

COUNCIL OF THE CITY OF PHILADELPHIA
PUBLIC HEARING AND PUBLIC MEETING
BEFORE COUNCIL COMMITTEE ON
PUBLIC HEALTH AND HUMAN SERVICES

- - -
Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, 02/28/01
3:00 p.m.
- - -

BILL 000063 - Amending Chapter 6-400 of the
Philadelphia Code relating to miscellaneous
standards and requirements of the Health Code by
prohibiting tattooing, body piercing, and body art
establishments from providing services to minors
without parental consent, and by requiring such
establishments to operate in accordance with
regulations promulgated by the Board of Health for
the purpose of preventing injury and the spread of
communicable disease, all under certain terms and
conditions

PRESENT: COUNCILWOMAN MARIAN B. TASC0, Chair
COUNCILMAN FRANK DICICCO
COUNCILMAN W. WILSON GOODE, JR.
COUNCILWOMAN BLONDELL REYNOLDS-BROWN
COUNCILMAN FRANK RIZZO
COUNCIL PRESIDENT ANNA C. VERNA

- - -

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I N D E X

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Page

4

WITNESSES:

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HEALTH DEPARTMENT

7

Randall Hirschhorn, Director of 4
Environmental Health Services

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Richard Zipin, Chief of Environmental 17
Engineering for Environmental Health Services

10

Ronald Rotatori, Primal Urge Salon. 24

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12

Brett Mapp, Co-owner, Inferno Body Piercing 29
South Street

13

14

Bill Funk, Owner, Body Graphics Tattoo. 32
South Street

15

16

Meg Mass, Co-owner, Infinite Body Piercing 38
South Fourth Street

17

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Joanne Page, Concerned Parent 44

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P R O C E E D I N G S

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COUNCILWOMAN TASCO: The Committee of

Public Health and Human Services will please come

to order. I'm Councilwoman Tasco, Chair of the

Committee. We do have a quorum in the presence of

Councilwoman Blondell Reynolds Brown, Councilman

Goode, Council President Verna, and myself.

We'll ask the clerk to please read the

bill.

THE CLERK: Bill No. 000063, an

ordinance amending Chapter 6-400 of the

Philadelphia Code relating to miscellaneous

standards and requirements of the Health Code by

prohibiting tattooing, body piercing, and body art

establishments from providing services to minors

without parental consent, and by requiring such

establishments to operate in accordance with

regulations promulgated by the Board of Health for

the purpose of preventing injury and the spread of

communicable disease, all under certain terms and

conditions.

COUNCILWOMAN TASCO: Good afternoon.

Would you please identify yourself for the record,

please.

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 MR. HIRSCHHORN: Good afternoon, Madam
3 Chairperson and members of the committee and
4 Council President, my name is Randall Hirschhorn
5 Director of Environmental Health Services with the
6 Health Department.

7 COUNCILWOMAN TASCO: Could you speak
8 more into the mic. We can't hear.

9 MR. HIRSCHHORN: Randall Hirschhorn --
10 that's H-I-R-S-C-H-H-O-R-N -- Director of
11 Environmental Health Services with the Health
12 Department. And with me is Mr. Richard Zipin, who
13 is the Chief of Environmental Engineering for
14 Environmental Health Services.

15 COUNCILWOMAN TASCO: Thank you. Do you
16 want to proceed.

17 MR. HIRSCHHORN: Thank you.

18 I am here today to testify in favor of
19 Bill No. 63. Environmental Health Services is
20 responsible for investigating environmental
21 conditions that will lead to the spread of
22 communicable disease or injury. In this role, we
23 respond to requests from the public and the Health
24 Department's Division of Disease Control to
25 investigate complaints of unsafe or unsanitary

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 conditions, such as the transmission of disease or
3 the application of body art to minor children
4 without the permission of their parent or
5 guardian.

6 When the Department first became
7 alerted to the health implications of tattooing
8 thirty-five years ago, there were fewer than five
9 tattooing parlors in the City, and the Department
10 received on average only one complaint every one
11 to two years. Currently, we receive on average
12 one complaint a month, which mirrors the growth of
13 the industry. There are now 40 tattoo parlors
14 listed in the telephone book, a 20 percent
15 increase over the last year. And this year, for
16 the first time, the telephone book provided a
17 category title for body piercing.

18 During our complaint investigation of
19 these facilities, the Department has found
20 operations that range from organized, commercial
21 establishments to those conducted by individuals
22 in their own homes. Without regulation, both the
23 commercial facilities and the in-home operations
24 can pose serious threats to the public health.

25 However, the in-home operations lack

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 even the most minimal sanitary and control
3 facilities. For example, a residence inspected on
4 December 22nd of 2000 revealed the occupant
5 performed body piercing on children by having them
6 lie atop his kitchen table, which was cluttered
7 with his personal and household items, while the
8 family dog walked freely in and out of the
9 kitchen.

10 While the Department has the authority
11 to halt clear threats to the public health under
12 the general provisions of the Health Code, Bill 63
13 will provide us with a more precise regulatory
14 tool to help us ensure that not only those
15 facilities that meet essential sanitary and
16 infection control standards are permitted to
17 operate. The passage of the bill will enable the
18 Department to adopt regulations to establish a
19 minimum acceptable level of care for the patrons
20 of tattoo and body piercing businesses.

