall be listed in a Schedule of Fees prepared by the District and approved by the Board. The Schedule of Fees current on the effective date of this Code and all subsequent revisions of that Schedule of Fees shall be listed on the County website or available at District offices.

**SECTION 2-4 REGULATORY BILL OF RIGHTS**

**REG. 2-4-1 REGULATORY BILL OF RIGHTS**

The District shall follow the requirements of ARS §§ 11-1601 through 1609.

**SECTION 2-5            ENFORCEMENT AND INSPECTIONS**  
**REG. 2-5-1            INSPECTIONS**

- A. Frequency. The District shall inspect any establishment as often as may be necessary to assure compliance with these Regulations, but not less than one inspection per year. A copy of the inspection report shall be furnished to the owner, lessee, or operator of the establishment, indicating the degree of compliance or non-compliance with provisions to these regulations. Failure to correct any discrepancy noted within the time limit specified shall be cause for additional inspection fees and/or denial, revocation, or suspension of the permit or license to operate.
- B. Reasonable Time After Due Notice. After the District presents official credentials and provides notice of purpose and intent to conduct an inspection, the person in charge shall allow the District to determine if the licensed facility is in compliance with this Code. The person in charge shall allow access to the facility, allow an inspection, and provide information and records specified in this Code and to which the District is entitled, according to law. The District to which the duty to comply with ARS §11-1603 when performing inspections.
- C. Specifying Time Frame for Corrections. The District shall specify the violation correction time frame on the inspection report.
- D. Issuing Report and Obtaining Acknowledgment of Receipt. At the conclusion of an inspection, the District shall provide a copy of the completed inspection report to the permit or license holder or person in charge and request a signed acknowledgment of receipt according to law.
- E. Refusal to Sign Acknowledgment. The District shall inform the person in charge who declines to sign an acknowledgment of receipt of inspectional findings as specified in this Code that:
  - 1. An acknowledgment of receipt is not an agreement with findings,
  - 2. Refusal to sign an acknowledgment of receipt will not affect the permits or license holder's obligation to correct the violations noted in the inspection report within the time frames specified,
  - 3. A refusal to sign an acknowledgment of receipt is noted in the inspection report and conveyed to the District historical record for the permitted or licensed establishment, and
  - 4. Make a final request that the person in charge sign an acknowledgment receipt of inspectional findings.
- F. Public Information. The District shall treat the inspection report as a public document and shall make it available for disclosure to any person who requests it as provided by law.
- G. Ceasing Operations and Reporting. A permit or license holder shall immediately discontinue operations and notify the District if an imminent health hazard may exist. A license holder need not discontinue operations in an area of an establishment that is unaffected by the imminent health hazard
- H. Resumption of Operations. If operations are discontinued the permit or license holder shall obtain approval from the District before resuming operations.

- I. Correction of Critical Violations.
  - 1. The permit or license holder shall correct critical items by a date and time agreed to or specified by the District, but no later than 10 calendar days after the inspection. The District may approve a compliance schedule that extends beyond the time limits of this Section if a written schedule of compliance is submitted and no health hazard exists or will result from allowing an extended schedule for compliance. Additional inspection fees may be applied in accordance with this Section A.
  - 2. The District shall not provide a permit or license holder an opportunity to correct critical violations after the date of inspection if the District determines that the deficiencies are:
    - a. Committed intentionally;
    - b. Not correctable within a reasonable time;
    - c. Evidence of a pattern of noncompliance; or
    - d. A risk to any person; the public health, safety, or welfare, or the environment.
  - 3. If the District allows the permit or license holder an opportunity to correct violations or deviations after the date of inspection, the District shall inspect the establishment after the deadline for correction. If the District determines that the violations or deviations have not been corrected, the District may charge additional inspection fees and/or take enforcement action authorized by law based upon those violations or deviations.
  - 4. A decision made by the District under this Section of this Code is not an appealable agency action as defined by ARS § 11-1603(G).
- J. Verification and Documentation of Correction. At the time of inspection, if a correction of a critical violation or deviation is observed, the District shall enter the violation and information about the corrective action on the inspection report.
- K. Correction of Non-Critical Violations. The license holder shall correct non-critical violations by a date and time agreed to or specified by the District, but no later than 90 calendar days after the inspection. The District may approve a compliance schedule that extends beyond the time limits specified in this Section if a written schedule of compliance is submitted by the license holder and no health hazard exists or will result from allowing an extended compliance schedule.

**REG. 2-5-2                    RIGHT OF ENTRY**

- A. No permit or license holder shall refuse to admit the Chief Health Officer during the facility’s hours of operation and at other reasonable times, upon their request to any part of the establishment for the purpose of inspection. If a person denies access to the District, the District shall inform the person of all of the following:
  - 1. The license or permit holder is required to allow access to the District as specified in this Code.
  - 2. Explain that access is a condition of the acceptance and retention of a facility license to operate as specified in this Code.

3. Explain that an order issued by the appropriate authority allowing access, hereinafter referred to as an inspection order, may be obtained according to law if access to the establishment continues to be denied.
4. Make a final request for access.

**REG. 2-5-3                      ADMINISTRATIVE HEARINGS OF PUBLIC NUISANCES IN  
   COCONINO COUNTY**

- A. Authority. County authority to abate nuisances, sources of filth, and causes of sickness is derived from ARS §§ 36-601 through 606, as amended.
- B. Prohibited conditions. It shall be unlawful, and considered a public nuisance per se, to make use of any lot, parcel, or piece of property in such a way as to create conditions which are specifically declared public nuisances dangerous to public health in accordance with ARS § 36-601(A).
- C. Enforcement. The Board and the Chief Health Officer shall enforce the provisions of this Regulation. The Chief Health Officer shall investigate, and report on all public nuisance violations.
- D. Hearing Officer and Duties. The Board shall appoint a Hearing Officer to hear and determine public nuisance violations. Individuals determined by the Hearing Officer to be violating any provision of this chapter shall be responsible for a public nuisance violation, which is punishable by a civil penalty of not more than five hundred dollars (\$500.00) and an order to remove the nuisance, source of filth or cause of sickness at the expense of the owner, occupant or other person who caused the nuisance, source of filth or cause of sickness.
- E. Penalty for Noncompliance. If the violation(s) still exists after twenty-four (24) hours, then the health inspector will notify the Chief Health Officer, who shall issue a nuisance citation unless the Chief Health Officer is convinced an attempt is being made to correct the violation. In that event, the Chief Health Officer may extend in writing the time for compliance up to thirty (30) days. A nuisance citation shall be issued if the alleged violator fails to resolve the violation within the time specified in the written extension.
- F. Hearing. If a nuisance citation is issued the matter shall be set for a hearing before the Hearing Officer.
  1. Notice of Hearing. The notice of hearing shall be personally served upon the alleged violator at least twenty (20) days prior to the hearing. If notice is served upon an alleged violator other than by personal service, for example certified mail with receipt, the hearing shall be set for a date no sooner than thirty (30) days from the date indicated on the certified mail receipt. A notification of the specific time and date by which the alleged violator must appear at the hearing office to submit a plea shall be enclosed with the citation.
  2. Commencement. Every action or proceeding brought before the Hearing Officer for a violation of this chapter shall be commenced by the filing of a nuisance citation by the Chief Health Officer. No notice shall be deemed insufficient for failure to contain a definite statement of the essential facts constituting the



specific violation, if the notice contains either a written description or reference to the applicable section of ARS § 36-601(A) pertaining to the violation.

3. Appearance. The alleged violator and/or their attorney shall appear in person at the hearing office on the date and time specified in the notice accompanying the nuisance citation to admit or deny responsibility. Appearance may also be made by mailing to the Hearing Officer an appearance form provided by the Hearing Officer, or in lieu of such form, a short statement signed by the alleged violator or their attorney admitting the allegations of the notice.
4. Admission of Responsibility. The alleged violator may admit responsibility by appearing in person or by mailing to the hearing office an appearance form. Once a formal admission of responsibility is received by the hearing office, the hearing officer shall set a time and place for the determination of the penalty for the violation, at which time both the alleged violator and Chief Health Officer shall be given an opportunity to state their position on the amount of penalty to be imposed by the Hearing Officer. Without an extension, which may be granted by the Hearing Officer in extraordinary circumstances, the alleged violator shall correct the violation within thirty (30) days from the date of the Hearing Officer proceeding or sooner if, in the opinion of the Hearing Officer, an imminent hazard exists.
5. Denial of Responsibility. The alleged violator may deny responsibility by appearing in person or by mailing to the Hearing Officer an appearance form provided by the Hearing Officer or in lieu of such form, a denial signed by the alleged violator or their attorney. Once a formal denial is received by the Hearing Officer, the hearing officer shall schedule the matter for hearing and notify the alleged violator or their attorney of the date, time and place for the hearing. Upon appearance, it shall be the responsibility of the alleged violator or their attorney to notify the hearing officer of an incorrect address or any different address than what is set forth on the nuisance citation.
6. Representation by Counsel. After submittal of formal denial, the Hearing Officer shall promptly notify the alleged violator of their right to be represented by counsel at their expense. The alleged violator must notify the Hearing Officer in writing at least ten (10) days prior to the hearing date of their choice to be represented by counsel. The Hearing Officer may continue a hearing if the alleged violator does not make notification of their decision to secure counsel within the aforementioned time frame. Should the County elect to secure counsel, the County must, in writing, notify the Hearing Officer and the alleged violator at least ten (10) days prior to the hearing.
7. Production of Witnesses and Exhibits. Within ten (10) days prior to the hearing, both parties shall produce for inspection by the opposing party a list of witnesses and prepared exhibits to be on file at the hearing office. Failure to comply with this provision may result, at the Hearing Officer's discretion, in the granting of a continuance to permit such inspection or denial of the admission of the evidence.
8. Order of Hearing. The order of the hearing shall be as follows:

- a. The Hearing Officer shall call the case and briefly describe the procedures to be followed.
  - b. County's statement.
  - c. Testimony of the County's witnesses.
  - d. Cross-examination of the County's witnesses by Respondent.
    - i. Cross-examination of witnesses shall be strictly limited to subjects or evidence elicited during direct testimony.
  - e. Respondent's statement.
  - f. Testimony of the Respondent's witnesses.
  - g. Cross-examination of Respondent's witnesses by the County.
    - i. See (d)(i) above.
  - h. Testimony of other attendees at the discretion of the Hearing Officer.
  - i. Respondent's rebuttal.
  - j. County's rebuttal.
  - k. Closing statement of by Respondent.
  - l. Closing statement by the County.
9. Ruling by the Hearing Officer. At the conclusion of the hearing, the Hearing Officer shall determine whether a nuisance violation exists and, if a violation is found to exist, may impose civil penalties in accordance with this Section D. A ruling shall include findings, conclusions and opinions of the Hearing Officer.
- a. Finding of Responsibility/Civil Sanctions.
    - i. Upon conclusion of the hearing, if the Respondent is found responsible for the public nuisance violation, the Hearing Officer shall (1) enter findings for the County, (2) impose a civil penalty of not more than five hundred dollars (\$500.00), (3) order the nuisance, source of filth or cause of sickness to be removed by Respondent, and (4) order the expenses of said removal to be paid by the Respondent.
    - ii. If the findings by the Hearing Officer include removal or abatement, the following apply:
      - 1) The actual costs for said removal or abatement may be levied against the subject property in the form of an assessment. Actual costs may include the costs of any additional inspection and other incidental costs in connection with said removal or abatement.
      - 2) The assessment shall be recorded with the Coconino County Recorder.
      - 3) The assessment, from the date of its recording, is a lien on the lot or tract of land until paid.
      - 4) Pursuant to ARS § 36-602, any assessment recorded is prior and superior to all other liens, obligations or encumbrances except liens for general taxes and prior recorded mortgages.

- 5) The County may enforce the lien pursuant to ARS § 36-602, as amended. Notice of a lien enforcement action shall be provided to all lien holders.
  - iii. If Respondent is found responsible for the nuisance violation and penalized with a civil penalty, Respondent shall not be relieved from the responsibility of correcting any prohibited condition. Unless appealed to the Board within seven (7) days from the date of the hearing, Respondent shall correct the nuisance violation within thirty (30) days from the date of the hearing, or sooner if, in the opinion of the Hearing Officer, the nuisance poses an imminent health hazard.
  - b. Dismissal by the Hearing Officer.
    - i. The Hearing Officer has the option of dismissing the initial fine imposed upon Respondent should extenuating circumstances exist.
  - c. Failure to Appear.
    - i. If the Respondent fails to appear at the date and time set for the hearing as stated in the nuisance citation, the Respondent shall be found to be in default, the statement of responsibility shall be deemed admitted, and the Hearing Officer shall (1) enter findings against Respondent, (2) enter judgment for the County, and (3) impose a penalty per paragraph (F)(9)(a) of this REG. 2-5-3 upon Respondent.
    - ii. If no witness for the County, excluding the Respondent, appears at the time set for the hearing, the Hearing Officer shall dismiss the citation unless the Hearing Officer, for good cause shown, continues the hearing to another date.
    - iii. At any time, the Hearing Officer may set aside a ruling entered upon a failure to appear if it is deemed by the Hearing Officer that the Respondent was not served a nuisance citation, or for any other reason deemed necessary, to prevent an injustice. In the event a ruling is set aside for failure to appear, the Hearing Officer shall reset the hearing for a future date.
10. Continuance of the Hearing. At the discretion of the Hearing Officer, a hearing may be continued for a period not exceeding sixty (60) days if it appears that the interests of justice so require. The Hearing Officer shall not continue a hearing without first giving notice to both parties. The Hearing Officer shall notify both parties in writing of the new hearing date.
11. Other Applicable Provisions. The following provisions shall apply at a hearing:
- a. The Hearing Officer may question witnesses or representatives of either party.
  - b. The Arizona Rules of Evidence shall not apply in a hearing under this Section. Any evidence offered may be admitted subject to a determination by the Hearing Officer that the offered evidence is relevant.

- c. Audio tape recordings of the hearing shall be made and kept on record at the hearing office for a period of one (1) year. In addition, a record of the proceedings may be made by a court reporter, if requested, by the alleged violator at the alleged violator's expense and scheduling.
  - d. Failure to abate a public nuisance near a military encampment within twenty-four (24) hours' notice, which constitutes a health menace in the opinion of the commander and the Chief Health Officer, is a Class 2 misdemeanor, and may be referred to the County Attorney for criminal prosecution.
- G. Appeal to the Board. Any party may appeal to the Board the final finding and/or sanction of the Hearing Officer.
1. The notice of appeal shall identify the finding and/or sanction appealed. It shall be signed by the appellant or appellant's counsel, and shall contain the names, addresses, and telephone numbers of all parties and their attorneys. When a party appeals, the Hearing Officer shall send a copy of the notice of appeal to the opposing party or attorney.
  2. A written notice of appeal shall be filed with the Hearing Officer within seven (7) days after the Hearing Officer's finding.
  3. Appeals shall be limited to the record of the proceeding before the Hearing Officer, and no new evidence may be introduced. The record of the proceedings shall include all materials in the Hearing Officer's file, all evidence admitted at the hearing, and the official record as per paragraph (F)(11)(c) of this REG. 2-5-3.
  4. Upon receiving the notice of appeal, the Hearing Officer shall within thirty (30) days prepare and transmit the record and schedule the appeal before the Board.
  5. The parties may stipulate that the appeal may be heard on less than a complete record or upon stipulated facts. The designation of the stipulated record shall be in writing and filed with the Hearing Officer within fifteen (15) days after the notice of appeal.
  6. Upon sending the record to the Board, the Hearing Officer shall notify both parties that they have five (5) days from the date of the letter to submit a memorandum stating the parties' position to be submitted at the hearing. The memoranda shall be submitted to the Clerk of the Board and shall not exceed five (5) pages in length.
  7. A notice of appeal before the Board shall be posted at least twenty-four (24) hours prior to the hearing. The Hearing Officer shall mail a notice of the hearing to both parties not less than five (5) days prior to the meeting.
  8. The Chair of the Board shall preside at the appeal and shall decide on all questions pertaining to the procedure. Final decisions on the merits of the case shall be made upon motion and majority vote of the quorum.
  9. At the hearing, arguments on appeal shall be limited to five (5) minutes for each party unless extended by the Chair of the Board.
  10. After consideration of the merits of an appeal, the Board may increase, decrease, or modify any sanction imposed by the Hearing Officer and may:

- a. Affirm the action of the Hearing Officer;
  - b. Affirm in part and reverse in part and, if necessary, remand for further proceedings; or,
  - c. Reverse the action of the Hearing Officer and, if necessary, remand for further proceedings.
  - d. A decision to reverse the action of the Hearing Officer in whole or in part must be based upon a finding of an abuse of discretion by the Hearing Officer.
- H. Recall. Recall of a case may occur when the conditions and/or compliance timeframe have not been met by the alleged violator.
- 1. The case before the Hearing Officer is considered to be an open case until complete compliance has been reached as outlined in the Hearing Officer's judgment.
  - 2. Service of the recall notice shall be completed in person, by certified mail, or alternate methods of service as prescribed in the Arizona Rules of Civil Procedure not less than fourteen (14) days prior to the hearing date.
  - 3. A Hearing shall be held to review the effectiveness of the civil sanctions imposed at the prior hearing and to consider whether additional sanctions shall be imposed.
- I. Appeal to Superior Court. An appeal of the decision of the Board may be made by filing a complaint in the Coconino County Superior Court within thirty (30) days of the Board's decision, pursuant to ARS Title 12, Ch. 7, art. 6 (ARS §§ 12-901 *et seq.*).

