

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

To: Shawn Stewart
4913 – 59 Avenue
Taber, Alberta T1G 1E8

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

Shawn Stewart Tattoo
4913 – 59 Avenue
Taber, Alberta

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above noted Personal Services Facility pursuant to the provisions of the **Public Health Act**, RSA 2000, c. P-37, as amended;

AND WHEREAS such inspection disclosed that the following conditions exist in and about the above noted personal services facility which are or may become injurious or dangerous to the public health or which might hinder the prevention or suppression of disease, namely:

- a. The owner did not obtain health approval prior to operating the personal services facility.
- b. The facility was not maintained in a clean and sanitary manner. Tattoos are being conducted in the kitchen of a rental suite.
- c. The facility did not have work surfaces that are smooth, non-porous and easy to clean.
- d. The facility did not have storage space for “clean” instruments and supplies.
- e. The facility did not have a designated stainless steel hand sink installed in or readily accessible to the service provision area.
- f. The facility did not have a second stainless steel sink provided to be used for cleaning equipment.
- g. The facility did not have appropriately sized plastic sheaths for covering the tattoo machine and cord.
- h. The facility was not separate from sleeping, dining, bathing, washroom or food preparation areas.
- i. The facility did not have equipment that was clean and in clean and sanitary condition.

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

- a. The owner did not obtain health approval prior to operating the personal services facility. This is in contravention to Part I of the Health Standards and Guidelines for Personal Services.
- b. The facility was not maintained in a clean and sanitary manner. Tattoos are being conducted in the kitchen of a rental suite. This is in contravention to Section 5 of the Regulation.

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- c. The facility did not have work surfaces that are smooth, non-porous and easy to clean. This is in contravention to Section 3 of the Regulation.
- d. The facility did not have storage space for “clean” instruments and supplies. This is in contravention to Section 3 of the Regulation.
- e. The facility did not have a designated stainless steel hand sink installed in or readily accessible to the service provision area. This is in contravention to Section 4(1) of the Regulation.
- f. The facility did not have a second stainless steel sink provided to be used for cleaning equipment. This is in contravention to Section 4(2) of the Regulation.
- g. The facility did not have appropriately sized plastic sheaths for covering the tattoo machine and cord. This is in contravention to Part III Section 2(f) of the Health Standards and Guidelines for Tattooing.
- h. The facility was not separate from sleeping, dining, bathing, washroom or food preparation areas. This is in contravention to Section 5 of the Regulation.
- i. The facility did not have equipment that was clean and in clean and sanitary condition. This is in contravention to Section 6(1) of the Regulation.

AND WHEREAS by virtue of the foregoing, the above noted premises are hereby declared to be **closed**;

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the Owner immediately close the above noted personal services facility
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted personal services facility, namely:
 - a. Obtain health approval prior to the operation of this personal services facility.
 - b. Maintain and operate facility in a clean and sanitary manner.
 - c. Ensure that all surfaces in the service provision area are smooth, non-porous and easy to clean.
 - d. Designate an approved area for the storage of “clean” instruments and supplies.
 - e. Install a stainless steel sink equipped with soap and paper towels that is used only by staff and clients for washing hands.
 - f. Install a second stainless steel sink to be used only by staff for cleaning equipment.
 - g. Ensure that equipment such as the tattoo machine, clip cord and spray bottles are protected by contaminants by using appropriately sized disposable plastic sheaths.
 - h. Designate a service provision area that is separate from any sleeping, dining, bathing, washroom or food preparation areas.
 - i. Maintain all equipment in good repair and in a clean and sanitary condition.
3. That, until such time as the work referred to in paragraph two is completed to the satisfaction of the undersigned, or an executive officer of Alberta Health Services, the above noted premises shall remain **closed**.

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Dated at Lethbridge, Alberta, this 17th day of May, 2010.

A. Hohne; B.Sc, B.Tech., CPHI(C)
Executive Officer/Public Health Inspector
Alberta Health Services

Section 5(2) of the Public Health Act provides that a person who is directly affected by this Order and considers himself or herself aggrieved hereby may appeal the same to the Public Health Appeal Board, 24th Floor, Telus Plaza North Tower, 10025 Jasper Avenue, Edmonton AB T5J 2N3, within ten (10) days. The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal.

The Owner is advised that the Public Health Act empowers Alberta Health Services to carry out the terms of this Order on the Owner's behalf and at the Owner's expense should the Owner fail to comply with the terms hereof.

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