21 Without these regulations, there can be
22 no assurance to the public that a blood-borne
23 disease cannot be transmitted to them; nor is
24 there an adequate mechanism for the Department to
25 intervene and prevent the body piercing of minor

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 children without personal permission.

3 Supervision of these facilities can be
4 implemented by the Department of Public Health
5 without additional cost to the citizen of
6 Philadelphia. In view of the relatively small
7 number of existing properly-zoned establishments,
8 the current employment of knowledgeable
9 environmental Health Services inspectional staff
10 and the willingness of legitimate establishments
11 to pay a reasonable fee for the inspection and
12 training of their operators, no additional General
13 Fund revenue will be required.

14 I am be happy to answer any questions
15 that you may have.

16 COUNCILWOMAN TASCO: Thank you very
17 much.

18 Now, would you just briefly tell us
19 what this bill really does.

20 MR. HIRSCHHORN: What the bill will do
21 is provide enabling legislation for the Health
22 Department to develop and implement regulations
23 which will be very specific and precise to
24 tattooing parlors and body piercing
25 establishments. So basically, what the bill will

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 do is permit us to do that.

3 COUNCILWOMAN TASC0: Okay. Are there
4 questions for members of the committee?

5 Councilman Rizzo.

6 COUNCILMAN RIZZO: How do you deal with
7 a situation where a person lives in the suburbs,
8 works in a City facility, a City-owned facility,
9 what have you really accomplished? How do you
10 protect the health of customers when you have no
11 control over that person that's already come to
12 that particular environment with already a body
13 piercing or if they choose to get it across the
14 City limits?

15 MR. HIRSCHHORN: Well, the danger in
16 transmission of blood-borne diseases is to the
17 individual getting the tattoo or getting the body
18 piercing. So if they're coming to Philadelphia to
19 have that done, these regulations will ensure that
20 only those places that meet our standards will be
21 able to provide that.

22 But if Philadelphians go outside the
23 City and go outside of our Health Department's
24 jurisdiction, chances are very good that they will
25 not have similar protection.

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 COUNCILMAN RIZZO: How do you deal --
3 when we generically we say the word "body
4 piercing" -- just recently, I was telling
5 Councilwoman Blondell Reynolds Brown about a
6 situation where I had a food server with a device
7 through her tongue, and I wanted to get up and
8 leave, 'cause it was not the most pleasant
9 experience. Is that also -- is that considered
10 the same level as a body piercing? Would that
11 also be covered here?

12 MR. HIRSCHHORN: No. That is a body
13 piercing very definitely, but it would not be
14 covered under the bill or the proposed
15 regulations. We would handle that through our
16 food regulations, which already prohibit jewelry
17 from coming in contact with food.

18 So if a piercing were uncleanable, if
19 someone, for example, were to have a piercing on
20 their hand and that would interfere with
21 hand-washing as a food handler, we would instruct
22 their management that they would have to remove
23 that.

24 If it's in, say, for example, their
25 cheek, where it would not come into contact with

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 food, unless they're doing something really
3 disgusting, that probably would be okay.

4 But we would evaluate each individual
5 circumstance.

6 COUNCILMAN RIZZO: As a person that's
7 well-versed in this, and hopefully like young
8 people hear or read tomorrow about this problem --
9 how dangerous a procedure is it and how dangerous
10 is it living with a body piercing, especially the
11 one that I saw recently that severed the entire
12 tongue? I guess, you've seen these also I.

13 MR. HIRSCHHORN: Yes.

14 COUNCILMAN RIZZO: I was quite taken
15 back by it.

16 MR. HIRSCHHORN: Right.

17 COUNCILMAN RIZZO: It was -- how
18 serious a medical situation is that?

19 MR. HIRSCHHORN: Well, we have
20 Dr. Carol Johnson with us, who is a medical
21 epidemiologist with the Department, but I can say
22 that of the number of complaints that we get,
23 about half of them are due to infections because
24 the people doing the tattoos or the body piercing
25 are not sufficiently trained, and they don't

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 provide after-care instructions, so infections
3 result. So that can dangerous.

4 COUNCILMAN RIZZO: So if you get by a
5 couple weeks after the procedure, are their risks
6 after the fact? In other words, during the period
7 that infection could occur, once it's a month old,
8 are you out of the woods? Is it just like a safe
9 situation at that point?

10 MR. HIRSCHHORN: No, sir, it's not.
11 What we have found is that mostly every
12 illegitimate operation out there, they either
13 don't have sterilizing equipment or the equipment
14 they have is very antiquated and they don't have a
15 clue as to how to operate it properly. And if
16 you're reusing metal instruments between patients,
17 the risk of hepatitis, sometimes the incubation
18 period will go out as far as 90 days or more. And
19 by that time, the person has been a number of
20 places and they may not even associate it with the
21 body piercing, in which case, it may never be
22 reported it to us.

23 COUNCILWOMAN TASC0: Councilwoman
24 Verna.

25 COUNCIL PRESIDENT VERNA: I'm looking

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 at the bill for the first time. What is the
3 penalty? what would happen if people are not in
4 conformity with the ordinance, Bill No. 63?

5 MR. HIRSCHHORN: Madam President, under
6 the regulations that we have drafted in
7 anticipation of the bill's passage, there are
8 penalties that already exist in the Health Code,
9 which would be monetary fines up to, and
10 including, court hearings to prevent an operator
11 who's really in serious violation from being able
12 to continue. For the first time, there is
13 licensing requirements for the operators as well
14 as the establishment, and those could be revoked,
15 which would in effect prevent them from continuing
16 to operate.