**REG. 2-5-4                      CEASING OPERATIONS AND SUSPENSION OR REVOCATION OF PERMIT, LICENSE OR CERTIFICATE**

- A. A person violating any provision of this Regulation is guilty of a Class 3 misdemeanor.
- B. Ceasing Operations and Reporting. A permit or license holder shall immediately discontinue operations and notify the District if an imminent health hazard may exist. A permit or license holder need not discontinue operations in an area of an establishment that is unaffected by the imminent health hazard.
- C. Suspension or Revocation of a Permit, License or Certificate.
  - 1. The Chief Health Officer may suspend or revoke a permit, license or certificate if the holder:
    - a. Violates this Code or ARS § 36-601, or
    - b. Provides false information on a license application.
  - 2. If the District finds that conditions in a permitted or licensed facility present such a severe and imminent health hazard as to require emergency action and incorporates a finding to that effect in its order, summary suspension of the facility's permit, license or certificate may be ordered pending proceedings for revocation or other action. Upon suspension pursuant to this Section, the holder of the, permit, license or certificate may immediately move to vacate the suspension order and the Chief Health Officer shall hear said motion within five (5) days. In no event, may a summary suspension order remain in effect for more than twenty-five (25) days.

3. The District may, after providing opportunity for hearing, revoke a permit, license or certificate for serious or repeated violations of any of the requirements of this Code or for interference with the District in performance of duty.
  4. Prior to revocation, the District shall notify, in writing, the holder of the permit, license or certificate, or the person in charge of the specific reasons for which the permit, license or certificate shall be revoked at the end of the twenty (20) days following service of such notice unless a written request for a hearing is filed with the Chief Health Officer by the holder of the permit, license or certificate becomes final. If a request for a hearing is timely filed, the hearing shall be held within twenty (20) days of receipt of the request.
- D. Cease and Desist and Abatement of a Public Nuisance. In addition to any other remedies provided for in this Code, the District may suspend the operation of the establishment. If the District has reasonable cause to believe that a permitted or licensed facility is creating or maintaining a nuisance as specified in ARS § 36-601, the District shall order the license holder for the licensed facility to cease and desist said activity and to abate the nuisance as follows:
1. The District shall serve upon the permit or license holder for the licensed facility a written cease and desist and abatement order requiring the license holder to cease and desist such activity and to remove the nuisance within twenty-four (24) hours of receipt of the order at the license holder's expense. The order shall contain all of the following:
    - a. A reference to the statute or rule that is alleged to have been violated or on which the order is based.
    - b. A description of the permit or license holder's right to request a hearing.
    - c. A description of the permit or license holder's right to request an informal settlement conference and the Chief Health Officer shall hear such motion within five (5) days.
  2. The District shall serve the order and any subsequent notices by personal delivery or certified mail, return receipt requested to the permit or license holder's or other party's last address of record with the District, or by any other method reasonably calculated to effect actual notice on the license holder or other party.
  3. The permit or license holder or another party whose rights were determined by the order may obtain a hearing to appeal with the District within thirty (30) days after receiving the order. The license holder or other party appealing the order shall serve the notice of appeal upon the District by personal delivery, certified mail, or return receipt requested to the office of the District or by any other method reasonably calculated to effect actual notice on the District.
  4. If no written notice of appeal is timely filed, the order shall become final without further proceedings.
  5. The District may inspect the permitted or licensed facility twenty-four (24) hours after service of the order to determine whether the permit or license holder has complied with said order. If the District determines upon inspection that the permit or license holder has not ceased the activity and abated the nuisance, the

District may cause the nuisance to be removed regardless of whether the license holder is appealing the order.

6. If the permit or license holder fails or refuses to comply with the order after a hearing has upheld the order or after the time to appeal the order has expired, the District may file an action against the permit or license holder in the superior court of the county in which the violation occurred, requesting that a permanent injunction be issued to restrain the permit or license holder from engaging in further violations as described in the order.
- E. Services of Notices. A notice provided for in this Section of this Code is properly served when it is hand delivered to the holder of the permit, license or certificate or person in charge, or when it is sent by registered mail or certified mail, return receipt requested, to the last known address of the holder of the permit, license or certificate. A copy of the notice shall be filed in the records of the District.
- F. Hearings. Hearings will be held pursuant to the provisions of REG. 2-5-3
- G. Appeal to the Board. Appeals to the Board will be held pursuant to the provisions set forth in REG. 2-5-3(G).
- H. Appeal of a Decision of the Board. An appeal of the decision of the Board may be made by filing a complaint in the Coconino County Superior Court within thirty (30) days of the Board's decision.
- I. Application after Revocation. Whenever a revocation of a permit, license or certificate has become final, the holder of the revoked permit, license or certificate may make written application of a new permit, license or certificate following a 90-day waiting period. The holder of the revoked license is responsible for all plan review and preopening requirements and shall pay the fee for the cost of providing a Hearing Officer for the revocation hearing.

**COCONINO COUNTY HEALTH AND HUMAN SERVICES  
UNIFIED HEALTH CODE  
CHAPTER 3  
PUBLIC NUISANCE DANGER TO PUBLIC HEALTH**

- SECTION 3-1           GENERAL PROVISIONS
- REG. 3-1-1       LEGAL AUTHORITY
- REG. 3-1-2       SCOPE
- REG. 3-1-3       INSERTIONS AND CHANGES
- REG. 3-1-4       OMISSIONS

SECTION 3-2           ENFORCEMENT AND INSPECTIONS

**SECTION 3-1           GENERAL PROVISIONS**  
**REG. 3-1-1           LEGAL AUTHORITY**

- A. ARS Title 36, Chapter 6, Sections 601 through 605, including all revisions, technical corrections and supplements published as of May 28, 2019, are hereby adopted as part of this Code, Chapter 3, Public Nuisance Danger to Public Health for Coconino County.
- B. The ARS rules adopted by reference in paragraph (A) above includes any and all subsequent amendments therewith.

**REG. 3-1-2           SCOPE**

- A. The purpose of these Regulations is to respond to and regulate Public Nuisances and other public health related concerns in a manner that will protect the public health, safety and welfare, prevent the spread of disease, and prevent the creation of a nuisance within Coconino County subject to the insertions and changes set forth in REG. 3-1-3 below.
- B. Copies of the above-described ARS rules, adopted by reference herein, are available from the Arizona State Legislature.

**REG. 3-1-3           INSERTIONS AND CHANGES**

- A. Regulations contained in Chapter 1 and 2 of this Code also pertain to Chapter 3, Public Nuisance Danger to Public Health.

**REG. 3-1-4           OMISSIONS**

- A. The following paragraphs listed in ARS § 36-601 are not enforceable by the Department: (A)(6, 9, 13, 14, 19, 20), B, C or D.
- B. ARS § 36-601.01 is the Smoke-Free Arizona Act – unless otherwise designated by the Coconino County Tobacco Program.

**SECTION 3-2           ENFORCEMENT AND INSPECTIONS**

Regulations and Hearing Procedures contained in Chapter 2 of this Code also pertain to Chapter 3, Public Nuisance Danger to Public Health.



**COCONINO COUNTY HEALTH AND HUMAN SERVICES  
UNIFIED HEALTH CODE  
CHAPTER 4  
REFUSE AND OTHER OBJECTIONABLE WASTES**

- SECTION 4-1           GENERAL PROVISIONS
  - REG. 4-1-1       LEGAL AUTHORITY
  - REG. 4-1-2       SCOPE
  - REG. 4-1-3       INSERTIONS AND CHANGES
  - REG. 4-1-4       REQUIREMENTS
  - REG. 4-1-5       REFUSE NOT REQUIRED TO BE COLLECTED
  
- SECTION 4-2           REFUSE STORAGE
  - REG. 4-2-1       GARBAGE STORAGE
  - REG. 4-2-2       STORAGE OF RUBBISH AND ASHES
  - REG. 4-2-3       STORAGE OF MANURE AND OTHER DROPPINGS
  - REG. 4-2-4       LOCATION AND MAINTENANCE OF CONTAINERS
  
- SECTION 4-3           REFUSE DISPOSAL
  - REG. 4-3-1       DISPOSAL REQUIREMENTS
  - REG. 4-3-2       PESTICIDE CONTAINERS
  
- SECTION 4-4           ENFORCEMENT AND INSPECTIONS

**SECTION 4-1           GENERAL PROVISIONS**

Pursuant to ARS §§ 36-136 and 36-184, the Regulations in this Chapter are hereby adopted by the Board and enforced by the District.

**REG. 4-1-1           LEGAL AUTHORITY**

- A. AAC Title 18, Chapter 13, Sections 301 through 309 and Section 311 including all revisions, technical corrections, and supplements published as of September 29, 2000 are hereby adopted as this Code, Chapter 4, Refuse and Other Objectionable Waste for Coconino County.
- B. The AAC rules adopted by reference in paragraph (A) above includes any and all subsequent amendments therewith.

**REG. 4-1-2           SCOPE**

- A. The purpose of these Regulations is to regulate the handling of Refuse and Other Objectionable Waste in a manner that will protect the public health, safety and welfare, prevent the spread of disease, and prevent the creation of a nuisance within Coconino County subject to the insertions and changes set forth in REG. 4-1-3 below.

- B. Copies of the above-described AAC rules, adopted by reference herein, are available from the Arizona Secretary of State.

**REG. 4-1-3                    INSERTIONS AND CHANGES**

- A. For the purpose of this Code, references to “Department” in AAC Title 18, Chapter 13, Article 3, means the Coconino County Health and Human Services.
- B. Regulations contained in Chapter 1 and 2 of this Code also pertain to Chapter 4, Refuse and Other Objectionable Waste.
- C. Specific definitions noted in AAC R18-13-302 are modified or added as follows:
  - 1. Composting means the biochemical degradation of organic materials to a stable, sanitary, nuisance-free, humus-like material.
  - 2. Dump means a place where refuse is disposed of on or in the ground in any manner other than that described in these Regulations as a sanitary landfill. Open dumps are prohibited.
  - 3. Rubbish means non-putrescible solid wastes, excluding ashes, consisting of both combustible and noncombustible wastes, such as paper, cardboard, waste metal, tin cans, yard clippings, wood, glass, bedding, crockery and similar materials.

**REG. 4-1-4                    REQUIREMENTS**

All refuse shall be stored, collected, transported, and disposed of or reclaimed in a manner consistent with the minimum requirements of these Regulations.

**REG. 4-1-5                    REFUSE NOT REQUIRED TO BE COLLECTED**

- A. Responsibility for Disposal.
  - 1. The collection and disposal of all refuse not acceptable for collection by a collection agency is the responsibility of each occupant, business establishment or industry where refuse accumulates, and all such refuse shall be stored, collected and disposed of in a manner approved by the Department.
  - 2. All dangerous materials and substances shall, where necessary, be rendered harmless by or at the expense of the owner, agent, or occupant of the premises, prior to collection and disposal.

**SECTION 4-2                 REFUSE STORAGE**

**REG. 4-2-1                 GARBAGE STORAGE**

- A. Containers of tear-resistant, pliable plastic, reinforced, treated paper or similar materials of durable, waterproof construction may be approved by the Department for single-service use.
- B. Rigid containers shall be equipped with handles or bails and shall be of such size and shape as to permit lifting readily by the collection agency for the purpose of removal and disposal of contents. Each container used for single-family use shall not be less than five (5) gallons or exceed thirty (30) gallon capacity.

**REG. 4-2-2 STORAGE OF RUBBISH AND ASHES**

Rubbish and ashes shall be kept and stored that they may not be readily scattered or become wind-blown and wherever practicable in durable containers.

**REG. 4-2-3 STORAGE OF MANURE AND DROPPINGS**

- A. Manure and animal droppings shall be removed from pens, stables, yards, cages and other enclosures at least twice weekly and handled or disposed of in an approved manner, free of health hazard or the creation of a public nuisance.
- B. In populous districts (1 acre or less), stable manure must be kept in a covered pit, chamber, dumpster or trailer off the ground and shall be properly disposed of at least twice a week. Manure on farms or isolated premises, other than dairy farms, need not be so protected and removed unless ordered by the State or the District.
- C. Manure shall not be allowed to accumulate in any place where it can prejudicially affect any source of drinking water.

**REG. 4-2-4 LOCATION AND MAINTENANCE OF CONTAINERS**

Containers shall be kept upon a well-drained base, elevated from the ground where required. Containers shall be kept in good repair and in a sanitary condition. Such containers found to be no longer serviceable through disrepair or maintained in an unsanitary condition shall be condemned for further use by the District. Legal notice of such condemnation shall consist of a label or tag affixed to the unsatisfactory container. Receptacles not placed in a satisfactory condition within five (5) days of order of condemnation shall be removed and disposed of by the permitted or licensed collector or his representative upon order or by direction of the District.

**SECTION 4-3 REFUSE DISPOSAL**

**REG. 4-3-1 DISPOSAL REQUIREMENTS**

- A. All putrescible material, garbage, excreta, refuse and dead birds or small animals shall be stored in durable, fly tight containers and disposed of at least once a week, and in an approved manner. Dead animals over ten (10) pounds shall be disposed of using a disposal plan approved by the District. All materials used as animal feed, that is unconsumed, shall be removed daily and disposed of by burial or other approved means.
- B. No garbage, rubbish or refuse shall be placed or deposited on any alley, street, road, roadside, in any ditch, river, stream, lake, pond, canal or on the banks thereof; or in any gulch, ravine, excavation or other place where it may be or become a public health nuisance. This Regulation shall not be construed to interfere with the approved placement of garbage, rubbish or refuse for collection purposes.

**REG. 4-3-2 PESTICIDE CONTAINERS**

- A. For purposes of this Section:
  - 1. Pesticide means any substance, or mixture of substances intended to be used for defoliating plants or for preventing, destroying, repelling, or mitigating insects, fungi, bacteria, weeds, rodents, predatory animals or any form of plant or animal

life which is a pest which may infest or be detrimental to vegetation, humans, animals or households, or be present in any environment.

2. Pesticide container means any package, can, bottle, bag, barrel, drum, tank, or other containing device that is used or has been used to enclose a pesticide.
  3. Disposal means the discard of pesticide containers through the deposit, dumping, or placing of the container into or on any land or water.
- B. No person may cause the disposal of any pesticide container except:
1. At a sanitary landfill operated pursuant to the provisions of AAC Title 18, Chapter 13; or,
  2. At a site, or in a manner expressly approved by the Department as safe for disposal of such container.
- C. Prior to the disposal of any pesticide container in a sanitary landfill, the following steps must be taken:
1. Pesticide containers in the form of cans, bottles, barrels, drums, or tanks, other than pressurized containers, must be rinsed at least three times, each time using a volume of water (or other solvent where appropriate) equal to ten (10) percent of the container's capacity. An equivalent alternative rinsing method may be used provided that equivalent results are achieved. The liquid from rinsing required by this Subsection may not be discharged into the environment except where used or disposed of as a pesticide in accordance with all applicable laws and Regulations. After containers are rinsed as required by this Subsection, they must be punctured or crushed so as to render them incapable of holding liquid (AAC R3-3-308 and 309).
  2. Pesticide containers in the form of combustible bags or packages must be either:
    - a. Folded and tied into bundles; or
    - b. Enclosed securely in secondary containers that are labeled as containing pesticide residue.
- D. The steps required by REG. 4-3-2(C)(1) need not be taken prior to disposal of a pesticide container at any site expressly approved by the Department for disposal of unrinsed pesticide containers.
- E. Salvaging of pesticide containers from a sanitary landfill shall not be permitted unless expressly authorized by the landfill operator and conducted in a safe manner.
- F. The provisions of this Section shall not apply to pesticide containers of one (1) gallon or less liquid capacity or five (5) pounds or less solid capacity, unless such containers have been used to enclose highly toxic pesticides as defined in AAC R3-3-101.
- G. The provisions of this Section do not prohibit the shipment of pesticide containers to reconditioning or recycling facilities that are operated in accordance with all applicable laws and regulations.

#### **SECTION 4-4 ENFORCEMENT AND INSPECTIONS**

Regulations and Hearing Procedures contained in Chapter 2 of this Code also pertain to Chapter 4, Refuse and Other Objectionable Waste.

**COCONINO COUNTY PUBLIC HEALTH SERVICES DISTRICT  
UNIFIED HEALTH CODE  
CHAPTER 5  
CAMPGROUNDS**

SECTION 5-1           GENERAL PROVISIONS  
    REG. 5-1-1        LEGAL AUTHORITY  
    REG. 5-1-2        SCOPE  
    REG. 5-1-3        INSERTIONS AND CHANGES

SECTION 5-2           RESTRICTIONS  
    REG. 5-2-1        LOCATION  
    REG. 5-2-2        BATHHOUSE

SECTION 5-3           ENFORCEMENT AND INSPECTIONS

**SECTION 5-1           GENERAL PROVISIONS**

Pursuant to ARS §§ 36-136 and 36-184, the Regulations in this Chapter are hereby adopted by the Board and enforced by the District.

