

**TOWNSHIP OF LOWER MERION**

**HEALTH COMMITTEE**

**Wednesday, March 6, 2019  
6:00 PM (Approximately)**

Chairperson: Michael F. McKeon  
Vice Chairperson: Rick Churchill

AGENDA

1. **REAPPOINTMENT TO THE HEALTH ADVISORY COUNCIL**
  
2. **AUTHORIZATION TO ADVERTISE PROPOSED ORDINANCE - CHAPTER 90, HEALTH AND SANITATION - BODY PIERCING REGULATIONS**



## **AGENDA ITEM INFORMATION**

### **ITEM: REAPPOINTMENT TO THE HEALTH ADVISORY COUNCIL**

Consider for recommendation to the Board of Commissioners reappointing Eddy Bresnitz to an additional four-year term on the Health Advisory Council, such term to expire January 2023.

### **PUBLIC COMMENT**



## AGENDA ITEM INFORMATION

### ITEM: AUTHORIZATION TO ADVERTISE PROPOSED ORDINANCE - CHAPTER 90, HEALTH AND SANITATION - BODY PIERCING REGULATIONS

Consider for recommendation to the Board of Commissioners authorizing the Township Secretary to advertise notice of intent to adopt an Ordinance to amend the Code of the Township of Lower Merion Chapter 90, Health And Sanitation, Article II, Tattooing And Body Piercing, by the addition of a new Section 90-4.7.1, to provide special regulations applicable to body piercing.

## PUBLIC COMMENT

### ATTACHMENTS:

Description	Type
<input type="checkbox"/> Issue Briefing	Issue Briefing
<input type="checkbox"/> Proposed Ordinance	Ordinance

**TOWNSHIP OF LOWER MERION**

*Health Committee*

**Issue Briefing**

**Topic:** Regulation of body piercing  
**Prepared By:** Thomas J. Walsh, Public Information Officer  
**Date:** March 1, 2019

- I. Action To Be Considered By The Board:**  
Authorize the Township Secretary to advertise notice of intent to adopt an ordinance amending the Code of the Township of Lower Merion, Chapter 90, Health and Sanitation, Article II, Tattooing and Body Piercing, by the addition of a new Section 90-4.7.1, to provide special regulations applicable to body piercing.
  
- II. Why This Issue Requires Board Consideration:**  
The Health Advisory Council has drafted amendment language regarding the practice of body piercing, to be added to the existing Township Code regarding Tattooing and Body Piercing. In keeping with the current definition of body piercing in the Township Code, the piercing of the lobes of the ears shall be specifically excluded from the purview of these regulations.
  
- III. Current Policy Or Practice (If Applicable):**  
N/A
  
- IV. Other Relevant Background Information:**  
The Health Advisory Council drafted and unanimously approved the language, which was reviewed by the Township Solicitor, stating that special regulations be adopted for body piercing that address specific and limited types of needles that can be used in the practice, as well as specific and limited types of materials and jewelry that may and may not be used for “starter piercing.”
  
- V. Impact On Township Finances:**  
N/A
  
- VI. Staff Recommendation:**  
Staff recommends authorizing the advertisement of this proposed ordinance.

**AN ORDINANCE**

**NO. \_\_\_\_\_**

**AN ORDINANCE To Amend The Code Of The Township Of Lower Merion Chapter 90, Health And Sanitation, Article II, Tattooing And Body Piercing, By The Addition Of A New Section 90-4.7.1, To Provide Special Regulations Applicable To Body Piercing.**

The Board of Commissioners of the Township of Lower Merion hereby ordains:

**Section 1.** The Code of the Township of Lower Merion, Chapter 90, Health and Sanitation, Article II, Tattooing and Body Piercing, shall be amended by the addition of a new §90-4.7.1, Special regulations applicable to body piercing, to provide as follows:

Article II. Tattooing and Body Piercing

\* \* \* \* \*

§ 90-4.7.1. Special regulations applicable to body piercing.  
In addition to the other regulations set forth in this chapter, the following additional regulations shall apply to body piercing:

- A. The only needles allowed to be used for body piercing are those designated as Hollow, Curved, or Cannula. The use of a dermal punch is not permitted.
- B. The jewelry to be used for starter piercing must be one of the following:
  - (1) surgical grade stainless steel, such as 316L or 316LVM (unless the client is sensitive to nickel)
  - (2) Surgical implant titanium, such as Ti6A14V ELI
  - (3) Niobium, such as 99.9% or 999 Niobium
  - (4) Tygon, a surgical plastic
- C. Under no circumstances may the following types of jewelry be used for starter piercing:
  - (1) Sterling Silver
  - (2) Gold of any karat
  - (3) Costume jewelry
  - (4) Plated Gold
  - (5) Bone, wood, or other absorbent jewelry

\* \* \* \* \*

**Section 2.** Nothing in this Ordinance or in the Code of the Township of Lower Merion, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing prior to the adoption of this amendment.

**Section 3.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of this court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this ordinance. It is hereby declared to be the intent of the Board that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

**Section 4.** This Ordinance shall take affect and be in force from and after its approval as required by law.

Approved by the Board this      day of      , 2019.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF LOWER MERION

\_\_\_\_\_  
Daniel S. Bernheim, President

ATTEST:

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Jody L. Kelley, Secretary