17 COUNCIL PRESIDENT VERNA: So you would
18 be able to close their business down completely?

19 MR. HIRSCHHORN: Yes, ma'am.

20 COUNCIL PRESIDENT VERNA: Thank you.

21 COUNCILWOMAN TASC0: What present
22 regulations do we have governing body -- well,
23 maybe tattooing. Body piercing seems to be a
24 fairly new phenomenon, but what regulations do we
25 have governing this now; do we have any?

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 MR. HIRSCHHORN: Yes, ma'am. Council
3 has already considered and passed an ordinance
4 requiring additional zoning, imposing additional
5 zoning requirements before these establishments
6 can locate. Prior to that, they could operate
7 wherever they liked. Now they do have to satisfy
8 various requirements in that way.

9 But as far as specific operations
10 requiring sterilization, about not reusing certain
11 things that could transmit a blood-borne disease,
12 there are no specific regulations. And that's why
13 we're hoping to close that gap.

14 COUNCILMAN RIZZO: May I just follow up
15 on that?

16 COUNCILWOMAN TASCO: Councilman Rizzo.

17 COUNCILMAN RIZZO: Well, correct me if
18 I'm wrong. I recollect that there was either an
19 ordinance or a professional agreement. If a
20 person comes in for a tattoo, are they able to sit
21 down and get it immediately? Or maybe I'm just
22 remembering a conversation where some of the
23 tattoo management would say to a person if they
24 were intoxicated or appeared to be -- to be
25 intoxicated, they'd say, Look, why don't you go

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 home and think about this before do you this.

3 Is that in some ordinance or is that
4 just a professional --

5 MR. HIRSCHHORN: That's a professional
6 standard, and I would say to you that the folks
7 that are here today from the industry are the
8 legitimate operators, and we know that they don't
9 do inebriated people and they don't work on
10 minors, for example.

11 Our concern is not really with them who
12 have the proper equipment; they have the
13 knowledge. Our concern is primarily with those
14 people who are trying to do this, operating out of
15 the their own home, associated with other criminal
16 activities, and there's, right now, no controls
17 over those.

18 COUNCILWOMAN BROWN: Madam Chairwoman?

19 COUNCILWOMAN TASC0: Councilwoman?

20 COUNCILWOMAN BROWN: I'm always
21 interested and curious about how Philadelphia
22 mirrors or does not mirror other cities around the
23 country. And you mentioned in your testimony on
24 Page 1 that there has been a 20 percent increase
25 over the past year. Where does Philadelphia line

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 up? Are we then becoming a leader in this effort
3 or getting in line with what others are cities are
4 doing with regards to this particular ordinance?
5 Can you give us any insight on that?

6 MR. HIRSCHHORN: Yes, I can, ma'am.

7 There current are 12 other states that have
8 similar regulations to what we're proposing. And
9 although Pennsylvania does not have State
10 regulations, I can say that two years ago, when
11 Mr. Zipin was preparing our regulations with our
12 Division of Disease Control, I mentioned to my
13 colleagues in the other health departments in the
14 State that we were developing that.

15 And in that time, they have contacted
16 us, because they're experiencing an increase in
17 tattoo and body piercing establishments coming
18 into their jurisdictions. That's Bucks County,
19 Chester, Montgomery, Erie County; in the western
20 part, Allegheny County, Bethlehem, York. They've
21 all seen this increase.

22 COUNCILWOMAN BROWN: And so they then
23 have acted on the rise in increasing by developing
24 or by implementing or by passing legislation.

25 MR. HIRSCHHORN: Well, they've asked us

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 for copies of ours.

3 COUNCILWOMAN BROWN: Okay.

4 MR. HIRSCHHORN: So that they can begin
5 getting them passed.

6 COUNCILWOMAN BROWN: Very well.

7 MR. HIRSCHHORN: Within their own
8 jurisdictions.

9 COUNCILWOMAN BROWN: Oh, okay. Thank
10 you.

11 MR. HIRSCHHORN: You're welcome.

12 COUNCILWOMAN TASCIO: Councilman
13 DiCicco.

14 COUNCILMAN DICICCO: Thank you, Madam
15 Chair.

16 And I apologize for not being here when
17 you first presented your testimony, so if I ask
18 you any questions that have already been asked, I
19 apologize in advance for that.

20 I notice in your testimony about the
21 growth in the industry, that there is now a
22 category in the yellow pages or telephone
23 directory. Are any of those establishments that
24 are now listed in the current telephone directory,
25 do you know if any of those are not the legitimate

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 establishments? Are these people who are just
3 working out of their homes or businesses that are
4 not up to the code, that you know of?

5 MR. ZIPIN: Yes, Councilman.

6 COUNCILWOMAN TASCO: Would you identify
7 yourself for the record, please.

8 MR. ZIPIN: Oh, yes. My name is
9 Richard Zipin, Z-I-P-I-N. I'm the Chief in the
10 Environmental Engineering Section.

11 The facilities listed in the phone book
12 generally have not been our problem facilities.
13 It's been individuals that have been employed
14 previously by these sites and are now doing work
15 on the side or working out of their home or
16 working out of a make-shift garage and are
17 performing services.