**REG. 5-1-1           LEGAL AUTHORITY**

- A. AAC Title 9, Chapter 8, Section 601-608 including all revisions, technical corrections, and supplements published as of June 17, 2002, are hereby adopted as a part of this Code, Chapter 5 Campgrounds for Coconino County.
- B. The AAC rules adopted by reference in paragraph (A) above includes any and all subsequent amendments therewith.

**REG. 5-1-2           SCOPE**

- A. The purpose of these Regulations is to regulate Campgrounds in a manner that will protect the public health, safety and welfare, prevent the spread of disease, and prevent the creation of a nuisance within Coconino County as well as to regulate the design, construction, management, and operation of Campgrounds establishments and the issuance of permits, licenses and collection of fees therefore, subject to the insertions and changes set forth in REG. 5-1-3 below. The Regulations of this Chapter shall apply to any city, county, city and county, village, community, institution, person, firm or corporation operating, maintaining or offering for public use within the State of Arizona any tract of land on which persons may camp or picnic either free of charge or by payment of a fee. Each and every owner and lessee of any public camp or picnic ground shall be held responsible for full compliance with these Regulations.
- B. Copies of the above-described AAC rules, adopted by reference herein, are available from the Arizona Secretary of State.

**REG. 5-1-3                    INSERTIONS AND CHANGES**

- A. Regulations contained in Chapter 1 and 2 of this Code also pertain to Chapter 5, Campgrounds.
- B. Specific definitions noted in AAC R9-8-601 are modified or added as follows:
  - 1. Ample water supply means the same definition as set forth in REG. 1-1-6 of this Code.
  - 2. Campground means any tract of land operated, maintained, or offered by any person for use by the public as a place to camp, either free of charge or by payment of a fee.
  - 3. Cold water means the same definition as set forth in REG. 1-1-6 of this Code.
  - 4. Hot water means the same definition as set forth in REG. 1-1-6 of this Code.
  - 5. Picnic area means any tract of land operated, maintained or offered by any person for public use as a picnicking site, either free of charge or by payment of a fee.

**SECTION 5-2                    RESTRICTIONS**

**REG. 5-2-1                    LOCATION**

As determined by Coconino County Community Development’s Engineering Division, no campground or picnic area shall be located on any tract or land that serves as a watershed for a domestic water supply unless all sanitation facilities required by these regulations are provided. No camping or picnicking shall be permitted within a distance of 500 feet from the high-water level of any body of water or stream which serves as a source for a public water supply.

**REG. 5-2-2                    BATHHOUSE**

If a bathhouse is provided, a floor of concrete or other impervious material is required. Bathing and lavatory facilities shall be connected with approved sewerage or sewerage-disposal systems.

**SECTION 5-3                    ENFORCEMENT AND INSPECTIONS**

Regulations and Hearing Procedures contained in Chapter 2 of this Code also pertain to Chapter 5, Campgrounds.

**COCONINO COUNTY HEALTH AND HUMAN SERVICES  
UNIFIED HEALTH CODE  
CHAPTER 6  
FOOD AND DRINK**

SECTION 6-1           GENERAL PROVISIONS  
    REG. 6-1-1       LEGAL AUTHORITY  
    REG. 6-1-2       SCOPE  
    REG. 6-1-3       INSERTIONS AND CHANGES

SECTION 6-2           ENFORCEMENT AND INSPECTIONS  
    REG. 6-2-1       INSPECTIONS

**SECTION 6-1           GENERAL PROVISIONS**

Pursuant to ARS §§ 36-132, 36-136 and 36-911, the Regulations in this Chapter are hereby adopted by the Board and enforced by the District.

**REG. 6-1-1           LEGAL AUTHORITY**

- A. AAC Title 9, Chapter 8, Sections 101 through 109, including all revisions, technical corrections, and supplements published as of October 3, 2001 are hereby adopted as part of this Code, Chapter 6, Food and Drink for Coconino County.
- B. The AAC rules adopted by reference in paragraph (A) above includes any and all subsequent amendments therewith.

**REG. 6-1-2           SCOPE**

- A. The purpose of these Regulations is to regulate the Food and Drink Establishments in a manner that will protect the public health, safety and welfare, prevent the spread of disease, and prevent the creation of a nuisance within Coconino County as well as to regulate the design, construction, management, and operation of food and drink establishments and mobile food units, the issuance of permits, licenses and collection of fees therefore, subject to the insertions and changes set forth in REG. 6-1-3 below.
- B. Copies of the above-described AAC rules, adopted by reference herein, are available from the Arizona Secretary of State.

**REG. 6-1-3           INSERTIONS AND CHANGES**

Regulations contained in Chapter 1 and 2 of this Code also pertain to Chapter 6, Food and Drink.

**SECTION 6-2           ENFORCEMENT AND INSPECTIONS**

Regulations and Hearing Procedures contained in Chapter 2 of this Code also pertain to Chapter 6, Food and Drink.

**REG. 6-2-1           INSPECTIONS**

- A. This Chapter 6, Food and Drink follows the guidelines outlined in Chapter 2, REG 2-5-1, of this Code with the following additions:

1. Frequency of inspections shall be as often as may be necessary to assure compliance with these Regulations, but not less than two (2) inspections per year.



**COCONINO COUNTY HEALTH AND HUMAN SERVICES  
UNIFIED HEALTH CODE  
CHAPTER 7  
CONTROL OF RODENTS, INSECTS AND VERMIN**

**SECTION 7-1           GENERAL PROVISIONS**

- REG. 7-1-1           LEGAL AUTHORITY
- REG. 7-1-2           SCOPE
- REG. 7-1-3           INSERTIONS AND CHANGES
- REG. 7-1-4           DEFINITIONS

**SECTION 7-2           ABATEMENT OF INFESTATIONS**

- REG. 7-2-1           RODENTS
- REG. 7-2-2           INSECTS AND VERMIN

**SECTION 7-3           ENFORCEMENT AND INSPECTIONS**

- REG. 7-3-1           SUSPENSION OF PERMITS FOR INFESTED PREMISES

**SECTION 7-1           GENERAL PROVISIONS**

**REG. 7-1-1           LEGAL AUTHORITY**

Pursuant to ARS §§ 36-184 and 36-601 the Regulations in this Chapter are hereby adopted by the Board and enforced by the District.

**REG. 7-1-2           SCOPE**

The purpose of these Regulations is to regulate the Control of Rodents, Insects and Vermin in a manner that will protect the public health, safety and welfare, prevent the spread of disease, and prevent the creation of a nuisance within Coconino County.

**REG. 7-1-3           INSERTIONS AND CHANGES**

Regulations contained in Chapter 1 and 2 of this Code also pertain to Chapter 7, Control of Rodents, Insects and Vermin.

**REG. 7-1-4           DEFINITIONS**

- A. Rodents mean mice, rats, ground squirrels, prairie dogs and such other mammals declared by the Chief Health Officer to be dangerous to the public.
- B. Insects means mosquitos, flies and such other arthropods declared by the Chief Health Officer to be dangerous to the public health.
- C. Vermin means noxious animals of any zoological order, especially such animals known to be vectors of communicable diseases in man.

**SECTION 7-2 ABATEMENT OF INFESTATIONS**

**REG. 7-2-1 RODENTS**

No owner or person in responsible charge of any building, structure, place or premises shall permit in or upon such premises the harborage or breeding of rodents or other mammals declared by the Chief Health Officer to be dangerous to public health. Whenever the District notifies such person in writing of evidence of rodent infestation, they shall take immediate measures to abate the infestation.

**REG. 7-2-2 INSECTS AND VERMIN**

- A. No person shall cause, maintain or permit any accumulation of water in which mosquitos are likely to breed upon premises under their control. The owner, occupant or person in responsible charge of any premises where mosquitos are breeding, or which constitutes a breeding place for mosquitos, shall take all necessary and proper steps to eliminate such breeding sites and to prevent their re-establishment on the premises.
- B. Infestation by or harborage of lice, bedbugs, roaches, flies or any other vermin is hereby declared to be a public nuisance dangerous to public health. No person shall cause, maintain, or permit such infestation of any premises under their control.
- C. The owner, occupant or person in control of any place or premises where infestation by vermin occurs or exists shall take all necessary and proper steps to eliminate the infestation.

**SECTION 7-3 ENFORCEMENT AND INSPECTIONS**

Regulations and Hearing Procedures contained in Chapter 2 of this Code also pertain to Chapter 7, Control of Rodents, Insects and Vermin.

**REG. 7-3-1 SUSPENSION OF PERMITS FOR INFESTED PREMISES**

- A. No person shall offer, for consideration or otherwise, any premises for use as a human habitation or sleeping accommodation, or use any premises, as a place where food or food products are stored, manufactured, processed, served or offered for sale while such premises harbor rodents, insects or other vermin. The Chief Health Officer shall have sufficient cause to revoke any license or permit issued for such uses when the permittee fails to abate and eliminate such an infestation after having been notified to do so by the District
- B. Hearing procedures, suspensions and enforcement in this Chapter shall follow the Regulations as set forth in Chapter 2 of this Code.

**COCONINO COUNTY PUBLIC HEALTH SERVICES DISTRICT  
UNIFIED HEALTH CODE  
CHAPTER 8  
HOTELS, MOTELS AND TRANSIENT DWELLING ESTABLISHMENTS**

SECTION 8-1	GENERAL PROVISIONS
REG. 8-1-1	LEGAL AUTHORITY
REG. 8-1-2	SCOPE
REG. 8-1-3	INSERTIONS AND CHANGES
SECTION 8-2	INFESTATIONS
REG. 8-2-1	ABATEMENT OF INFESTATIONS
SECTION 8-3	ENFORCEMENT AND INSPECTIONS

**SECTION 8-1           GENERAL PROVISIONS**

Pursuant to ARS §§ 36-136 and 36-184, the Regulations in this Chapter are hereby adopted by the Board and enforced by the District.

**REG. 8-1-1           LEGAL AUTHORITY**

- A. AAC Title 9, Chapter 8, Section 1301-1308 including all revisions, technical corrections, and supplements published as of June 17, 2002, are hereby adopted as this Code, Chapter 8, Hotels, Motels and Transient Dwelling Establishments for Coconino County.
- B. The AAC rules adopted by reference in paragraph (A) above includes any and all subsequent amendments therewith.

**REG. 8-1-2           SCOPE**

- A. The purpose of these Regulations is to regulate Hotels, Motels and Transient Dwelling Establishments in a manner that will protect the public health, safety and welfare, prevent the spread of disease, and prevent the creation of a nuisance within Coconino County as well as to regulate the design, construction, management, and operation of Hotels, Motels and Transient Dwelling Establishments and the issuance of permits, licenses and collection of fees therefore, subject to the insertions and changes set forth in REG. 8-1-3 below.
- B. Copies of the above-described AAC rules, adopted by reference herein, are available from the Arizona Secretary of State.

**REG. 8-1-3           INSERTIONS AND CHANGES**

- A. Regulations contained in Chapter 1 and 2 of this Code also pertain to Chapter 8, Hotels, Motels and Transient Dwelling Establishments.
- B. Specific definitions noted in AAC R9-8-1301 are modified or added as follows:

1. Ample water supply means the same definition as set forth in REG. 1-1-6 of this Code.
2. Approved means the same definition as set forth in REG. 1-1-6 of this Code.
3. Common drinking cup means a hand-held container not connected to a plumbing system that:
  - a. Holds liquid for human consumption,
  - b. Comes into contact with a user's mouth, and
  - c. Is used by more than one individual.
4. Debris means litter or the remains of something that has been broken or torn into pieces.
5. Drinking water means the same definition as set forth in REG. 1-1-6 of this Code.
6. Food establishment means the same definition as set forth in REG. 1-1-6 of this Code.
7. Disinfectant means a chemical agent (but sometimes a physical agent) that destroys disease-causing pathogens or other harmful microorganisms but might not kill bacterial spores. It refers to substances applied to inanimate objects (CDC, 2009).
8. Dwelling unit means any suite, room, cottage, bedroom or other unit established or maintained by a transient dwelling establishment for temporary occupancy.
9. Lavatory means a sink or a basin with a faucet that supplies hot and cold water with a drain connected to a sanitary sewer.
10. Permanent or semi-permanent dwelling means occupancy is expected or intended to be, more than thirty (30) days.
11. Plumbing or plumbing system means and includes the water supply distributing pipes; the fixtures and fixture traps; the soil, waste and vent pipes; and the building drains with their devices, appurtenances and connections either within or adjacent to the transient dwelling establishment.
12. Refuse container means a portable receptacle used for refuse storage until the refuse is placed into a dumpster.
13. Restroom means a structure or room that contains at least one lavatory and water closet.
14. Sanitize means the same definition as set forth in AAC R9-5-101.
15. Transient means any member of the public who occupies a dwelling unit on a temporary basis in a transient dwelling establishment as defined below.
16. Transient dwelling establishment means and includes any place where sleeping accommodations are available to transients or tourists on a temporary basis such as a hotel, motel, motor hotel, tourist court, tourist camp, rooming house, boarding house, inn and similar facilities by whatever name called, consisting of two or more dwelling units; provided, however, that the term shall not be construed to include apartments, clubs, boarding houses, rooming houses and similar facilities where occupancy of all dwelling units is typically, or is expected or intended to be, more than ninety (90) days.
17. Water closet means the same definition as set forth in ARS § 45-311.

**SECTION 8-2            INFESTATIONS**

**REG. 8-2-1            ABATEMENT OF INFESTATIONS**

The owner or operator of a transient dwelling establishment shall take immediate measures if infestations occur including, but not limited to, bed bugs, fleas, lice, or rodents. The District must approve pest control mitigation efforts and said mitigation must be implemented and affected rooms closed. Pesticide treatment shall only be conducted by a state licensed applicator in accordance with ARS § 32-2325. An integrated pest management program shall be implemented by the owner/operator to prevent infestations. The room shall remain closed until inspected and confirmed to be free of pests.

**SECTION 8-3            ENFORCEMENT AND INSPECTIONS**

Regulations and Hearing Procedures contained in Chapter 2 of this Code also pertain to Chapter 8, Hotels, Motels and Transient Dwelling Establishments.

**COCONINO COUNTY HEALTH AND HUMAN SERVICES  
UNIFIED HEALTH CODE  
CHAPTER 9  
SCHOOLS**

SECTION 9-1	GENERAL PROVISIONS
REG. 9-1-1	LEGAL AUTHORITY
REG. 9-1-2	SCOPE
REG. 9-1-3	INSERTIONS AND CHANGES
REG. 9-1-4	GENERAL REQUIREMENTS
REG. 9-1-5	GARBAGE AND REFUSE
SECTION 9-2	ENFORCEMENT AND INSPECTIONS

**SECTION 9-1 GENERAL PROVISIONS**

Pursuant to ARS §§ 36-136 and 36-184, the Regulations in this Chapter are hereby adopted by the Board and enforced by the District.

**REG. 9-1-1 LEGAL AUTHORITY**

- A. AAC Title 9, Chapter 8, Sections 701 through 711, including all revisions, technical corrections, and supplements published as of March 11, 2006, are hereby adopted as this Code, Chapter 9, Schools.
- B. The AAC rules adopted by reference in paragraph (A) above includes any and all subsequent amendments therewith.

**REG. 9-1-2 SCOPE**

- A. The purpose of these Regulations is to regulate Schools in a manner that will protect the public health, safety and welfare, prevent the spread of disease, and prevent the creation of a nuisance within Coconino County as well as to regulate the design, construction, management, and operation of school establishments and the issuance of permits, licenses and collection of fees therefore, subject to the insertions and changes set forth in REG. 9-1-3 below.
- B. Copies of the above-described AAC rules, adopted by reference herein, are available from the Arizona Secretary of State.

**REG. 9-1-3 INSERTIONS AND CHANGES**

- A. Regulations contained in Chapter 1 and 2 of this Code also pertain to Chapter 9, Schools.
- B. Specific definitions noted in AAC R9-8-701 are modified or added as follows:
  - 1. School means any public, private or parochial school.

**REG. 9-1-4                    GENERAL REQUIREMENTS**

- A. Schoolyard and playground areas shall be well drained and free of puddles and other hazards. Grounds, buildings, rooms, equipment and appurtenances shall at all times be kept clean and in good repair.
- B. School buildings shall be structurally sound and have watertight roofs. Floors and interior walls shall have smooth, cleanable surfaces.
- C. Ventilation, whether natural or artificial, shall provide non-noxious air and shall be controlled to prevent objectionable drafts.
- D. Playground equipment shall be checked for health hazards at frequent intervals.
- E. Cafeterias and lunchrooms shall have minimum window areas equal to one-eighth of their floor areas. All rooms shall be adequately lighted.

**REG. 9-1-5                    GARBAGE AND REFUSE**

- A. Fly-proof and watertight containers shall be provided for garbage.
- B. Garbage cans shall be emptied at least three (3) times weekly, thoroughly washed, and never allowed to become foul-smelling or breeding places for flies.
- C. Garbage and other refuse shall be disposed of in a manner which creates neither a nuisance nor menace to health and in conformance with the requirements of Chapter 4 of this Code.

