



Des Moines County Public Health

522 North Third Street • Burlington, Iowa 52601
Phone 319-753-8290 or Fax 319-753-8703

DES MOINES COUNTY ORDINANCE #59

AN ORDINANCE ADOPTING CHAPTER 641-46 OF THE IOWA ADMINISTRATIVE CODE FOR THE PURPOSE OF REGULATING TANNING FACILITIES AND DEVICES USED FOR THE PURPOSE OF TANNING HUMAN SKIN THROUGH THE APPLICATION OF ULTRAVIOLET RADIATION IN DES MOINES COUNTY. THIS INCLUDES, BUT NOT LIMITED TO, PUBLIC AND PRIVATE BUSINESSES, HOTELS, MOTELS, APARTMENTS, CONDOMINIUMS, AND HEALTH AND COUNTRY CLUBS.

Be it ordained by the Board of Supervisors of Des Moines County, Iowa

SECTION 1. SHORT TITLE: This ordinance shall be known and may be cited and referred to as the Tanning Facilities Ordinance of Des Moines County, Iowa.

SECTION 2. PURPOSE: That, pursuant to Chapter 641-46 of the Iowa Administrative Code entitled "Minimum Requirements for Tanning Facilities", including any future amendments thereto, is hereby adopted and incorporated by this reference as if fully set forth herein.

SECTION 3. INSPECTIONS:

- a) Inspections shall be conducted annually.
- b) Inspections shall include the following areas: proper operation and maintenance of devices, review of required records and training documentation, operator understanding and competency, and the requirement of these rules.
- c) Inspection Cost.
 - 1. Inspection costs shall be established by resolution of the Board of Supervisors after recommendations by the Des Moines County Board of Health.
- d) Inspection cost shall be due upon receipt.

SECTION 4. TRAINING OF OPERATORS:

- a) No individual shall begin functioning as an operator unless the individual has satisfactorily completed a training program. It will be the responsibility of the Tanning facility to ensure compliance of training as outline in IAC 641-46.
- b) Operator shall be at least 16 years of age.
- c) Operators shall complete the required training and testing every five years.

SECTION 5. TESTING COST:

- a) Operators shall pay a fee, provided for by resolution of the Board of Supervisors, each time a tanning facility operator test is taken to complete the required training and testing as an operator.

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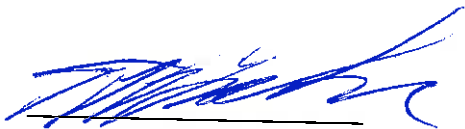
SECTION 6. ENFORCEMENT: This ordinance shall be enforced by the Des Moines County Board of Health or its agent as required in the Iowa Administrative Code Chapter 641-46 (136D) Minimum requirements for Tanning facilities. Tanning facilities which are in compliance with these rules are not relieved from the requirements of any other federal and state regulations or local ordinances.

SECTION 7. PENALTIES: Any person, firm, partnership, corporation, landowner, or other entity who violates any regulation in or any provision of this Ordinance or of any amendment or supplement thereto, shall be guilty of a county infraction and subject to the imposition of a civil penalty of no more than \$500 or other appropriate relief to abate or halt the violation as provided for in Des Moines County Ordinances.

SECTION 8. SEVERABILITY CLAUSE: If any section, provision, or part of this Ordinance shall be judged invalid or unconstitutional, such adjudication shall not affect the validity of this Ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 9. EFFECTIVE DATE. This ordinance shall be in effect after final passage, approval and publication as provided in the Code of Iowa 331.302.

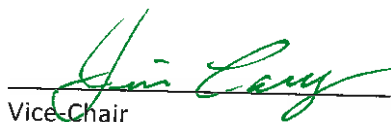
PASSED AND ADOPTED THIS 35 day of August, 2020. Effective by Publication on 3rd day of September, 2020



Chairperson
Des Moines County Board of Supervisor

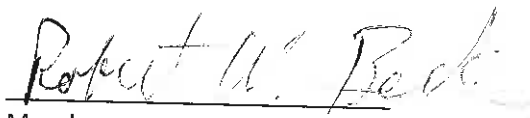


Chairperson
Des Moines County Board of Health



Vice-Chair
Des Moines County Board of Supervisor

APPROVED
RB AUG 25 2020
BOARD OF SUPERVISORS



Member
Des Moines County Board of Supervisor