18 These facilities have zoning, and they
19 are licensed facilities in the sense that they
20 have the proper zoning requirements.

21 COUNCILMAN DICICCO: "These," meaning
22 the list that is in the telephone directory?

23 MR. ZIPIN: Correct.

24 Now, there are some jewelry shops that
25 aren't listed here that far perhaps performing

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 services that they not fully equipped to do. So
3 we do have some question with some of those that
4 are listed here, not nearly the number of
5 questions that we have with those facilities that
6 are not listed in the phone book.

7 COUNCILMAN DICICCO: Explain to me if
8 you can what these spin-off businesses are. A
9 former employee or whoever opens his or her shop
10 and works out of their home or a garage, how are
11 they advertising business? Are they doing it by
12 way of --

13 MR. ZIPIN: It appears to be,
14 Councilman, by word of mouth.

15 COUNCILMAN DICICCO: Word of mouth.

16 What do when we find one of those
17 establishments now? What is the procedure?

18 MR. ZIPIN: We immediately respond and
19 conduct an investigation. Where we find that
20 they're working under those conditions, we issue
21 orders. Generally, those conditions are
22 horrendous, as Mr. Hirschhorn pointed out. We
23 issue orders to immediately cease activity, and we
24 notify the people that have contacted us and
25 request the input of other individuals if this

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 person is continuing to perform this service. We
3 also notify the Department of Licenses and
4 Inspections, because they are performing a
5 business activity, we believe, without proper
6 zoning.

7 COUNCILMAN DICICCO: Okay. And should
8 Bill 63 be approved by this committee and
9 ultimately voted on and passed, what will the
10 Department do in terms of educating the public?
11 I'm a potential customer to get a tattoo -- not
12 that I am, but figuratively speaking -- or get my
13 ear pierced or something; how would I know when I
14 walk into the establishment that this is a place
15 that meets the code and is a facility that meets
16 all of the health standards and whatever else we
17 require? How would we go about that?

18 MR. HIRSCHHORN: Well, for the first
19 time, licenses would be required from the Health
20 Department, both for the facility, the physical
21 and sanitary condition of the facilities, as well
22 as separate licenses for the operators, attesting
23 that they have been through our training as well
24 as through their own professional training to
25 operate safely.

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 COUNCILMAN DICICCO: Is there a
3 standard on the training?

4 MR. HIRSCHHORN: We're providing it in
5 our proposed regulations.

6 COUNCILMAN DICICCO: I guess some of
7 the people who are here who have businesses can
8 talk a little bit more about that, what the
9 training is.

10 Thank you.

11 Thank you, Madam Chair.

12 COUNCILWOMAN TASCO: Thank you.

13 Any other questions?

14 COUNCILWOMAN BROWN: Just one final
15 question.

16 In the bill, it speaks to providing
17 services to minors without parental consent. I
18 believe Councilwoman Tasco may have touched on
19 this. Is there a penalty attached to those who
20 violate that provision?

21 MR. HIRSCHHORN: Yes, ma'am. Actually,
22 there is currently a provision in the Pennsylvania
23 Criminal Code --

24 COUNCILWOMAN BROWN: Okay.

25 MR. HIRSCHHORN: -- prohibiting this.

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 But it's considered a relatively low priority in
3 terms of the ability of the police and the
4 District Attorney to dedicate resources.

5 So in consultation with them, what we
6 are doing is establishing civil penalties so that
7 we can move into -- the Health Department can move
8 into court for those establishments that are doing
9 that and impose equal or even more severe
10 penalties.

11 COUNCILWOMAN BROWN: Can you tell us
12 what the penalties are under the Criminal Code?

13 MR. HIRSCHHORN: I believe it's
14 considered a misdemeanor?

15 MR. ZIPIN: I'm not sure.

16 MR. HIRSCHHORN: I'm not sure, but it's
17 not considered a very high level of crime.

18 COUNCILWOMAN BROWN: So is it a fine of
19 some sort?

20 MR. HIRSCHHORN: I think that that's
21 the most -- if there is sufficient resources
22 dedicated to it by a criminal investigator to get
23 a prostitution; whereas, we're not limited in
24 terms of -- we're not stretched investigating
25 crimes.

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 COUNCILWOMAN BROWN: Okay.

3 MR. HIRSCHHORN: So that we can
4 concentrate more on this type of facility and
5 devote the resources necessary to either get them
6 to operate properly or to get them out of
7 business.

8 COUNCILWOMAN BROWN: Very well.

9 Thank you, Madam Chair.

10 COUNCILMAN RIZZO: That's -- I think
11 part of my question's been answered. I was
12 curious on what is available to us presently
13 without this particular legislation, and I think
14 you just explained it.

15 Now, I'm presently working on some
16 legislation to change -- for red light violators,
17 to change it from a criminal to a civil, and we
18 needed some legislation out of Harrisburg. Are
19 you able to create this civil without going to
20 Harrisburg and changing something? Are you going
21 to need enabling legislation to do that?

22 MR. HIRSCHHORN: No, sir. City Council
23 can provide us the enabling legislation we need.

24 COUNCILMAN RIZZO: Without --

25 MR. HIRSCHHORN: Without Harrisburg.

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 COUNCILMAN RIZZO: Without Harrisburg's
3 involvement?

