



TO: Members of the Board of Health

FROM: Charles E. Sepers, Jr., Health Officer
Darrin M. Glad, Assistant City Attorney

DATE: September 1, 2023

RE: Chapter 9 Updates Relating to Tattoo and Body Piercing Licenses

The Health Department serves as an agent for the Wisconsin Department of Safety and Professional Services (DSPS) Body Art Program. As mandated by Wisconsin state law, we are responsible for issuing permits, as well as establishing enforcement and appeal mechanisms for the permitting process. These responsibilities are outlined in the Municipal Code of the City of Appleton, specifically Sections 9-850 to 9-870.

State oversight of tattoo and body piercing businesses is governed by the Wisconsin Administrative Code SPS 221. Before the introduction of this state regulation, the City of Appleton had its own localized rules to oversee these establishments. Although we have updated our local ordinances to align with the state regulations, some legacy language remains. This outdated language leads to redundancy and, in certain cases, conflicts with SPS 221.

This need for revision has come to light following a request by a practitioner to operate a Temporary Establishment during an event at the Fox Cities Exhibition Center. Under the current local code, Temporary Establishments are prohibited. However, Assistant City Attorney Glad has advised that this prohibition conflicts with state regulation SPS 221. Consequently, we must revise our ordinances to accommodate such licenses.

In addition to this, other amendments aim to remove lingering language from the time when we used to issue practitioner licenses along with establishment licenses. It is important to note that DSPS now exclusively manages the licensing of all practitioners.

Below, you will find the revised ordinance language as well as details regarding the newly introduced license categories and corresponding fees for Temporary Establishments.

Environmental Health Fee Schedule Additions

Activity Code	Description	Fee
364	Temporary Body Piercing Establishment	\$ 180.00
365	Temporary Combined Tattoo and Body Piercing Establishment	\$ 220.00
366	Temporary Tattoo Establishment	\$ 180.00

Thank you for your attention to these critical updates. We strive to maintain a coherent and streamlined regulatory framework that aligns with state law.

If you have any questions or concerns, please do not hesitate to get in touch.

Charles E Sepers, Jr, PhD, MPH
Health Officer | Director Appleton Health Department