**SECTION 9-2                    ENFORCEMENT AND INSPECTIONS**

Regulations and Hearing Procedures contained in Chapter 2 of this Code also pertain to Chapter 9, Schools.

**COCONINO COUNTY HEALTH AND HUMAN SERVICES  
UNIFIED HEALTH CODE  
CHAPTER 10  
SANITATION IN PUBLIC AND SEMI-PUBLIC BUILDINGS AND  
PLACES OF EMPLOYMENT**

SECTION 10-1        GENERAL PROVISIONS  
    REG. 10-1-1      LEGAL AUTHORITY  
    REG. 10-1-2      SCOPE  
    REG. 10-1-3      INSERTIONS AND CHANGES

SECTION 10-2        REQUIREMENTS  
    REG. 10-2-1      GENERAL REQUIREMENTS  
    REG. 10-2-2      SANITARY FACILITIES

SECTION 10-3        ENFORCEMENT AND INSPECTIONS

**SECTION 10-1        GENERAL PROVISIONS  
REG. 10-1-1        LEGAL AUTHORITY**

Pursuant to ARS §§ 36-136 and 36-184, the Regulations in this Chapter are hereby adopted by the Board and enforced by the District.

**REG. 10-1-2        SCOPE**

The Regulations in this Chapter apply only to complaints received by the District, including but not limited to, the following types of establishments:

- A. Buildings used by, visited by or accessible to the public.
- B. Places of employment used or occupied by persons other than members of the owners' immediate families.
- C. Health Spas, Athletic Clubs, Country Clubs and similar establishments offering bath, shower and/or locker-room facilities to members or non-members of the operating organization.
- D. Massage Parlors.

**REG. 10-1-3        INSERTIONS AND CHANGES**

Regulations contained in Chapter 1 and 2 of this Code also pertain to Chapter 10, Sanitation in Public and Semi-Public Buildings and Places of Employment

**SECTION 10-2        REQUIREMENTS  
REG. 10-2-1        GENERAL REQUIREMENTS**

Buildings, grounds, equipment and appurtenances shall at all times be kept clean and in good repair. Water shall be supplied from approved sources and treated and distributed in conformity with Rules and Regulations of the Arizona Department of Health Services and the Arizona



Department of Environmental Quality. Sewage disposal shall be by means approved by the District and operated as required by Rules and Regulations of the Arizona Department of Health Services, the Arizona Department of Environmental Quality and the Coconino County Environmental Quality Division. Garbage, trash and other solid waste materials shall be handled and disposed of in conformity with the requirements of Chapter 4 of this Code.

**REG. 10-2-2            SANITARY FACILITIES**

- A. Drinking water, where provided, shall be dispensed from approved, sanitary, fountain-type water coolers or fixtures or dispensed by means of sanitary, single-service cups.
- B. Toilet and hand-washing facilities shall conform to the requirements of the International Building Code, Chapter 29 Plumbing Systems.
- C. All facilities for bathing and showering shall be maintained in a sanitary condition at all times. Showers and locker rooms shall be constructed, operated and maintained in conformity with the requirements of AAC R9-8-703(A-C).
- D. Towels supplied to employees or to the public shall be for individual use only and shall be laundered before being issued for reuse.
- E. Body-contact surfaces of all facilities, including but not limited to such objects as toilet seats, shower-stall seats, locker and shower-room floors, duck boards and benches shall be sanitized daily by means of approved chemical disinfectants.

**SECTION 10-3            ENFORCEMENT AND INSPECTIONS**

Regulations and Hearing Procedures contained in Chapter 2 of this Code also pertain to Chapter 10, Sanitation in Public and Semi-Public Buildings and Places of Employment.

**COCONINO COUNTY HEALTH AND HUMAN SERVICES  
UNIFIED HEALTH CODE  
CHAPTER 11  
PUBLIC AND SEMIPUBLIC BATHING PLACES**

SECTION 11-1        GENERAL PROVISIONS  
    REG. 11-1-1       LEGAL AUTHORITY  
    REG. 11-1-2       SCOPE  
    REG. 11-1-3       INSERTIONS AND CHANGES

SECTION 11-2        REQUIREMENTS  
    REG. 11-2-1       FIRST AID KITS  
    REG. 11-2-2       CONCESSIONS

SECTION 11-3        ENFORCEMENT AND INSPECTIONS  
    REG. 11-3-1       INSPECTIONS

**SECTION 11-1        GENERAL PROVISIONS**

Pursuant to ARS §§ 36-136 and 36-184, the Regulations in this Chapter are hereby adopted by the Board and enforced by the District.

**REG. 11-1-1.        LEGAL AUTHORITY**

- A. AAC Title 9, Chapter 8, Sections 801 through 813, including all revisions, technical corrections, and supplements published as of June 30, 2018, are hereby adopted as part of this Code, Chapter 11, Public and Semi-Public Bathing Places for Coconino County.
- B. AAC Title 18, Chapter 5, Sections 201 through 251, including all revisions, technical corrections, and supplements published as of December 31, 2008, are hereby adopted as part of this Code, Chapter 11, Public and Semi-Public Bathing Places for Coconino County.
- C. The AAC rules adopted by reference in paragraph (A) above includes any and all subsequent amendments therewith.

**REG. 11-1-2        SCOPE**

- A. The purpose of these Regulations is to regulate Public and Semi-Public Bathing Places in a manner that will protect the public health, safety and welfare, prevent the spread of disease, and prevent the creation of a nuisance within Coconino County as well as to regulate the design, construction, management, and operation of public and semi-public bathing places and the issuance of permits, licenses and collection of fees therefore, subject to the insertions and changes set forth in REG. 11-1-3 below.
- B. Copies of the above-described AAC rules, adopted by reference herein, are available from the Arizona Secretary of State.

**REG. 11-1-3                    INSERTIONS AND CHANGES**

- A. Regulations contained in Chapter 1 and 2 of this Code also pertain to Chapter 11, Public and Semi-Public Bathing Places.
- B. For the purpose of this code, AAC R18-5-203 and 204 pertaining to Design Approval and Approval of Construction (i.e. Plan Review) shall be included in this Code as a licensing requirement by Coconino County; however, the Arizona Department of Environmental Quality will remain responsible for technical engineering review and approval.
- C. In addition to AAC R18-5-240B regarding Barriers, the Department will allow for solid panel access doors that open inward to the pool only if the door remains locked at all times and is only accessible via a key or key card.
- D. Specific definitions noted in AAC R9-8-801 and R18-5-201 are modified or added as follows:
  - 1. Bathing places includes all bodies of water used collectively by a number of persons for swimming, wading or recreation bathing purposes, together with the shores, bathhouse, sanitary facilities, bathing suits, equipment and appurtenances pertaining to such bathing places; except that these Regulations do not apply to private swimming pools as herein defined, nor do they include baths used for cleansing purposes, hydrotherapy or for the healing arts, unless such baths consist of a pool or pools used collectively by a number of individuals.
  - 2. Recirculating pool means a swimming pool where a portion of the pool water is constantly being removed, treated, filtered and disinfected and then returned to the pool.
  - 3. Spray pond means an artificially constructed basin into which water is sprayed but not allowed to accumulate.

**SECTION 11-2                    REQUIREMENTS**

**REG. 11-2-1                    FIRST AID KIT**

There shall be provided for emergency use a standard first aid kit. In addition, at public pools, a standard stretcher and two blankets shall be provided.

**REG. 11-2-2                    CONCESSIONS**

Drinks, candy, popcorn, gum or food of any kind shall not be permitted within the pool enclosure.

**SECTION 11-3                    ENFORCEMENT AND INSPECTIONS**

Regulations and Hearing Procedures contained in Chapter 2 of this Code also pertain to Chapter 11, Public and Semi-Public Bathing Places.

**REG. 11-3-1                    INSPECTIONS**

- A. This Chapter 11, Public and Semi-Public Bathing Places follows the guidelines outlined in Chapter 2, REG 2-5-1, of this Code with the following additions:
  - 1. Frequency of inspections shall be as often as may be necessary to assure compliance with these regulations, but not less than two (2) inspections per year.

- B. Inspections of public and semipublic bathing places shall be made by representatives of the District to determine that installed facilities and operational procedures comply with these Regulations. Should the District, after inspection of a bathing place, find that an extreme safety or health hazard exists, such as CL, pH, turbidity, electrical hazard, filtration or chlorination equipment violations, they may order the immediate suspension of the operation of the bathing place. Such suspension of operation shall continue until, in the opinion of the District, the hazard has ceased to exist. The District may suspend operation for repeated or continued violation(s) of any Regulations in this Code.

**COCONINO COUNTY PUBLIC HEALTH SERVICES DISTRICT  
UNIFIED HEALTH CODE  
CHAPTER 12  
TRAILER COACH PARKS**

SECTION 12-1	GENERAL PROVISIONS
REG. 12-1-1	LEGAL AUTHORITY
REG. 12-1-2	SCOPE
REG. 12-1-3	INSERTIONS AND CHANGES
REG. 12-1-4	SEWAGE DISPOSAL SYSTEMS
SECTION 12-2	ENFORCEMENT AND INSPECTIONS

**SECTION 12-1 GENERAL PROVISIONS**

Pursuant to ARS §§ 36-136 and 36-184, the Regulations in this Chapter are hereby adopted by the Board and enforced by the District.

**REG. 12-1-1 LEGAL AUTHORITY**

- A. AAC Title 9, Chapter 8, Section 501 through 507, including all revisions, technical corrections, and supplements published as of June 17, 2002, are hereby adopted as part of this Code, Chapter 12 Trailer Coach Parks for Coconino County.
- B. The AAC rules adopted by reference in paragraph (A) above includes any and all subsequent amendments therewith.

**REG. 12-1-2 SCOPE**

- A. The purpose of these Regulations is to regulate Trailer Coach Parks in a manner that will protect the public health, safety and welfare, prevent the spread of disease, and prevent the creation of a nuisance within Coconino County as well as to regulate the design, construction, management, and operation of Trailer Coach Park establishments and the issuance of permits, licenses and collection of fees therefore, subject to the insertions and changes set forth in REG. 12-1-3 below.
- B. Copies of the above-described AAC rules, adopted by reference herein, are available from the Arizona Secretary of State.

**REG. 12-1-3 INSERTIONS AND CHANGES**

- A. Regulations contained in Chapter 1 and 2 of this Code also pertain to Chapter 12, Trailer Coach Parks.
- B. Specific definitions noted in AAC R9-8-501 are modified or added as follows:
  - 1. Dependent trailer coach means a trailer coach which does not have a flush toilet, bathtub or shower.

2. Independent trailer coach means a trailer which has a flush toilet, bathtub or shower, and lavatory.
3. Park means a trailer coach park.
4. Trailer coach means any vehicle including mobile homes having no foundation other than wheels, jacks, or skirting and so designed or constructed as to permit occupancy for dwelling or sleeping purposes. Removal of the wheels shall not change the meaning of the term.
5. Trailer coach park means any plot of ground upon which two or more trailer coaches, occupied for dwelling or sleeping purposes, are located regardless of whether or not a charge is made for such accommodation. This does not apply where all trailers are occupied by the owner of the plot and his immediate family, nor does it include areas provided for recreational purposes or overnight parking by agencies of the Local, State and Federal governments, where posted restrictions for use of such areas are provided.
6. Trailer coach space means a plot of ground within a trailer coach park designed for the accommodation of one trailer coach.

**REG. 12-1-4 SEWAGE DISPOSAL SYSTEM**

The connecting hose from a trailer to a sewer riser must be properly supported with a continual slope to the sewer riser (UPC).

**SECTION 12-2 ENFORCEMENT AND INSPECTIONS**

Regulations and Hearing Procedures contained in Chapter 2 of this Code also pertain to Chapter 11, Trailer Coach Parks.

**COCONINO COUNTY HEALTH AND HUMAN SERVICES  
UNIFIED HEALTH CODE  
CHAPTER 13  
BODY ART CODE**

SECTION 13-1	GENERAL PROVISIONS
REG. 13-1-1	LEGAL AUTHORITY
REG. 13-1-2	SCOPE
REG. 13-1-3	INSERTIONS AND CHANGES
REG. 13-1-4	DEFINITIONS
SECTION 13-2	PERMITS
REG. 13-2-1	REQUIREMENTS FOR PREMISES
REG. 13-2-2	TEMPORARY ESTABLISHMENT PERMIT
REG. 13-2-3	TEMPORARY OPERATOR PERMIT
SECTION 13-3	LICENSES
REG. 13-2-1	LICENSE REQUIREMENTS
SECTION 13-4	CERTIFICATES
REG. 13-4-1	OPERATOR CERTIFICATES
REG. 13-4-2	OPERATOR-TRAINEE CERTIFICATES
REG. 13-4-3	OPERATOR AND TECHNICIAN REQUIREMENTS AND PROFESSIONAL STANDARDS
REG. 13-4-4	TEMPORARY OPERATOR CERTIFICATES
SECTION 13-5	EAR PIERCING AND JEWELRY
REG. 13-5-1	EAR PIERCING SPECIFICATIONS AND REQUIREMENTS
REG. 13-5-2	JEWELRY REQUIREMENTS AND PROFESSIONAL STANDARDS
SECTION 13-6	SANITATION
REG. 13-6-1	PREPARATION AND CARE OF THE BODY ART AREA
REG. 13-6-2	SANITATION AND STERILIZATION PROCEDURES
REG. 13-6-3	REQUIREMENTS FOR SINGLE-USE ITEMS
SECTION 13-7	PROHIBITIONS AND EXEMPTIONS
REG. 13-7-1	PROHIBITIONS
REG. 13-7-2	EXEMPTIONS
SECTION 13-8	PUBLIC NOTIFICATIONS AND RECORDS
REG. 13-8-1	PUBLIC NOTIFICATION REQUIREMENTS
REG. 13-8-2	CLIENT RECORDS
REG. 13-8-3	RECORDS RETENTION

SECTION 13-9            ENFORCEMENT AND INSPECTIONS  
REG. 13-9-1            SUSPENSION OR REVOCATION  
REG. 13-3-1            INSPECTIONS

APPENDIX A:            UNIVERSAL PRECAUTIONS  
APPENDIX B:            DISCLOSURE STATEMENT  
APPENDIX C:            CDC GUIDELINES FOR DISINFECTION AND STERILIZATION IN  
HEALTHCARE FACILITIES, 2008

**SECTION 13-1            GENERAL PROVISIONS**  
**REG. 13-1-1            LEGAL AUTHORITY**

Pursuant to ARS §11-251, the Regulation in this Chapter are adopted by the Board and enforced by the District when not in conflict with the general laws and specifically ARS §13-3721 making certain body art practices unlawful.

**REG. 13-1-2            SCOPE**

The purpose of these regulations is to regulate Body Art and Body Art Establishments in a manner that will protect the public health, safety and welfare; prevent spread of disease; and prevent the creation of a nuisance within Coconino County.

**REG. 13-1-3            INSERTIONS AND CHANGES**

Regulations contained in Chapter 1 and 2 of this Code also pertain to Chapter 13, Body Art.

**REG. 13-1-4            DEFINITIONS**

1. Aftercare means written instructions given to the client, specific to the body art procedure(s) rendered, about caring for the body art and surrounding area. These instructions shall include information about when to seek medical treatment, if necessary.
2. Antiseptic means an agent that destroys disease causing micro-organisms on human skin or mucosa.
3. APP means the Association of Professional Piercers.
4. ASTM means the American Society for Testing and Materials.
5. Biomedical waste means any liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; sharps and any wastes containing blood and other potentially infectious materials, as defined in 29 Ordinance Code of Federal Regulations Part 1910.1030 (latest edition), known as “Occupational Exposure to Bloodborne Pathogens.”
6. Blood borne pathogens means pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to,



hepatitis B virus (HBV), hepatitis C virus (HCV), and human immunodeficiency virus (HIV).

7. Body art means the practice of physical body adornment by permitted establishments and operators using, but not limited to, the following techniques: body piercing, tattooing, cosmetic tattooing, permanent skin coloring, branding, and scarification. This definition does not include practices that are considered medical procedures by a state medical board, such as implants under the skin, which shall not be performed in a body art establishment, practices that are noninvasive forms of painting by use of dyes or inks, or practices considered by the State Board of Cosmetology to be Aesthetics, Cosmetology or Nail Technology.
8. Body art establishment means any licensed place or premise, whether public or private, temporary or permanent, in nature or location, where the practices of body art, whether or not for profit, are performed.
9. Body piercing means puncturing or penetration of the skin of a person with pre-sterilized single use needles and the insertion of pre-sterilized jewelry or other adornment thereto in the opening, including puncturing the outer perimeter or lobe of the ear with a pre-sterilized single-use needle. Under no circumstances shall stud-and-clasp ear piercing guns or systems be used anywhere on the body, except on the outer lobe of the ear. All stud-and-clasp ear piercing guns and systems must be capable of being sterilized.
10. Certificate as defined in REG. 1-1-6 of this Code.
11. Certification means an approved County training program including Body Art Certification. Certification cannot be used as a health license or permit.
12. Cleaning area means the area in a body art establishment used in the sterilization, sanitization or other cleaning of instruments or other equipment used for body art activity.
13. Communicable disease means any disease transmitted from one person or animal to another directly, by contact with excreta or other discharges from the body; or indirectly, via substances or inanimate objects, such as water or contaminated needles; or via vectors such as flies, ticks, or other insects. Kinds of communicable diseases include those caused by bacteria, fungi, parasites, and viruses.
14. Contaminated waste means the same as biomedical waste as defined in this Chapter.
15. Cosmetic tattooing means the same definition as “Tattooing” below.
16. Department means the Arizona Department of Health Services.
17. Disinfection means the destruction or inactivation or removal of disease-causing microorganisms on inanimate objects or surfaces, thereby rendering these objects safe for use or handling.
18. Ear piercing means the puncturing of the outer perimeter or lobe of the ear with a pre-sterilized single-use needle following manufacturer's instructions. All ear-piercing studs and clasp guns or systems must be capable of being sterilized.
19. Equipment means all machinery, including fixtures, containers, vessels, tools, devices, implements, furniture, display and storage areas, sinks, and all other apparatus and appurtenances used in connection with the operation of a body art establishment.