4 MR. HIRSCHHORN: Yes, that's correct.

5 COUNCILMAN RIZZO: The City Solicitor
6 said that?

7 MR. HIRSCHHORN: Well, they have
8 reviewed our regulations, our proposed
9 regulations.

10 COUNCILWOMAN TASC0: I think your issue
11 deals with the motor vehicle, which brings in
12 Harrisburg.

13 COUNCILMAN RIZZO: But we're talking
14 about the Criminal Code also that involves
15 Harrisburg.

16 COUNCILWOMAN TASC0: Well, we have
17 Criminal Code up to a certain amount.

18 MR. HIRSCHHORN: And we're not
19 modifying the Criminal Code; we're just
20 establishing civil penalties, which, as a city, we
21 are permitted to do.

22 COUNCILMAN RIZZO: Okay, I just wanted
23 to --

24 COUNCILWOMAN TASC0: Up to a limit,
25 mm-hmm.

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 COUNCILMAN RIZZO: Thank you.

3 COUNCILWOMAN TASC0: Okay, thank you
4 very much.

5 Are there Mr. -- where's it? Rotatori.
6 (Witness comes forward.)

7 COUNCILWOMAN TASC0: Good afternoon.
8 We need you to identify yourself for the record
9 and to spell your last name.

10 MR. ROTATORI: My name is Ronald
11 Rotatori, R-O-T-A-T-O-R-I.

12 COUNCILWOMAN TASC0: And we notice that
13 you have submitted your testimony, which we will
14 give to the stenographer, and we would like for
15 you to summarize it.

16 (Mr. Rotatari's written testimony
17 attached hereto.)

18 MR. ROTATORI: Thank you.

19 COUNCILWOMAN TASC0: Thank you.

20 MR. ROTATORI: I've been working in
21 this industry for about eight years now and also
22 worked with the City of Wildwood and somewhat with
23 the State of New Jersey as far as regulations.

24 There is a strong need for regulations
25 at this time because the ease of getting into the

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 body piercing business has come to the point where
3 it's totally ridiculous. Any person can dial an
4 800 number and receive a video and be body
5 piercing the next day, without any type of
6 training in regards to sterilization or sanitation
7 procedures that would be required not to transmit
8 any type of virus during the procedure.

9 If we go to the CDC and look up the
10 verbal descriptions of jobs, you will find that
11 the body piercing would be classified as a
12 semi-surgical procedure, number one; and it will
13 be classified as Category 1. This would be along
14 with phlebotomous toxicologists and other people
15 that work -- come in contact with blood, body
16 fluid, and body tissue. The people who come in
17 contact with this body mass should be operating
18 under what's known as blood-borne pathogen
19 standards, or what the standards set by OSHA
20 regulations. These standards apply to anyone in
21 this country, except body piercers who come in
22 contact with this type of body mass. Primarily,
23 the regulations should include operating under
24 these standards.

25 And the other situation is in regards

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 to the minors. I was kind of listening to the
3 testimony earlier in regards to the penalty for
4 piercing minors, and I would like to explain a
5 little situation about what's happening in
6 Wildwood, where it is a criminal offense to pierce
7 minors. If you are caught piercing a minor in
8 Wildwood, you get a ticket, you go to court, you
9 pay a \$300 fine. But the reality of the situation
10 is each of these body piercing shops are
11 generating 3 to \$5,000 for every time they get
12 caught for a \$300 ticket. So it becomes
13 financially worth it to take the risk to pay this
14 ticket for \$300.

15 So if you're going to impose penalties,
16 you need to impose penalties in such a fashion
17 that it's not worth piercing a minor, it's not
18 worth risking the business, it's not worth paying
19 the price for doing the wrong thing.

20 COUNCILWOMAN TASC0: Okay. The limit
21 that Philadelphia has is a \$300 limit, and I
22 imagine the Health Department, if they wanted to
23 go further or become State-regulated, then the
24 fines should be more. So they have a copy of your
25 testimony and certainly would be sensitive to the

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 comments that you've made about that.

3 MR. ROTATORI: Thank you.

4 COUNCILWOMAN TASC0: Thank you very
5 much for your testimony.

6 COUNCILMAN RIZZO: Excuse me.

7 COUNCILWOMAN TASC0: Oh, a question?.

8 COUNCILMAN RIZZO: Could you comment on
9 this. I just thought of this, just sitting here,
10 and the hearings are so interesting and you learn
11 a lot. I'm wondering about self-imposed. How
12 many people do body piercings themselves? In
13 other words, if a person wanted to perform one of
14 these themselves, they get the 800 tape, they
15 learn, and they're going to do it to themselves,
16 would this regulation -- do people -- I guess I'll
17 ask you the question, do people ever do these to
18 themselves?

19 MR. ROTATORI: I suppose there are
20 individuals that would attempt to do this to
21 yourself, but I would like to sit there for a
22 second and think about sticking a needle through
23 your body by yourself. It's a little tough to do.

24 COUNCILMAN RIZZO: Well, there's a lot
25 of people that stick needles in their bodies.

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 MR. ROTATORI: Well, you see, this --
3 you know, I'm sure there are people of that
4 nature. I -- I don't know.