20. Event-related shelf-life is based on the principle that specific events, not time, are responsible for sterile products that are sterilized in an approved manner at a licensed Body Art establishment from becoming contaminated. The shelf life of a packaged sterile item is event-related and depends on:
  - a. The quality of the packaging material
  - b. The storage conditions
  - c. Conditions during transport
  - d. The amount of handling prior to use
21. Hand sink means a lavatory equipped with hot and cold running water under pressure, used solely for washing hands, arms, or other portions of the body.
22. ISO means the International Organization for Standardization.
23. Implantation means to permanently insert or fix an object subcutaneously.
24. Instrument sink means a lavatory used solely for scrubbing instruments and utensils used in body art.
25. Instrument storage area means the area in a body art establishment used in the storage of instruments, linens, and other items used in any body art activity.
26. Instruments used for body art means hand pieces, needles, needle bars, and other instruments that may come in contact with a client's body or may be exposed to bodily fluids during body art procedures.
27. Invasive means entry into the body either by incision or insertion of an instrument into or through the skin or mucosa, or by any other means intended to puncture, break, or compromise the skin or mucosa.
28. Jewelry means any personal ornament inserted into a newly pierced area, which must be made of surgical implant grade stainless steel; solid 14k or 18k white or yellow gold, or raw titanium, which has been properly sterilized prior to use.
29. License as defined in REG. 1-1-6 of this Code.
30. Liquid chemical germicide means a disinfectant or sterilant registered with the U.S. Environmental Protection Agency.
31. Operator means any person who controls, operates, manages, conducts, or practices body art activities at a body art establishment and who is responsible for compliance with these Regulations, whether actually performing body art activities or not. The term includes technicians who work under the operator and perform body art activities.
32. Permanent skin coloring means the same definition as "Tattooing" below.
33. Permit as defined in REG. 1-1-6 of this Code.
34. Physician means a person licensed by the State of Arizona to practice medicine in all its branches and may include other areas such as dentistry, osteopathy, or acupuncture, depending on the rules and regulations particular to Arizona.
35. Public water means water for human consumption that meets the requirements of AAC Title 18, Chapter 4, or AAC R18-11-4 and R18-11-5 or with ARS § 45-811.01 for underground water sources.
36. Procedure area means the area in a body art establishment which contains the workstation, cleaning area, and instrument storage area.

37. Procedure surface means any surface of an inanimate object that contacts the client's unclothed body during a body art procedure, skin preparation of the area adjacent to and including the body art procedure, or any associated work area which may require sanitizing.
38. Sanitization procedure means a process of reducing the numbers of micro-organisms on cleaned surfaces and equipment to a safe level as judged by public health standards and which has been approved by the District.
39. Sharps mean any objects (sterile or contaminated) that may purposefully or accidentally cut or penetrate the skin or mucosa, including, but not limited to, pre-sterilized, single use needles; scalpel blades; and razor blades.
40. Sharps container means a puncture resistant, leak proof container that can be closed for handling, storage, transportation, and disposal and that is labeled with the international bio-hazard symbol.
41. Single use means products or items that are intended for one time, one person use and are disposed of after use on each client, including, but not limited to, cotton swabs or balls, tissues or paper products, paper or plastic cups, gauze and sanitary coverings, razors, piercing needles, scalpel blades, stencils, ink cups, and protective gloves. These items are neither designed nor intended to be cleaned, disinfected, or sterilized for reuse.
42. Sterilization means destruction of all forms of microbial life, including highly resistant bacterial spores.
43. Suspension means the act of hanging the body from large hooks for the purpose of spiritualistic ritual or a test of endurance.
44. Tattooing means 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 and permanent skin coloring such as eyeliner, eyebrows, lip liner, full lip color, re-pigmentation or camouflage.
45. Technician means any person who works under the operator and performs body art activities.
46. Temporary body art establishment means any place or premise operating at a fixed location where an operator performs body art procedures for no more than seven (7) days consecutively in conjunction with a single event or celebration.
47. Universal precautions means a set of guidelines and controls, published by the Centers for Disease Control and Prevention (CDC), as "Guidelines for Prevention of Transmission of Human Immunodeficiency Virus (HIV) and Hepatitis B Virus (HBV) to Health Care and Public Safety Workers" in Morbidity and Mortality Weekly Report (MMWR), June 23, 1989, Vol.38, No. S 6, and as "Recommendations for Preventing Transmission of Human Immunodeficiency Virus and Hepatitis B Virus to Patients During Exposure Prone Invasive Procedures", in MMWR, July 12, 1991, Vol.40, No. RR 8. This method of infection control requires the employer and the employee to assume that all human blood and specified human body fluids are infectious for HIV; HBV; and other blood pathogens. Precautions include handwashing; gloving; personal protective

equipment; injury prevention; and proper handling and disposal of needles, other sharp instruments, and blood and body fluid contaminated products.

48. Workstation means the area in a body art establishment used exclusively in and during the conduct of body art upon a client.

## **SECTION 13-2 PERMITS**

Regulations set forth in Chapter 2, Section 2-1 regarding Permitting Requirements also pertain to this Chapter 13, Body Art.

### **REG. 13-2-1 REQUIREMENTS FOR PREMISES**

- A. Body art establishments shall submit a scale drawing and floor plan of the proposed establishment for a plan review by the District, as part of the Permit Application process. The District shall charge a reasonable fee for this review.
- B. Every workstation, instrument storage area, toilet room, cleaning area and any area in a body art establishment other than the customer waiting area or office, shall be constructed as follows so as to provide a durable smooth, nonabsorbent and washable surface:
1. Floors-constructed of commercially rated continuous sheet vinyl, smooth sealed cement, ceramic tile, or other similar approved materials;
  2. Walls-covered with a semi-gloss or gloss enamel paint, or constructed of fiberglass reinforced panel (FRP), or ceramic tile or other similar materials approved by the District; and
  3. Ceiling-covered with semi-gloss or gloss enamel paint or approved acoustical paneling.
  4. All such walls and ceilings shall be light-colored. For purposes of this Chapter light-colored shall mean a light reflectance value of 70 percent or greater.
  5. All walls, floors, and ceilings shall be maintained in a clean condition.
  6. All procedure surfaces, including client chairs/benches, shall be of such construction as to be easily cleaned and sanitized after each client.
- C. All body art establishments shall be completely separated by solid partitions or by walls extending from floor to ceiling, from any room used for human habitation, any food establishment or room where food is prepared, any hair salon, or any other such activity that may cause potential contamination of work surfaces. Retail sales shall be separated from the procedures area, instrument cleaning and instrument storage areas. <sup>C</sup>
- D. Effective measures shall be taken by the body art operator to protect against entrance into the establishment and against the breeding or presence on the premises of insects, vermin, and rodents. Insects, vermin, and rodents shall not be present in any part of the establishment, its appurtenances, or appertaining premises. <sup>C</sup>
1. Doors opening to the outside shall be tight fitting, self-closing and insect and rodent proof.
  2. Windows capable of being opened shall be effectively screened against entrance of insects with 16 mesh to 25.4 mm (16 mesh to 1 inch) screens or smaller.
- E. There shall be a minimum of 45 square feet of floor space for each operator in the establishment. Each establishment shall have an area that may be screened from public

view for clients requesting privacy. Multiple body art stations shall be separated by dividers, curtains, or partitions, at a minimum. <sup>C</sup>

- F. The establishment shall be well ventilated and provided with an artificial light source equivalent to at least 20-foot candles 3 feet off the floor, except that at least 100 foot candles shall be provided at the level where the body art procedure is being performed, and where instruments and sharps are assembled.
- G. No animals of any kind shall be allowed in a body art establishment except service animals used by persons with disabilities (e.g., Seeing Eye dogs). Fish aquariums shall be allowed in waiting rooms and non-procedural areas. <sup>C</sup>
- H. A separate, readily accessible hand sink with hot and cold running water, under pressure, preferably equipped with wrist or foot operated controls and supplied with dispensed liquid soap, and dispensed disposable paper towels shall be readily accessible within the body art establishment. One hand sink shall serve no more than two workstations within the same room if the hand sink is conveniently located and easily accessible for both workstations. A workstation in a separate room or area shall include a hand sink. <sup>C</sup>
- I. A separate, readily accessible instrument sink with hot and cold running water, under pressure, shall be readily accessible within the body art establishment. The instrument sink shall NOT be located in a toilet room, utility room, or procedure area. <sup>C</sup>
- J. There shall be at least one toilet facility provided in accordance with the International Building Code, Chapter 29 Plumbing Systems. Handwashing sinks with hot and cold running water, dispensed liquid soaps and dispensed disposable paper towels shall be located in each toilet facility. <sup>C</sup>
- K. At least one janitorial service sink shall be required for establishments.
- L. At least one covered waste receptacle shall be provided in each operator area and each toilet room. Receptacles in the operator area shall be emptied daily, and solid waste shall be removed from the premises at least weekly. All refuse containers shall be emptied daily, lidded, cleanable, and kept clean.
- M. A sealable, rigid (puncture-proof) Sharps<sup>®</sup> container, appropriately labeled with the international biohazard symbol, that is strong enough to protect the operator, patrons and others from accidental cuts or puncture wounds must be provided for disposal of sharp objects that come in contact with blood and/or body fluids. <sup>C</sup>
- N. An autoclave (steam or chemical) sterilizer registered and listed with the Federal Food and Drug Administration, used, cleaned and maintained according to the manufacturer's instructions must be at the establishment at all times. In the event the establishment's autoclave is out for repair, another autoclave must be available for use. Sterilizers must be kept clean, in good working order and operated in a clean area. Chemicals used for chemical autoclave shall be stored and disposed of in accordance with applicable local, state and federal regulations. <sup>C</sup>
- O. All instruments and supplies shall be stored in clean, dry, and covered containers.
- P. Reusable cloth items shall be mechanically washed with detergent and bleach and dried after each use. The cloth items shall be stored in a dry, clean environment until used. <sup>C</sup>

**REG. 13-2-2                      TEMPORARY ESTABLISHMENT PERMIT**

- A. Temporary establishment permits may be issued for body art services provided outside of the physical site of a certified facility for the purposes of product demonstration, industry trade shows or education.
  - 1. Temporary establishment permits will not be issued unless all of the following are met:
    - a. The applicant furnishes proof of compliance with REG. 13-4-1 and REG. 13-4-2 relating to operators' permits and certifications.
    - b. The applicant is currently affiliated with a fixed location or permanent facility which, where applicable, is permitted by the appropriate state and/or local jurisdiction.
    - c. The temporary site complies with this Chapter.
    - d. A complete Temporary Body Art Application for permit is submitted.
    - e. Required fee for a Temporary Body Art Establishment permit as approved by the District. The current approved fee schedule for the District is available at District offices as well as available at our website.
  - 2. Temporary permits expire after seven (7) consecutive days or the conclusion of the special event, whichever is less.
  - 3. Temporary establishment permits will not be issued unless the applicant has paid a reasonable fee as set by the District.
  - 4. Temporary establishment permits shall not be transferable from one place to another.
  - 5. Temporary establishment permits shall be posted in a prominent and conspicuous area where they may be readily seen by clients.
- B. If the demonstration is to occur outside of a permitted body art establishment, compliance with all of the requirements of this Chapter, including but not limited to, the following:
  - 1. Readily accessible located hand-washing facilities with germicidal liquid soap, paper towels in a dispenser and hot and cold water under adequate pressure shall be provided. Drainage in accordance with local plumbing ordinances is to be provided. Tuberculocidal single use hand wipes, approved by the District, to augment the hand washing requirements of this section must be available in each booth/ cubicle.
  - 2. A minimum of 80 square feet of floor space shall be provided.
  - 3. There shall be at least 100-foot candles of light at the level where the body art procedure is being performed.
  - 4. Facilities shall properly sterilize instruments and evidence of a spore test performed on sterilization equipment 30 days or less prior to the date of the event, must be provided; or only single use, prepackaged, sterilized equipment obtained from commercial suppliers or manufacturers will be allowed.
  - 5. Ability to properly clean and sanitize the area used for body art procedures is required.
- C. The applicant's demonstration project must be contained in a completely enclosed, non-mobile facility (e.g., inside a permanent building).

- D. If the facility where the temporary demonstration permit is needed is not a permitted body art establishment, the facility must be inspected by the District and a permit issued prior to the performance of any body art procedures.
- E. Temporary establishment permits issued under the provisions of this Chapter may be suspended by the District for failure of the holder to comply with the requirements of this Chapter.
- F. All establishment permits, operator certifications, and the disclosure notice must be readily seen by clients. <sup>C</sup>

**REG. 13-2-3                    TEMPORARY OPERATOR PERMIT**

- A. A temporary permit may be issued by the District for guest artists or for educational, trade show or product demonstration purposes only. The permit is good for no more than seven (7) calendar days.
- B. A person who wishes to obtain a temporary operator permit must submit the request in writing for review by the District, at least thirty days prior to the event. The request should specify:
  - 1. The purpose for which the permit is requested.
  - 2. The period of time during which the permit is needed (not to exceed 7 calendar days per event), without re-application.
  - 3. The fulfillment of operator requirements as specified in Section 13-4 of this Code.
  - 4. The location where the temporary operator permit will be used.
- C. The applicant's demonstration project must be contained in a completely enclosed, non-mobile facility (e.g., inside a permanent building).
- D. If the facility where the temporary demonstration permit is needed is not a permitted body art establishment, the facility must be inspected by the District and a permit issued prior to the performance of any body art procedures.
- E. In lieu of attendance at an annual blood borne pathogens training program given by the District within the past year as specified in this regulation, the applicant may furnish proof of attendance at equivalent training which is acceptable to the District.
- F. Temporary operator permits issued under the provisions of this Chapter may be suspended by the District for failure of the holder to comply with the requirements of this Chapter.
- G. All establishment permits, operator certifications, and the disclosure notice must be readily seen by clients. <sup>C</sup>

**SECTION 13-3                    LICENSES**

The Regulations set forth in Chapter 2, Section 2-1 regarding Licensing Requirements also pertain to this Chapter 13, Body Art.

**REG. 13-3-1                    LICENSE REQUIREMENTS**

- A. In addition to Licensing Requirements outlined in Chapter 2-1, to apply for a license to operate a Body Art Establishment, the following forms and fees must be submitted.
  - 1. Building Division “Certificate of Occupancy,”

2. Body Art Establishment license application, and
  3. Required fee for a Body Art Establishment license as approved by the District.  
The current approved fee schedule for the District is available at District offices as well as available on the Coconino County website.
- B. The license shall not be issued or renewed until the license applicant/holder demonstrates that the sterilization process used is capable of attaining sterilization by monthly spore destruction tests and by chemical test strips. The sterilization process to destroy spores must be received by the District before the permit is issued or renewed. These test records shall be retained by the operator for a period of three (3) years and made available to the District upon request.
- C. The holder of a body art establishment license must only hire operators who have complied with the operator certification requirements of this Chapter.