5 COUNCILMAN RIZZO: So you don't know if
6 it might be a common practice?

7 MR. ROTATORI: No, I don't, no. Being
8 from New -- you know, the clientele that we have
9 in our particular situation, these people would
10 not even attempt doing that, but I'm sure it's
11 being done in some places. You can buy a piercing
12 kit, one single piercing kit a from a wholesale
13 outlet, where it has all of the little instruments
14 that you need to do one piercing, and I'm sure
15 people buy these kits and they let their friends
16 do it to them, or they do it to themselves, and
17 I'm sure that does exist.

18 But personally having information on
19 that, I don't.

20 COUNCILMAN RIZZO: And that would be
21 very difficult to regulate, what you just
22 described.

23 MR. ROTATORI: Well, yes, it would be,
24 but my background is being a hair stylist and --
25 prior to being a piercer. You know, you spend

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 \$1200 on school, you take a State test, you got to
3 be regulated by the Health Department, and you see
4 somebody down the street cutting hair in their
5 house, you start calling the Health Department
6 because you've done all of these requirements and
7 they're not. And with regulations -- I'm sure the
8 people in this industry that are performing it
9 correctly under these regulations wouldn't allow
10 the local people to participate in that fashion.

11 COUNCILMAN RIZZO: Thank you.

12 COUNCILWOMAN TASC0: Thank you.

13 Any other questions?

14 (No further questions.)

15 COUNCILWOMAN TASC0: Thank you very
16 much for your time.

17 Is there anyone else here to testify on
18 this bill?

19 (Witnesses come forward.)

20 MR. MAPP: Good afternoon. My name is
21 Brett Mapp, M-A-P-P. I am a co-owner of Inferno
22 Body Piercing, at 618-620 South Street. I'm also
23 Chairman of Marketing for the South Street
24 Headhouse Square District, and I'm the Community
25 Liaison for Fresh Fields Whole Foods Market, at

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 929 South Street.

3 Unfortunately, because of the Fat
4 Tuesday, I did not have a chance to type up my
5 testimony, but I'm here to offer my full support
6 for the bill. I am a legitimate body piercing
7 business that does not pierce anyone under the age
8 of 18 without parental scent. We actually have a
9 separate form for minors, besides our regular
10 form, and we ask that everyone who gets pierced in
11 our shop has to have a photo identification, which
12 we Xerox. Unfortunately, I cannot give this to
13 you 'cause I need this for my records.

14 We also have do have our own care form.

15 And we support this bill because this
16 bill will help us be a legitimate shop and give
17 legitimacy to a profession which, you know, we
18 feel strongly about.

19 I do have a little reservations about
20 the second part of the bill, only because it's a
21 little vague, and it's hard to support regulations
22 when we do not know what the regulations are going
23 to be.

24 But I am here to support the bill.

25 COUNCILWOMAN TASC0: Thank you very

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 much.

3 Would you like to testify?

4 COUNCILMAN DICICCO: Madam Chair, I
5 just want to ask Mr. Brett a question. Thank you.

6 How are you doing?

7 MR. MAPP: All right.

8 COUNCILMAN DICICCO: We've been seeing
9 a lot of each other since yesterday, haven't we?
10 Can't get fat in our position, right? 'Cause all
11 we do is walk around, without eating.

12 The forms that you've circulated, you
13 made these form up yourself?

14 MR. MAPP: Yes.

15 COUNCILMAN DICICCO: So it is not
16 because of any regulation or anything like that,
17 right?

18 MR. MAPP: Um. . .

19 COUNCILMAN DICICCO: Have you ever been
20 able to share these with the Health Department?

21 MR. MAPP: I believe I have shared them
22 with the Health Department, and most of the
23 businesses that are here have forms like this.

24 COUNCILMAN DICICCO: I just want to
25 make sure that we're all on the same page, that if

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 this is something that is acceptable to the Health
3 Department, do we need to modify it in any way? I
4 think this is the appropriate time to do that so
5 that we can incorporate it into the regulations.
6 It's a helpful piece of material, and that's what
7 I'm suggesting that we make sure we do that before
8 we leave.

9 COUNCIL PRESIDENT VERNA: Mr. Zipin --
10 I'm sorry. Mr. Zipin, you were nodding your
11 head. Did you see the forms?

12 MR. ZIPIN: (Off-mic, not entirely
13 audible.)

14 Part of the regulation process will be
15 to get everybody here together to review this.
16 There may be something that's missing that
17 somebody will point out, or perhaps they want this
18 party to change it, but we intend to work on a
19 consensus with the community in developing our
20 regulations, and we see it as being the next step
21 down the line.

22 COUNCILWOMAN TASCO: All right, thank
23 you.

24 MR. FUNK: Hi. My name is Bill Funk.
25 I own Body Graphics Tattoo on South Street. I

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 also am a board member of the South Street
3 Headhouse Square District.

4 I do, in fact, support Part A of your
5 bill, prohibiting any minors from getting tattooed
6 or pierced. I believe, like you mentioned
7 earlier, there is already an ordinance on the
8 books that prohibits minors from being tattooed.

9 I do not body-pierce in the City of
10 Philadelphia or anywhere in the State of
11 Pennsylvania. However, I do have an expertise in
12 tattooing.

13 I do not however, support Part B.
14 Again, as Brett alluded to, I think it is
15 extremely vague and may sort of unfairly impose
16 restrictions that may be kind of costly to us.
17 And as Environmental Service representatives and
18 Health Department reps, Mr. Zipin and his
19 associate, have testified, the problem is not with
20 established business that you find in the City,
21 because we are following certain standards that
22 have been in place in the industry for many
23 years. But, rather, the problem is with what we
24 call bootleg operations, or anybody who's
25 operating underground, whether in their house or

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 some non-established business or commercial
3 location.