**SECTION 13-4 CERTIFICATES**

**REG. 13-4-1 OPERATOR CERTIFICATES**

- A. No person shall practice body art procedures without first obtaining an operator certificate from the District. The District shall charge a reasonable fee for such certificates, as set forth in the fee schedule adopted by the Board. <sup>C</sup>
- B. The operator certificate shall be valid from the date of issuance and shall automatically expire in three (3) years from the date of issuance unless revoked sooner by the District in accordance with this Chapter.
- C. Application for an operator certificate shall include:
1. Name.
  2. Social Security and driver's license numbers.
  3. Date of birth.
  4. Sex.
  5. Residence address.
  6. Mailing address.
  7. Phone number.
  8. Place(s) of employment as an operator.
  9. Training and/ or experience.
  10. Proof of attendance at a blood borne pathogen training program (or equivalent), given or approved by the District.
  11. Proof of completion of the Hepatitis B vaccination series, or a written declination on the form provided by the District.
- D. Operator certificates may be issued by the District, after satisfaction of the following requirements:
1. Applicant is free of communicable diseases that may be transmitted to a patron.
    - a. Unless the applicant declines in writing on a form provided by the District, before any operator certification may be issued or renewed, the applicant must be immunized against Hepatitis B. In the event that such information is not obtained and filed in a timely fashion by any



- applicant, the operator certification may be suspended or revoked in accordance with the procedures set forth in these Regulations.
- b. The applicant must begin the Hepatitis B vaccination series prior to being issued an operator certification unless the applicant has previously received the complete Hepatitis B vaccination series and can provide documentation to the District, antibody testing has revealed that the applicant is immune, or the vaccine is contraindicated for medical reasons; or the applicant has declined in writing on a form provided by the District.
2. Applicant is a minimum of eighteen (18) years of age.
  3. Applicant has a minimum of six (6) months experience or training as a body art operator in a duly licensed establishment in Arizona or another state with similar licensing standards.
  4. Applicant has obtained a score of at least eighty (80) percent on an examination of basic sanitation knowledge, pertaining to body art, which will be administered by the District.
- E. No operator certificate shall be issued unless following reasonable investigation by the District, the body art operator has demonstrated compliance with the provisions of this Section and all other provisions of this Chapter.
  - F. All operator certificates shall be conditioned upon continued compliance with the provisions of this Section as well as all applicable provisions of this Chapter.
  - G. All operator certificates shall be posted in a prominent and conspicuous area where they may be readily observed by clients. <sup>C</sup>
  - H. Probationary operator certificates may be issued by the District to operators who have met all the requirements of this Chapter except their prior experience has not been acquired while operating in a duly licensed establishment in Arizona or another state with similar licensing standards to those in Coconino County. Probationary certificates shall be valid for six (6) months. Upon completion of all requirements of this Chapter, a regular operator certificate will be issued for no additional fee.

**REG. 13-4-2 OPERATOR-TRAINEE CERTIFICATES**

- A. A person who is training to become a licensed operator must obtain an operator-trainee certificate from the District. The District shall charge a reasonable fee for such certificates, as set forth in the fee schedule adopted by the Board. <sup>C</sup>
- B. The operator-trainee certificate is valid from the date of issuance and shall automatically expire in one (1) year from the date of issuance unless revoked sooner by the District in accordance with this Chapter.
- C. Application for an operator-trainee certificate shall include the information listed in this Chapter.
- D. Operator-trainee certificates may be issued by the District after satisfaction of the following requirements:
  1. Applicant is free of communicable diseases that may be transmitted to a patron;

- a. Before any operator-trainee certification may be issued, the applicant must be immunized against Hepatitis B unless the applicant declines in writing on a form approved by the District.
  - b. The operator-trainee must begin the Hepatitis B vaccination series prior to being issued an operator certification unless: they have previously received the complete Hepatitis B vaccination series and can provide documentation to the District; antibody testing has revealed that the operator is immune; the vaccine is contraindicated for medical reasons; or if the applicant has declined in writing on a form approved by the District.
2. Applicant must be at least eighteen (18) years of age.
  3. Applicant will work under the direct supervision of an operator licensed in Coconino County by the District.
  4. Applicant has obtained a score of at least eighty (80%) on an examination of basic sanitation knowledge pertaining to body art, which will be administered by the District.
- E. All operator-trainee certificates shall be conditioned on continued compliance with the provisions of this Section as well as all applicable provisions of this Chapter.
  - F. All operator-trainee certificates shall be posted in a prominent and conspicuous area where they may be readily observed by the clients. <sup>C</sup>

**REG. 13-4-3 OPERATOR AND TECHNICIAN REQUIREMENTS AND PROFESSIONAL STANDARDS**

- A. It shall be unlawful for any person to own or operate a body art establishment or to perform body art procedures unless such procedures are performed in a body art establishment with a current license from the District. <sup>C</sup>
- B. All of the following information shall be kept on file on the premises of a body art establishment and available for inspection by the District: <sup>C</sup>
  1. Employee information:
    - a. Full names and exact duties.
    - b. Date of birth.
    - c. Gender.
    - d. Home address.
    - e. Home/work phone numbers.
    - f. Identification photos of all body art operator/technicians.
    - g. Documentation of Hepatitis B immunizations.
  2. Establishment information to be maintained for each body art operator and technician:
    - a. Establishment name.
    - b. Hours of operation.
    - c. Owner's name and address.
  3. A complete description of all body art procedures performed.

4. A record of the types of all instruments and body jewelry, all sharps, and all inks used for any and all body art procedures, including names of manufacturers and serial or lot numbers, if applicable. Invoices or orders shall satisfy this requirement.
  5. A copy of these regulations.
- C. The following information must be prominently displayed in the body art establishment and shall not be altered or defaced in any manner:
1. Body Art Establishment License. <sup>C</sup>
  2. Body Art Operator Certificate for each operator and technician. <sup>C</sup>
  3. Disclosure Statement (Appendix B). <sup>C</sup>
- D. The operator and technician must be a minimum of 18 years of age. <sup>C</sup>
- E. Smoking, eating, or drinking alcoholic beverages, being under the influence of drugs or alcohol by either the operator or client is prohibited in the body art workstation, cleaning area and instrument storage areas. <sup>C</sup>
- F. Operators and technicians shall refuse service to any person who, based on reasonable observation and inquiry, is under the influence of alcohol or drugs. <sup>C</sup>
- G. The operator and technician shall maintain a high degree of personal cleanliness, conform to hygienic practices, and wear clean clothes when performing body art procedures. Before performing body art procedures, operators and technicians must thoroughly wash their hands in hot running water with dispensed liquid soap, then rinse hands and dry with dispensed disposable paper towels. This shall be done as often as necessary to remove contaminants. <sup>C</sup>
- H. In performing body art procedures, the operator shall wear disposable medical gloves. Gloves must be changed if they become contaminated by contact with any non-clean surfaces or objects or by contact with a third person or when interruptions in the procedure occur to prevent cross-contamination. The gloves shall be discarded, at a minimum, after the completion of each procedure on an individual client, and hands shall be washed before the next set of gloves is donned. Under no circumstances shall a single pair of gloves be used on more than one person. The use of disposable medical gloves does not preclude or substitute for handwashing procedures as part of a good personnel hygiene program. <sup>C</sup>
- I. If, while performing a body art procedure, the operator's and technician's glove is pierced, torn, or otherwise contaminated, the procedure delineated in this Chapter shall be repeated immediately. The contaminated gloves shall be immediately discarded, and the hands washed thoroughly before a fresh pair of gloves is applied. Any item or instrument used for body art that is contaminated during the procedure shall be discarded and replaced immediately with a new disposable item or a new sterilized instrument or item before the procedure resumes. <sup>C</sup>
- J. Contaminated waste, as defined in this Chapter, that may release liquid blood or body fluids when compressed or may release dried blood or body fluids when handled must be placed in an approved container marked with the international bio-hazard symbol. It must then be disposed of by a waste hauler approved by the District or, at a minimum, in compliance with 29 CFR Part 1910.1030, "Occupational Exposure to Blood borne

Pathogens." Sharps ready for disposal shall be disposed of in approved sharps containers. Sharps containers must be replaced routinely and not be allowed to overfill.

Contaminated waste that does not release liquid blood or body fluids when compressed or does not release dried blood or body fluids when handled may be placed in a covered receptacle and disposed of through normal, approved disposal methods. <sup>C</sup>

- K. No person shall perform any body art procedure including ear piercing, upon a person under the age of 18 years without the physical presence, consent, and proper identification of a parent, legal custodial parent, or legal guardian. Nothing in this section is intended to require an operator to perform any body art procedure on a person under 18 years of age with parental or guardian consent. <sup>C</sup>
  - 1. Age of ALL patrons must be verified via picture identification and documented prior to the procedure being performed. <sup>C</sup>
  - 2. Picture identification of ALL patrons for verification of age must be photocopied and kept with the patron's paperwork. <sup>C</sup>
- L. No person who is not licensed pursuant to ARS Title 32 shall administer anesthesia during the course of any procedure involving the branding, scarifying, tattooing, implanting, mutilating, or piercing of the body of another person. <sup>C</sup>
- M. Any skin or mucosa surface to receive a body art procedure shall be free of rash or any visible infection. <sup>C</sup>
- N. The skin of the operator and technician shall be free of rash or infection. No person or operator affected with boils, infected wounds, open sores, abrasions, keloids, weeping dermatological lesions or acute respiratory infection (which may include, but is not limited to, the common cold, influenza, pneumonia, and tuberculosis) shall work in any area of a body art establishment in any capacity in which there is a likelihood that that person could contaminate body art equipment, supplies, or working surfaces with body substances or pathogenic organisms. <sup>C</sup>
- O. Operators with Hepatitis B or other blood borne communicable diseases are prohibited from performing body art procedures. <sup>C</sup>
- P. Proof shall be provided upon request of the District that all operators and technicians have either completed or were offered and declined, in writing, the hepatitis B vaccination series. This offering shall be included as a pre employment requirement. A copy of the written declination shall be kept in the District files. <sup>C</sup>

**REG. 13-4-4                      TEMPORARY OPERATOR CERTIFICATES**

- A. Temporary operator certificates may be issued for body art services provided by a guest artist demonstrating body art technique at a permitted establishment.
- B. Temporary operator certificates will not be issued unless all of the following are met:
  - 1. The applicant furnishes proof of compliance with REG. 13-4-1 or 13-4-2 and 13-4-3 relating to operators' certifications.
  - 2. The applicant is currently affiliated with a fixed location or permanent facility which, where applicable, is permitted by the appropriate state and/ or local jurisdiction.
  - 3. A complete Temporary Body Art Application for permit is submitted.

- C. In lieu of attendance at an annual blood borne pathogens training program given by the District within the past year as specified in this Regulation, the applicant may furnish proof of attendance at equivalent training which is acceptable to the District.
- D. Temporary certificates expire after seven (7) consecutive days or the conclusion of the special event, whichever is less.
- E. Temporary operator certificates will not be issued unless the applicant has paid a reasonable fee as set by the District.
- F. Temporary operator certificates shall not be transferable from one place or person to another.
- G. Temporary operator certificates shall be posted in a prominent and conspicuous area where they may be readily seen by clients. <sup>C</sup>

**SECTION 13-5 EAR PIERCING AND JEWELRY**

**REG. 13-5-1 EAR PIERCING SPECIFICATIONS AND REQUIREMENTS**

- A. This Regulation of this Chapter refers to body art establishments that ONLY pierce the ear with a pre-sterilized single-use stud-and-clasp ear-piercing system consistent with the manufacturer’s instructions and applicable U.S. Food and Drug Administration requirements.
- B. Body art establishments that only pierce the ear with a pre-sterilized single-use stud-and-clasp ear piercing system shall comply with ALL Regulations of this Chapter except operator certification requirements and operator trainee certification requirements.
- C. Body art establishments that only pierce the ear with a pre-sterilized single-use stud-and-clasp ear-piercing system shall comply with all of the following:
  - 1. Obtain an ear-piercing operator certification form, from the District for each operator who provides ear piercing. Ear piercing operator certification shall automatically expire in 3 years from the date of issuance unless revoked sooner by the District in accordance with Section 13-9.
  - 2. Obtain and provide proof of attendance at an annual blood borne pathogen training program (or equivalent), given or approved by the District for each operator who provides ear piercing.
  - 3. Obtain and provide proof of completion of the Hepatitis B vaccination series, in accordance with REG. 13-4-1(D) of this Chapter.
  - 4. Obtain and provide proof of age for each operator who provides ear piercing. Operator must be a minimum of eighteen (18) years of age.
- D. All operator blood borne pathogen training certifications shall be posted in a prominent and conspicuous area where they may be readily observed by clients. <sup>C</sup>
- E. A pre-sterilized single-use stud-and-clasp ear piercing system can only be used on ears and no other body parts.
- F. Jewelry inserted into a newly pierced area, must comply with the jewelry requirements cited in this Chapter, and properly sterilized prior to use.
  - 1. Jewelry inserted into a healed piercing must be stored and sterilized, at minimum with 70% isopropyl alcohol, prior to placement.

**REG. 13-5-2 JEWELRY REQUIREMENTS AND PROFESSIONAL STANDARDS**

- A. Jewelry inserted into a newly pierced area, must be made of the following materials, in accordance with the Association of Professional Piercers (APP):
1. Steel that is ASTM F-138 compliant or ISO 5832-1 compliant.
  2. Steel that is ISO 10993-6, 10993-10, and/or 10993-11 compliant (EEC Nickel Directive compliant).
  3. Titanium (Ti6A14V ELI) that is ASTM F136 compliant or ISO 5832-3 compliant.
  4. Titanium that is ASTM F-67 compliant.
  5. Solid 14 karat or higher nickel-free white or yellow gold.
  6. Solid nickel-free platinum alloy.
  7. Niobium (Nb).
  8. Fused quartz glass, lead-free borosilicate or lead-free soda-lime glass.
  9. Polymers including:
    - a. Tygon® Medical Surgical Tubing S-50HL or S-54HL;
    - b. Polytetrafluoroethylene (PTFE) that is ASTM F754-00 compliant; and
    - c. Any plastic material that is ISO 10993-10 and/or 10993-11 compliant and/or meets the United States Pharmacopeia (USP) Class VI material classification.
  10. All threaded or press-fit jewelry must have internal tapping (no threads on posts).
  11. For body jewelry purposes, surfaces and ends must be smooth, free of nicks, scratches, burrs, polishing compounds and metals must have a consistent mirror finish.

**SECTION 13-6 SANITATION**

**REG. 13-6-1 PREPARATION AND CARE OF THE BODY ART AREA**

- A. All procedure surfaces of a body art establishment shall be sanitized before and after each body art procedure.
- B. Before a body art procedure is performed, the immediate skin area and the areas of skin surrounding where the body art procedure is to be placed shall be washed with a germicidal soap and water and cleansed with a 70% isopropyl alcohol or another antiseptic approved by the District.
- C. If shaving is necessary, single use disposable razors or safety razors with single service blades shall be used. Blades shall be discarded after each use, and reusable holders shall be autoclaved after use. Following shaving, the skin and surrounding area shall be washed with a bactericidal soap solution. The washing pad shall be discarded after a single use. <sup>C</sup> If linens or single use disposable paper products are used for any purpose, the following shall apply:
1. Clean linens shall be used for each patron; a common towel is prohibited. <sup>C</sup>
  2. Clean linens, tissues or single-use paper products shall be stored in a clean, enclosed storage area until needed for immediate use. <sup>C</sup>
  3. Used linens shall be stored in a closed or covered container until laundered. <sup>C</sup>

4. Soiled linens may be laundered in a washing machine with laundry detergent and chlorine bleach or by a regular commercial laundry service.<sup>C</sup>
- D. In the event of blood flow, all products used to check the flow of blood or to absorb blood shall be single use and disposed of immediately after use in appropriate covered containers, unless the disposal products meet the definition of biomedical waste (See definition).

**REG. 13-6-2                    SANITATION AND STERILIZATION PROCEDURES**

- A. All non-single-use, non-disposable instruments used for body art shall be cleaned thoroughly after each use by scrubbing with a germicidal soap or disinfectant solution and hot water in an instrument sink to remove blood and tissue residue, followed by cleaning in an ultrasonic unit also operated in accordance with manufacturer's instructions.<sup>C</sup>
- B. After being cleaned, all non-disposable instruments used for body art shall be packed individually in peel packs and subsequently sterilized. All peel packs shall contain either a sterilizer indicator or internal temperature indicator. Sterilized peel packs must be dated with the date in which they were sterilized and re-sterilized if the package is compromised, or an event-related shelf-life practice may be used if sterilized packages are handled using aseptic technique to prevent contamination in accordance with the Centers for Disease Control and Prevention (See Appendix C, CDC Guidelines for Disinfection and Sterilization in Healthcare Facilities, 2008).<sup>C</sup>
- C. Event-related shelf-life only applies to sterilized packages that are properly sterilized at a licensed body art establishment. However, event-related shelf-life shall not apply to commercially sterilized packages. All expiration dates shall be adhered to. Aseptic technique for an event-related shelf-life includes all of the following:
  1. Sterile packages must be stored in a clean and dry washable container with a lid or approved location.
  2. Sterile packages must be stored at least 8 inches from floor surfaces.
  3. Sterile packages must be stored at least 5 inches from a ceiling or at least 18 inches from a sprinkler head.
  4. Sterile packages must be stored at least two inches from an outside wall.
  5. Sterile packages cannot be stored in a rest room, utility room, or under sewer or water lines.
  6. Sterile packages that exhibit tears, cracks, holes, broken seals, evidence of moisture, evidence of poor barrier quality of packaging material, has been dropped on a floor surface, or exhibit the presence of dust or soil from the environment must be immediately re-sterilized.<sup>C</sup>
  7. When using an event-related shelf-life sterilized package, use the oldest dated package first.
- D. All cleaned, non-disposable instruments used for body art shall be sterilized in a steam or chemical autoclave. The sterilizer shall be used, cleaned, and maintained according to manufacturer's instruction. A copy of the manufacturer's recommended procedures for the

operation of the sterilization unit must be available for inspection by the District.

Sterilizers shall be located away from workstations or areas frequented by the public. <sup>C</sup>

- E. Sterile equipment may not be used if the package has been breached or after the expiration date without first repackaging and re-sterilizing. When a seal is broken on bulk items, the individual items must be re-sterilized before use. <sup>C</sup>
- F. Each holder of a permit to operate a body art establishment shall demonstrate that the sterilizer used is capable of attaining sterilization by monthly spore destruction tests. These tests shall be verified through an independent laboratory. In addition, if a chemical autoclave is used, the permit holder shall demonstrate its use to the District upon request and shall keep a log of disposal dates of chemicals, manner of disposal, and dates of each cleaning. The permit shall not be issued or renewed until documentation of the sterilizer's ability to destroy spores and record logs are reviewed by the District. These test records shall be retained by the operator for a period of three (3) years and made available to the District upon request. <sup>C</sup>
- G. After sterilization, the instruments used for tattooing/body piercing shall be stored in a pre-disinfected cabinet or other tightly covered container reserved for the storage of such instruments.
- H. All instruments used for tattooing/body piercing shall remain stored in sterile packages until just prior to the performance of a body art procedure. When assembling instruments used for body art procedures, the operator shall wear disposable medical gloves and use medically recognized techniques to ensure that the instruments and gloves are not contaminated. <sup>C</sup>
- I. All inks, dyes, pigments, needles, and equipment shall be commercially manufactured and approved for performing body art procedures and shall be used according to manufacturer's instructions. The mixing of approved inks, dyes, or pigments or their dilution with water from a public water system is acceptable. Immediately before a tattoo is applied, the quantity of the dye to be used shall be transferred from the dye bottle and placed into single use paper or plastic cups or caps. Upon completion of the tattoo, these single use cups or caps and their contents shall be discarded. <sup>C</sup>

### **REG. 13-6-3                    REQUIREMENTS FOR SINGLE USE ITEMS**

- A. Single use items shall not be used on more than one client for any reason. After use, all single use needles, razors, and other sharps shall be immediately disposed of in approved sharps containers, appropriately labeled with the international biohazard symbol. <sup>C</sup>
- B. All products applied to the skin, including body art stencils, shall be single use and disposable. Products used in application of stencils shall be used and maintained according to the manufacturer's instructions. Products used in the application of stencils shall be dispensed and applied on the area to be tattooed with sterile gauze or in a manner to prevent contamination of the original container and its contents. The gauze shall be used only once and then discarded. <sup>C</sup>



**SECTION 13-7            PROHIBITIONS AND EXEMPTIONS**  
**REG. 13-7-1            PROHIBITIONS**

A. The following acts are prohibited:

1. To perform body art on any body part of a person under the age of 18 without the written consent and physical presence of the parent or legal guardian of such minor. This consent shall be given in person to the body artist or responsible person at the facility by the parent or legal guardian prior to the time application of the body art is to commence. Photographic identification of the parent or legal guardian is required. Proof of parentage by birth certificate, proof of guardianship by court order of guardianship, or a notarized document signed by the parent or legal guardian attesting to the parent's/legal guardian's relationship to the client and consent to the conduct of the contemplated body art activity upon the client shall be given to the operator prior to the procedure. <sup>C</sup>
2. In tattooing or piercing the body of another person, to use a needle or any substance that will leave color under the skin more than once or to use a needle that is not sterilized with equipment used by state licensed medical facilities pursuant to A.R.S. §36, Ch. 4. <sup>C</sup>
3. To use a stud-and-clasp piercing gun or system more than once, unless the gun or system is a pre-sterilized single-use stud-and-clasp ear piercing system or is capable of being disinfected and is actually disinfected after being used. If in the course of the piercing procedure, the gun or system is exposed to blood, it must be autoclaved. <sup>C</sup>
4. To administer anesthesia during the course of any procedure involving the branding, scarifying, tattooing, implanting, mutilating or piercing of the body of another person without a license issued pursuant to A.R.S. title §32. <sup>C</sup>
5. To engage in the business of tattooing, branding, scarifying, implanting, mutilating or body piercing out of a home or an impermanent structure, including a tent, trailer, trunk or other impermanent structure. <sup>C</sup>
6. To perform body art on a person who, in the opinion of the operator, is inebriated or appears to be under the influence of alcohol or drugs. <sup>C</sup>
7. To own, operate, or solicit business as a body art establishment or operator without first obtaining all necessary licenses, permits, certifications, and approvals from the District, unless specifically exempted by this Chapter. <sup>C</sup>
8. To obtain or attempt to obtain any body art establishment license or operator certification by means of fraud, misrepresentation, or concealment. <sup>C</sup>
9. To perform invasive procedures such as suspensions or implantations that do not meet the intent of this Chapter. <sup>C</sup>

**REG. 13-7-2            EXEMPTIONS**

This Chapter does not apply to Physicians licensed by the State of Arizona, who perform either independent of or in connection with body art procedures as part of patient's treatment, are exempt from these regulations.

**SECTION 13-8 PUBLIC NOTIFICATION AND RECORDS**  
**REG. 13-8-1 PUBLIC NOTIFICATION REQUIREMENTS**

- A. Verbal and written public educational information, approved by the District, shall be required to be given to all clients which shall include:
  - 1. Notice that the body art should be considered permanent and removable only by a surgical procedure which may leave permanent scarring and disfigurement; and
  - 2. Instructions, approved by the District, for the aftercare of the body art procedure site. The written instructions shall advise the client to consult a physician at the first sign of infection or unusual or abnormal swelling and shall contain the name, address, phone number and email address of the establishment.
- B. These documents shall be signed and dated by both parties, with a copy given to the client and the operator retaining the original with all other required records.
- C. All establishments shall prominently display a Disclosure Statement, provided by the District, which advises the public of the risks and possible consequences of body art services. The facility permit holder shall also post in public view the name, address and phone number of the District that has jurisdiction over this program and the procedure for filing a complaint. The Disclosure Statement and the Notice for Filing a Complaint shall be included in the establishment License Application Packet.
- D. All infections, complications, illnesses or diseases resulting from any body art procedure that become known to the operator shall be reported to the District by the operator within 24 hours. <sup>C</sup>

**REG. 13-8-2 CLIENT RECORDS**

- A. So that the operator/technician can properly evaluate the client's medical condition for receiving a body art procedure and not violate the client's rights or confidential medical information, the operator or technician shall ask for the information as follows:
  - 1. In order for us to assist you in the healing of your body art procedure, we ask that you disclose if you have or have had any of the following conditions:
    - a. Diabetes.
    - b. History of hemophilia (bleeding).
    - c. History of skin diseases, skin lesions, or skin sensitivities to soaps, Disinfectants, etc.
    - d. History of allergies or adverse reactions to pigments, dyes, or other skin sensitivities.
    - e. History of epilepsy, seizures, fainting, or narcolepsy.
    - f. History of jaundice or Hepatitis within twelve (12) months preceding the date of the operation.
    - g. Use of medications such as anticoagulants, which thin the blood and/ or interfere with blood clotting.
- B. The operator/technician should ask the client to sign a Release Form confirming that the above information was obtained or that the operator technician attempted to obtain the information but was refused by the client. The client should be asked to disclose any

other information that would aid the operator/technician in evaluating the client's body art healing process.

- C. If the client discloses having within the past twelve (12) months a history of jaundice or Hepatitis, the procedure may not be performed. <sup>C</sup>
- D. Each operator and each establishment in which the operator is located shall keep records of all body art procedures administered, including date, time, identification and location of the body art procedure(s) performed, and operator's name. All client records shall be confidential and be retained as a hard copy or electronically for a minimum of three (3) years and made available to the District upon notification.
- E. Nothing in this section shall be construed to require the operator to perform a body art procedure upon a client.

**REG. 13-8-3                      RECORDS RETENTION**

- A. The body art establishment shall keep a record of all persons who have had body art procedures performed. The record shall include all of the following:
  - 1. Name.
  - 2. Date of birth.
  - 3. Address of the client.
  - 4. The date of the procedure.
  - 5. The name of the operator who performed the procedure(s).
  - 6. Type and location of procedure performed.
  - 7. Printed name and written signature of client.
  - 8. If the client is a minor, proof of parental or guardian presence and consent, including all of the following:
    - a. Photo identification of the parent or guardian.
    - b. Name of parent or legal guardian.
    - c. Proof of parentage or legal guardianship through a copy of a birth certificate or court order of guardianship respectively, or a notarized document signed by the parent or legal guardian attesting to the parent's/legal guardian's relationship to the client.
    - d. Consent to the conduct of the contemplated body art activity upon the client.
  - 9. Such records shall be retained as a hard copy or electronically for a minimum of three (3) years and shall be available to the District upon request. The District and the body art establishment shall keep such records confidential. <sup>C</sup>
- B. If a licensee, an employee of the licensee or any other person questions or has reason to question that the person ordering, purchasing, attempting to purchase or otherwise procuring or attempting to procure a body art procedure is a minor (under the age of 18 years), the licensee, employee of the licensee or other person shall do all of the following:
  - 1. Demand identification from the person.
  - 2. Examine the identification to determine that the identification reasonably appears to be a valid, unaltered identification that has not been defaced.

3. Examine the photograph in the identification and determine that the person reasonably appears to be the same person in the identification.
4. Determine that the date of birth in the identification indicates the person is not a minor.
5. Copy the individual's identification and the copy shall be retained as a hard copy or electronically for a minimum of three (3) years and shall be available to the District upon request.

**SECTION 13-9            ENFORCEMENT AND INSPECTIONS**

**REG. 13-9-1            SUSPENSION OR REVOCATION**

Violation of ARS § 13-3721 (incorporated herein as REG. 13-7-1(A)(1) through REG. 13-1-4(A)(5) and (8) is a class 6 felony. Violation of any other provision of this Chapter is a class 1 misdemeanor and/or may be subject to civil enforcement action. See Chapter 2, Section 2-5 for information on inspections, enforcement, suspension or revocation.

**REG. 13-9-2            INSPECTIONS**

- A. Regulation 13-9-2 follows the guidelines outlined in Chapter 2, REG. 2-5-1 with the addition of the following:
  1. Frequency. The regulatory authority or his/her representatives shall inspect any body art establishment as often as may be necessary to assure compliance with these regulations, but not less than two inspections per year.
  2. A temporary Body Art facility shall be inspected as often as necessary to assure compliance with these regulations, but not less than once per the seven (7) consecutive day duration of the permit.

## APPENDIX A

### UNIVERSAL PRECAUTIONS

The ***UNIVERSAL PRECAUTIONS***, published by the Centers for Disease Control **and Prevention** (CDC), are a set of guidelines which health workers (including PSWs) should employ consistently with all patients/clients, in order to prevent parenteral, mucous membrane, and nonintact skin exposure to bloodborne pathogens.

The following Universal Precautions have been abstracted for their specific relevance to PSWs.

#### 1. Needlestick injuries

Take care to prevent injuries when using needles, scalpels, and other sharp instruments or devices: a) when handling sharp instruments after procedures; b) when cleaning used instruments; c) when disposing of used needles.

Do not recap used needles by hand; do not bend, break, or otherwise manipulate used needles by hand.

Place used needles and other sharp items in puncture-resistant containers for disposal.

Locate these containers as close to the use area as is practical.

<b>NAU Mountain Campus Employee Occupational Exposure Procedure</b>	
Initial Response	<ol style="list-style-type: none"> <li>1. Remove soiled clothing and wash exposed area with soap and water, if appropriate.</li> <li>2. Administer first aid as appropriate to the exposure.</li> </ol>
Immediate Reporting & Medical Evaluation	<ol style="list-style-type: none"> <li>1. Immediately notify attending physician/supervisor of exposure.</li> <li>2. Employee shall present at the NAU Health Center, ER, or Urgent Care for assessment and initial prophylactic treatment, if applicable. If employee goes to a private physician, download the Workers Compensation Physician Information Sheet from <a href="http://hr.nau.edu/sites/default/files/files/workers_comp_info_sheet.doc">http://hr.nau.edu/sites/default/files/files/workers_comp_info_sheet.doc</a></li> <li>3. Employee should present this CARD to treating health care provider.</li> </ol>
Documentation & Follow-Up	<ol style="list-style-type: none"> <li>1. Following the incident, the supervisor must report all employee-related injuries by:               <ol style="list-style-type: none"> <li>I. Fill out the Supervisor’s Report of Injury Form (SRI) and send to NAU HR</li> <li>II. Call State of Arizona, Workers’ Compensation Early Claims Reporting Services at 1-800-837-8583 prior to the end of the shift on the day of the occurrence.</li> </ol> </li> <li>2. For Blood/Body Fluid Exposures: Following the incident, the health care provider shall immediately make available to the affected employee a copy of all the employee’s records relating the treatment and follow up, and if and when available, results regarding the HIV, HBV, and HCV status of the source, to the extent permitted by the law.</li> </ol>

#### 2. Gloves and other protective barriers

Use protective barriers to prevent exposure to blood, body fluids containing visible blood, and other fluids to which Universal Precautions apply. The types of protective barriers used should be appropriate for the procedures being performed and the type of exposure anticipated.

- 3. Hand washing**  
Immediately and thoroughly wash hands and other skin surfaces that are contaminated with blood, body fluids containing visible blood, or other body fluids to which Universal Precautions apply.
- 4. Health problems**  
Health Care Workers who have weeping dermatitis or draining lesions should refrain from all direct patient/client care and from handling patient-care equipment until the condition has cleared.
- 5. Pregnancy**  
Pregnant health care workers are not known to be at greater risk of contracting HIV infection than non-pregnant health care workers. However, they should be especially familiar with, and strictly adhere to, precautions to minimize this risk.

**Excerpted from, “CDC. Update: Universal Precautions for prevention of transmission of human immunodeficiency virus, hepatitis B virus and other bloodborne pathogens in health-care settings”. Morbidity and Mortality Weekly Report, June 24, 1998; 37(24):377-378.**

APPENDIX B



## PUBLIC NOTICE

# Body Art Disclosure Statement

Tattooing, permanent make-up, piercing and other forms of body art may involve possible health risks. Body art could result in:

**Pain, bleeding, swelling, infection, scarring of the pierced area, nerve damage, and/or transmission of communicable diseases such as Hepatitis B & C, HIV/AIDS, etc.**

The Health District encourages potential body art recipients to educate themselves of the risks associated with body art. Take time to discuss body art procedures and sanitation with the operator.

The body art operator must:

1. Clean and disinfect the body art procedure area.
2. Clean the area on the body that will receive body art.
3. Use needles only one time. Ink for tattoos should be dispensed into an ink cap and must be disposed of after body art procedure is finished. Corks, rubber bands, etc. should be cleaned and used only once. Common supplies must be dispensed in a manner that prevents cross-contamination.
4. Use sterilized equipment when performing procedures. Look for sealed & sterilized peel packs.
5. Have an approved sharps container for needle or sharps disposal.
6. Wash hands before procedure(s), at any time hands become contaminated, and after removing gloves.
7. Wear clean disposable single-use gloves that should be changed with each new customer, before and after clean-up and set-up, and as often as necessary during a procedure to prevent cross-contamination.
8. Talk to the body art recipient about proper aftercare of tattoo, piercing, and permanent make-up.
9. Practice "clean" technique to prevent cross-contamination.
10. Have a current body art operator health card and current blood-borne pathogen training.

**If you have questions, please contact Coconino County Health and Human Services at 928.679.8760**

**2625 N. King Street, Flagstaff, AZ 86004**

## APPENDIX C

### Centers for Disease Control and Prevention Guidelines for Disinfection and Sterilization in Healthcare Facilities, 2008

The Guideline for Disinfection and Sterilization in Healthcare Facilities, 2008, presents evidence-based recommendations on the preferred methods for cleaning, disinfection and sterilization of patient-care medical devices and for cleaning and disinfecting the healthcare environment. The entire guidelines can be found on the website: [http://www.cdc.gov/hicpac/Disinfection\\_Sterilization/13\\_11sterilizingPractices.html](http://www.cdc.gov/hicpac/Disinfection_Sterilization/13_11sterilizingPractices.html)

The following Universal Precautions have been abstracted for their specific relevance to event-related shelf-life:

#### Sterilizing Practices

**Overview.** The delivery of sterile products for use in patient care depends not only on the effectiveness of the sterilization process but also on the unit design, decontamination, disassembling and packaging of the device, loading the sterilizer, monitoring, sterilant quality and quantity, and the appropriateness of the cycle for the load contents, and other aspects of device reprocessing. Healthcare personnel should perform most cleaning, disinfecting, and sterilizing of patient-care supplies in a central processing department in order to more easily control quality. The aim of central processing is the orderly processing of medical and surgical instruments to protect patients from infections while minimizing risks to staff and preserving the value of the items being reprocessed<sup>957</sup>. Healthcare facilities should promote the same level of efficiency and safety in the preparation of supplies in other areas (e.g., operating room, respiratory therapy) as is practiced in central processing.

Ensuring consistency of sterilization practices requires a comprehensive program that ensures operator competence and proper methods of cleaning and wrapping instruments, loading the sterilizer, operating the sterilizer, and monitoring of the entire process. Furthermore, care must be consistent from an infection prevention standpoint in all patient-care settings, such as hospital and outpatient facilities.