4 Your bill is not really addressing the
5 problem, because what you're doing, in fact, is
6 imposing some regulations on people who are
7 already doing what we need to do to make sure that
8 services are provided in a safe and professional
9 and healthy way. Okay, what you're doing is,
10 you're imposing costs on us but, in fact, not
11 addressing the true problem, which is, in fact,
12 people operating out of their houses.

13 From what I understand, the statistics
14 being that there are an average of one complaint
15 per month. So you're telling me that there's 12
16 complaints per year in the City of Philadelphia
17 through the Health Department, and half of those
18 are infections. I would estimate that 100 percent
19 of those 12 cases are coming from places who are
20 not licensed to operate a business in the City of
21 Philadelphia; that they are, in fact, happening in
22 somebody's kitchen, as I heard someone else
23 testify, that a minor got pierced in someone's
24 kitchen, with a dog running around.

25 You are not going to stop that. That,

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 to me, is something that Licenses and Inspections
3 should get involved in, whether it's our business
4 or whether it's somebody performing oral surgery
5 out of their kitchen. You know, I think that the
6 problem there lies in, you know, making sure that
7 these underground businesses do not exist, and if
8 they are reported, that there is proper follow-up,
9 proper enforcement, proper inspection. So that
10 the true risk for the public is addressed and not
11 missed.

12 COUNCILWOMAN TASC0: Thank you.

13 Could we ask Mr. Hirschhorn to come
14 back from the Health Department and respond?

15 (Mr. Hirschhorn returns to witness
16 table.)

17 MR. HIRSCHHORN: Yes.

18 COUNCILWOMAN TASC0: Could you address
19 the concerns raised by the gentleman relative to
20 -- I thought I heard you say that this bill would
21 give you the teeth you need because there
22 presently doesn't exist anything to allow the L&I
23 Department to go into homes and stop this body
24 piercing. Is that true?

25 MR. HIRSCHHORN: The Department of

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 Licenses and Inspections relies on the Health
3 Department when there are business or activities
4 somehow involving the human body. So we generally
5 -- those kinds of complaints are referred to us.
6 And if they are operating in their own home, we do
7 have the authority, under the nuisance provision
8 of the Health Code, to issue orders to tell them
9 to stop that.

10 As I had mentioned before, what Bill 63
11 would also enable us to do is provide higher
12 standards in general for the industry.

13 COUNCILMAN DICICCO: Could you explain.
14 I think I know where you're going with this 'cause
15 this is something similar to what we did with the
16 horse carriage bill. We passed a bill, and then
17 you came back later with the regulations that you
18 suggested that the City impose.

19 And just explain that briefly what the
20 process is. If we pass the bill, which I
21 understand these two gentlemen and the other
22 gentleman said, is rather vague. The fact is,
23 they don't understand what will happen next. The
24 next step is to develop regulations that may not
25 be as vague as the bill appears to be.

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 MR. HIRSCHHORN: Right. The
3 regulations are already in their first-draft
4 stage. The National Environmental Health
5 Association, which has model regulations, has
6 already reviewed ours and found theirs consistent
7 with ours. We have contacted the national
8 associations of the trade, and they have copies,
9 and they have commented.

10 The next step, now that we are this
11 much further along the line, is to send out the
12 draft to those in the Philadelphia community who
13 have not already received them. Some of the
14 businesses have been working with us already,
15 developing these regulations. Now what we'll do
16 is we'll send those to the 40 or so that we know
17 to be legitimate and operating freely and openly.
18 We'll send them copies and we'll ask them to
19 comment and give us any suggestions or
20 recommendations for any modifications. And those
21 will be taken very seriously.

22 We're doing the same process, as you
23 mentioned, with the horse-carriage operators.

24 COUNCILWOMAN TASCO: And since this is
25 Councilman DiCicco's bill, he, I'm sure, will

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 monitor that process.

3 Okay, any other questions?

4 (No further questions.)

5 COUNCILWOMAN TASC0: Thank you very
6 much. Thank you for your testimony.

7 Is there anyone else to testify on this
8 bill? Is there anyone else to testify on this
9 bill?

10 (Witnesses come forward.)

11 MS. MASS: My name is Meg Mass. I'm
12 one of the co-owners of Infinite Body Piercing, at
13 626 South Fourth Street.

14 COUNCILWOMAN TASC0: Would you say your
15 name again.

16 MS. MOSS: My name is Meg Mass,
17 M-A-S-S, and I'm one of the co-owners of Infinite
18 Body Piercing, at 626 South Fourth Street. I'm
19 also a member of the Association of Professional
20 Piercers, which is a national organization of
21 professional piercers.

22 We adhere to very strict guidelines as
23 far as hygiene and training voluntarily. The APP
24 was founded mainly, in fact, to deal with the
25 issue of legislation nationwide. We have been

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 working for several years with various states and
3 city and municipality governments to try and come
4 up with regulations that are appropriate to our
5 industry and that protect not only the health of
6 the community but also of the industry.

7 I have -- I can speak for the other
8 piercers there at Infinite. We do fully support
9 the idea of regulations. We do not pierce anyone
10 under 18 without personal consent already. We
11 have consent forms similar to the ones that Brett
12 has, from Inferno.