**Storage.** Studies in the early 1970s suggested that wrapped surgical trays remained sterile for varying periods depending on the type of material used to wrap the trays. Safe storage times for sterile packs vary with the porosity of the wrapper and storage conditions (e.g., open versus closed cabinets). Heat-sealed, plastic peel-down pouches and wrapped packs sealed in 3-mil (3/1000 inch) polyethylene overwrap have been reported to be sterile for as long as 9 months after sterilization. The 3-mil polyethylene is applied after sterilization to extend the shelf life for infrequently used items<sup>967</sup>. Supplies wrapped in double-thickness muslin comprising four layers, or equivalent, remain sterile for at least 30 days. Any item that has been sterilized should not be used after the expiration date has been exceeded or if the sterilized package is wet, torn, or punctured.



Although some hospitals continue to date every sterilized product and use the time-related shelf-life practice, many hospitals have switched to an event-related shelf-life practice. This latter practice recognizes that the product should remain sterile until some event causes the item to become contaminated (e.g., tear in packaging, packaging becomes wet, seal is broken).<sup>968</sup> Event-related factors that contribute to the contamination of a product include bio burden (i.e., the amount of contamination in the environment), air movement, traffic, location, humidity, insects, vermin, flooding, storage area space, open/closed shelving, temperature, and the properties of the wrap material.<sup>966, 969</sup> There are data that support the event-related shelf-life practice<sup>970-972</sup>. One study examined the effect of time on the sterile integrity of paper envelopes, peel pouches, and nylon sleeves. The most important finding was the absence of a trend toward an increased rate of contamination over time for any pack when placed in covered storage<sup>971</sup>. Another evaluated the effectiveness of event-related outdating by microbiologically testing sterilized items. During the 2-year study period, all of the items tested were sterile.<sup>972</sup> Thus, contamination of a sterile item is event-related, and the probability of contamination increases with increased handling.<sup>973</sup>

Following the sterilization process, medical and surgical devices must be handled using aseptic technique in order to prevent contamination. Sterile supplies should be stored far enough from the floor (8 to 10 inches), the ceiling (5 inches unless near a sprinkler head [18 inches from sprinkler head]), and the outside walls (2 inches) to allow for adequate air circulation, ease of cleaning, and compliance with local fire ordinances (e.g., supplies must be at least 18 inches from sprinkler heads). Medical and surgical supplies should not be stored under sinks or in other locations where they can become wet. Sterile items that become wet are considered contaminated because moisture brings with it microorganisms from the air and surfaces. Closed or covered cabinets are ideal but open shelving may be used for storage. Any package that has fallen or been dropped on the floor must be inspected for damage to the packaging and contents (if the items are breakable). If the package is heat-sealed in impervious plastic and the seal is still intact, the package should be considered not contaminated. If undamaged, items packaged in plastic need not be reprocessed.

**COCONINO COUNTY HEALTH AND HUMAN SERVICES  
UNIFIED HEALTH CODE  
CHAPTER 14  
MEDICAL MARIJUANA ESTABLISHMENTS**

SECTION 14-1	GENERAL PROVISIONS
REG. 14-1-1	LEGAL AUTHORITY
REG. 14-1-2	SCOPE
REG. 14-1-3	INSERTIONS AND CHANGES
REG. 14-1-4	DEFINITIONS
SECTION 14-2	GENERAL REQUIREMENTS
REG. 14-2-1	LICENSE REQUIREMENTS
REG. 14-2-2	REQUIREMENTS FOR EDIBLE FOOD PRODUCTS INFUSED WITH MEDICAL MARIJUANA AND PREMISES
REG. 14-2-3	PROHIBITIONS
SECTION 14-3	ENFORCEMENT AND INSPECTIONS
REG. 14-3-1	ENFORCEMENT
REG. 14-3-2	SUSPENSION OR REVOCATION
REG. 14-3-3	RIGHT OF ENTRY
REG. 14-3-4	EXAMINATION CONDEMNATION

**SECTION 14-1 GENERAL PROVISIONS**  
**REG. 14-1-1 LEGAL AUTHORITY**

- A. Pursuant to ARS § 11-251, the Regulations in this Chapter are hereby adopted by the Board and enforced by the District when not in conflict with the general laws of Arizona and specifically ARS Title 36, Chapter 28.1 making certain medical marijuana practices lawful or ARS Title 13, Chapter 34 making certain medical marijuana practices unlawful.
- B. General law as found in AAC R9-17-319 requires that if a dispensary prepares Edible Food Products Infused with Medical Marijuana, then said products must be prepared according to the applicable requirements set forth in AAC Title 9, Chapter 8, Article 1.
- C. Edible Food Products Infused with Medical Marijuana Establishment processors, handlers and retailers must comply with the requirements of Chapter 6 of this Code and Title 9 Health Services, Chapter 17 of the Department of Health Services-Medical Marijuana Program.

**REG. 14-1-2 SCOPE**

- A. The purpose of these Regulations is to regulate Medical Marijuana Establishments in a manner that will protect the public health, safety and welfare; prevent spread of disease; and prevent the creation of a nuisance within Coconino County.

- B. Copies of the above-described AAC rules, adopted by reference herein, are available from the Arizona Secretary of State.

**REG. 14-1-3                    INSERTIONS AND CHANGES**

- A. Regulations contained in Chapter 1 and 2 of this Code also pertain to Chapter 14, Medical Marijuana Establishments.
- B. Specific procedures set forth in Chapter 2 of this Code are modified or added in REG. 14-3-2 of this Chapter 14, Medical Marijuana Establishments.
- C. Plans for Edible Food Products infused with Medical Marijuana Establishments must include a detailed written outline describing how Edible Food Products will be stored, handled, prepared, and served separately from other foods.

**REG. 14-1-4                    DEFINITIONS**

- A. The following definitions shall apply throughout this Chapter, unless a different meaning is clearly indicated by the context:
  - 1. Chief Health Officer means the same as defined in REG. 1-1-6 of this Code.
  - 2. Cultivation Site means the one additional location where marijuana maybe cultivated, infused, or prepared for sale by and for a dispensary.
  - 3. Edible Food Product means a substance, beverage, or ingredient that is used or intended for use or for sale in whole or in part for human consumption.
  - 4. Edible Food Products Infused with Medical Marijuana Establishment means an approved dispensary or cultivation site where food products that are infused with Medical Marijuana are stored, prepared, packaged, or sold.
  - 5. Infusion means incorporation of medical marijuana by means of cooking or blending, into consumable/edible food products.
  - 6. License means the document that authorizes a person to operate a food establishment to process Edible Food Products. Approval is given in accordance with these regulations and is separate from any other licensing requirement that may exist within communities or political subdivisions comprising the jurisdiction.
  - 7. License Holder means the entity that:
    - a. Is legally responsible for the operation of the food establishment where Edible Food Products are produced such as the owner, the owner’s agent, or other person: and
    - b. Possesses a valid license to operate a food establishment where Edible Food Products are produced.
  - 8. Medical Marijuana means marijuana that is approved to be used for medicinal purposes as set forth in ARS § 36-2801.

**SECTION 14-2                    GENERAL REQUIREMENTS**

**REG. 14-2-1                    LICENSE REQUIREMENTS**

- A. Any person operating an Edible Food Products Infused with Medical Marijuana Establishment shall obtain the appropriate annual food license from the District. The

license shall not be issued until the license applicant has obtained written authorization from the Arizona Department of Health Services pursuant to AAC R9-17-319 and demonstrates that the facility and operation comply with all parts of this Code.

- B. The holder of an Edible Food Products Infused with Medical Marijuana Establishment license must only hire certified food handlers and food managers who have complied with the requirements of this Code.
- C. Regulations contained in Chapter 2-1 also apply to this Chapter, Medical Marijuana Establishments.

**REG. 14-2-2                    REQUIREMENTS FOR EDIBLE FOOD PRODUCTS INFUSED WITH MEDICAL MARIJUANA AND PREMISES**

- A. The storage, preparation, packaging, and serving of Edible Food Products shall comply with all parts of this Code.
- B. Packaging that makes the product attractive to children or imitates candy is prohibited. Any Edible Food Product that is made to resemble a typical food product (e.g. brownies, cakes, etc.) must be packaged in opaque (non-see-through) packaging.
- C. Product labeling shall comply with the Food and Drug Administration Labeling laws in addition to the requirements listed in the AAC R9-17-317.
- D. Products that are identified as potentially hazardous foods shall comply with all cooking temperatures, cold holding temperatures, and hot holding temperatures as set forth in Chapter 6, Food and Drink, of this Code.
- E. Edible Food Products will be stored, handled, prepared, and served separately from other foods. The applicant must demonstrate how the processing of edible food products will not have an adverse effect on other food products being processed, stored or dispensed at the food establishment that are not infused with medical marijuana.
- F. Edible Food Products Infused with Medical Marijuana Establishment premises shall comply with all parts of this Code.

**REG. 14-2-3                    PROHIBITIONS**

The following acts are prohibited:

- A. The use of marijuana in the processing of Edible Food Products that is not from an approved source such as a qualifying patient, designated caregiver, or approved dispensary, in accordance with AAC R9-17-316 and R9-17-317(A).
- B. The dispensing of Edible Food Products without proper labeling in accordance with AAC R9-17-317.
- C. The operation of an Edible Food Products Infused with Medical Marijuana Establishment without first obtaining all necessary permits, licenses and approvals from the health authority (i.e. ADHS and the District).
- D. The dispensing of Edible Food Products without obtaining a food establishment license.
- E. The obtaining or attempting to obtain a license to operate an Edible Food Products Infused with Medical Marijuana Establishment by means of fraud, misrepresentation, or concealment.

- F. The emission of dust, fumes, vapors, or hazardous waste into the environment from any licensed establishment where Edible Food Products are prepared or processed.
- G. Any chemical extraction of marijuana within the premises of any licensed establishment where Edible Food Products are prepared or processed.

**SECTION 14-3 ENFORCEMENT AND INSPECTIONS**

**REG. 14-3-1 ENFORCEMENT**

- A. If the Chief Health Officer has reasonable cause to suspect that any food or drink is unwholesome or adulterated, or a communicable disease is or maybe transmitted by an operator, by use of unapproved or malfunctioning equipment, or by unsanitary or unsafe conditions that may adversely affect the health of the public, upon written notice to the owner or operator, may issue an order to immediately suspend the license of the licensed establishment until the Chief Health Officer determines there is no further risk to the public health. Said order shall state the cause for the action.
- B. Violations of any provision(s) of this Chapter is a class 3 misdemeanor and/or may be subject to civil enforcement action. Regulations contained in Chapter 2 of this Code also pertain to Chapter 14, Medical Marijuana Establishments.

**REG. 14-3-2 SUSPENSION OR REVOCATION**

The suspension or revocation of Medical Marijuana Establishment licenses shall include the following:

- A. Licenses issued under the provisions of this Code may be suspended temporarily by the Chief Health Officer for failure of the holder to comply with the requirements of this Code.
- B. Whenever a license holder or operator has failed to comply with any notice of violation or order issued under the provisions of this Code, the operator must be notified in writing that the license is, upon service of this notice, immediately suspended. The notice must also contain a statement informing the permit holder or operator that an opportunity for a hearing will be provided if a written request for a hearing is filed with the Chief Health Officer within five (5) days of the date of notice.
- C. Any person whose license has been suspended may at any time, make application for reinstatement of the license. Within ten (10) days of receipt of a written request, including a statement signed by the applicant that in his or her opinion the conditions causing the suspension have been corrected and submission of the appropriate re-inspection fees, the Chief Health Officer shall reinspect the Edible Marijuana establishment or evaluate documentation provided by an operator. If the applicant is in compliance with the provisions of this Code, the license will be reinstated. Licenses that have been temporarily suspended by the Chief Health Officer under this Code shall be subject to a reinstatement fee.
- D. For repeated or serious violations (any code infraction that threatens the health of the client or operator) of any of the requirements if this Code or for interference with the District personnel in the performance of their duties, a license may be permanently revoked after a hearing. Before taking such action, the Chief Health Officer shall notify

the license holder or operator in writing, stating the reasons for which the permit is subject to revocation and advising the license holder or operator of the requirements for filing a request for a hearing. A license may be suspended for cause, pending its revocation or hearing relative thereto.

- E. The Chief Health Officer may permanently revoke a license after five (5) days following service of the notice unless, within that time period, the License Holder remedies the violation or files a request for a hearing with the Chief Health Officer.
- F. If the License Holder files a written request for a hearing within five (5) days following service of the notice described in subsection D of this Regulation, the Chief Health Officer will conduct a hearing within five (5) days of the written request to determine whether good cause exists to revoke the license.

**REG. 14-3-3                    RIGHT OF ENTRY**

- A. Regulations contained in Chapter 2, REG. 2-5-2 also pertain to this Chapter, Medical Marijuana Establishments.
- B. The Medical Marijuana Establishment shall permit the copying of all records of foods purchased and disposed of.

**REG. 14-3-4                    EXAMINATION CONDEMNATION**

Samples of Edible Food Products may be taken and examined by the Chief Health Officer as often as they deem necessary for the detection of unwholesomeness or adulteration. The Chief Health Officer, may at their discretion, condemn and forbid for sale or cause to be removed or destroyed, food or drink which they deem unwholesome or adulterated in violation of this Code. Any Edible Food Products deemed unwholesome or adulterated will be condemned and discarded in accordance with AAC R9-17-316(C)(4)(i).

**COCONINO COUNTY HEALTH AND HUMAN SERVICES  
UNIFIED HEALTH CODE  
CHAPTER 15  
BOTTLED WATER**

SECTION 15-1	GENERAL PROVISIONS
REG. 15-1-1	LEGAL AUTHORITY
REG. 15-1-2	SCOPE
REG. 15-1-3	INSERTIONS AND CHANGES

SECTION 15-2	ENFORCEMENT AND INSPECTIONS
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**SECTION 15-1    GENERAL PROVISIONS**

Pursuant to ARS §§ 36-136 and 36-184, the Regulations in this Chapter are hereby adopted by the Board and enforced by the District.

**REG. 15-1-1    LEGAL AUTHORITY**

- A. AAC Title 9, Chapter 8, Section 201 through 206 including all revisions, technical corrections, and supplements published as of August 6, 1990, are hereby adopted as part of this Code, Chapter 15, Bottled Water for Coconino County.
- B. The AAC rules adopted by reference in paragraph (A) above includes any and all subsequent amendments therewith.
- C. The Regulations of this chapter are hereby delegated to the Board of Supervisors as referenced in REG. 1-1-3.

**REG. 15-1-2    SCOPE**

- A. The purpose of these Regulations is to regulate the handling of Bottled Water in a manner that will protect the public health, safety and welfare, prevent the spread of disease, and prevent the creation of a nuisance within Coconino County subject to the insertions and changes set forth in REG. 15-1-3 below.
- B. Copies of the above-described AAC rules, adopted by reference herein, are available from the Arizona Secretary of State.

**REG. 15-1-3    INSERTIONS AND CHANGES**

- A. Regulations contained in Chapter 1 and 2 of this Code also pertain to Chapter 15, Bottled Water.

**SECTION 15-2    ENFORCEMENT AND INSPECTIONS**

Regulations and Hearing Procedures contained in Chapter 2 of this Code also pertain to Chapter 15, Bottled Water.

**COCONINO COUNTY HEALTH AND HUMAN SERVICES  
UNIFIED HEALTH CODE  
CHAPTER 16  
CHILDREN’S CAMP**

SECTION 16-1	GENERAL PROVISIONS
REG. 16-1-1	LEGAL AUTHORITY
REG. 16-1-2	SCOPE
REG. 16-1-3	INSERTIONS AND CHANGES
SECTION 16-2	ENFORCEMENT AND INSPECTIONS

**SECTION 16-1 GENERAL PROVISIONS**

Pursuant to ARS § 36-184, the Regulations in this Chapter are hereby adopted by the Board and enforced by the District.

**REG. 16-1-1 LEGAL AUTHORITY**

- A. AAC Title 9, Chapter 8, Section 401 through 403, including all revisions, technical corrections, and supplements published as of August 9, 2002, are hereby adopted as part of this Code, Chapter 16, Children’s Camps for Coconino County.
- B. The AAC rules adopted by reference in paragraph (A) above includes any and all subsequent amendments therewith.
- C. The Regulations of this chapter are hereby delegated to the Board of Supervisors as referenced in REG. 1-1-3.

**REG. 16-1-2 SCOPE**

- A. The purpose of these Regulations is to regulate Children’s Camps in a manner that will protect the public health, safety and welfare, prevent the spread of disease, and prevent the creation of a nuisance within Coconino County as well as to regulate the design, construction, management, and operation of Children’s Camps the issuance of permits, licenses and collection of fees therefore, subject to the insertions and changes set forth in REG. 16-1-3 below.
- B. Copies of the above-described AAC rules, adopted by reference herein, are available from the Arizona Secretary of State.

**REG. 16-1-3 INSERTIONS AND CHANGES**

- A. Regulations contained in Chapter 1 and 2 of this Code also pertain to Chapter 16, Children’s Camp.

**SECTION 16-2 ENFORCEMENT AND INSPECTIONS**

Regulations and Hearing Procedures contained in Chapter 2 of this Code also pertain to Chapter 16, Children’s Camps.