13 We pierce 16 and over with parental
14 consent, we are very strict --

15 COUNCILWOMAN TASC0: You have to speak
16 more slowly and into the mic.

17 MS. MASS: We do require very stringent
18 proof of identification for both the piercee and
19 the parents if someone is coming in with parental
20 consent. So we are definitely in support of that
21 part of the bill.

22 We also support the idea of regulations
23 in the industry in general, 'cause we have seen a
24 lot of piercings, not only from people who are
25 piercing out of their homes, but also from some

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 other shops that aren't as interested in keeping
3 up guidelines as far as hygiene and training. So
4 we would like to see some standards involved
5 there.

6 I have a few concerns as far as that
7 goes, though. We need to make sure that piercing
8 and tattooing industry professionals are involved
9 in the regulations. As we've been talking about,
10 as it stands, things are a little bit vague. As
11 long as we're allowed to work with the people who
12 are coming up with the regulations, that would be
13 fine, but we need to make sure that these
14 regulations are going to be adequate and
15 appropriate to the industry. That's my first
16 concern as long. As this is an open process, that
17 would be fine.

18 I also need to be assured that the
19 costs of licensing and inspection are not going to
20 be prohibitory to the industry itself. As Bill
21 was mentioning earlier, if the costs of this are
22 too high, they can be driving the industry prices
23 up, which is going to be taking people back into
24 other people's homes and getting pierced for a
25 cheaper product. So I'd want to make sure of

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 that.

3 In California, this has already been a
4 problem, and they're talking about several-
5 thousand-dollar licensing and inspection fees,
6 which is driving a lot of legitimate businesses
7 out of the industry and allowing people who have
8 money and not necessarily training or best intent
9 to be operating. That's something of a concern.

10 As far as regulating people in their
11 homes, we've been talking as if there's no real
12 way to see what is going on with businesses that
13 are not legitimate that we can't find. In
14 Columbus, Ohio, they have a system for fining
15 businesses that are operating out of homes,
16 garages, that sort of thing, because if someone is
17 pierced in someone else's home, they're eventually
18 going to need some jewelry and they're going to
19 come into another shop. And at that point,
20 another piercer will see the piercing they have,
21 and they can see if there's a bad piercing going
22 on, they can see an infection, they can see scar
23 tissue, that sort of thing.

24 In Columbus, they have instituted
25 mandatory -- I guess they call them "bad piercing

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 encounter forms." If someone comes into my shop
3 with an infection, a scar, a badly-placed
4 piercing, what I have to do legally is say, Okay,
5 where did you get pierced, who did this? Please
6 tell me exactly what you perceive as having
7 happened. And then I give my synopsis of what's
8 going on as -- not being a medical practitioner
9 but as a body piercing professional, explain what
10 I see, and take a photo, if possible, and then
11 submit that form to the Health Department.

12 And then, even if these people are not
13 in the phone book, you are going to start to see a
14 number of complaints coming in at some random
15 address, and that's going to help the Health
16 Department to find people that otherwise would not
17 be, you know, visible.

18 So that's something that you might also
19 want to be considered. There are ways to find
20 these businesses.

21 And one other comment. The earlier
22 discussion about the risk of cross-contamination
23 from people getting needles and piercing
24 themselves at home. That's really not such an
25 issue because what we're dealing here is cross-

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 contamination. People that are working on
3 themselves at home, they're only dealing with one
4 person so they're not going to contaminating
5 themselves at all. What we need to address is
6 people that are getting, you know, that are
7 working on the public or that are working on
8 several friends or working various members of the
9 public, whether it's going to be a high turnover
10 and a lot of blood-borne contamination.

11 COUNCILWOMAN TASCO: Thank you very
12 much.

13 Any questions?

14 COUNCILMAN DICICCO: No. The only
15 suggestion, Madam Chair, I would make -- and thank
16 you for your comments -- is that you speak with
17 the two gentlemen that are here from the Health
18 Department. I'm sure they'll include you on the
19 list of people because we want to be proactive
20 here.

21 MS. MASS: Yes.

22 COUNCILMAN DICICCO: It's not,
23 obviously, directed in any way to stymie your
24 business or the legitimate business. I think it
25 works well for everyone if we can come up with

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 something that addresses the issue of public
3 health. In fact, it may even help your business
4 if can weed out some of the other folks that are
5 there. So I suggest you speak with the two
6 gentlemen in the back before leave today. Thank
7 you.

8 Thank you, Madam Chair.

9 COUNCILWOMAN TASCO: Thank you very
10 much.

11 MS. PAGE: Hi my. Name is Joanne Page
12 (ph.), and I'm here as a mother.

13 Back in December, my 14-year-old
14 daughter came home with her naval pierced, without
15 the permission of me or her father. I was
16 horrified to find out that there are no
17 regulations against this, as far as people doing
18 it in their homes and whatnot.

19 I have an older daughter who I took to
20 an established business and signed consent forms,
21 showed my driver's license, I had to have proper
22 ID for my daughter, and I knew this business. I
23 had been in the business before and seen how it
24 was operating and knew that it was a safe place to
25 have her naval pierced.

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 When my other daughter came home
3 without my permission, I had no idea what the deal
4 was. This man is going by word of mouth
5 throughout the high schools in the area. There's
6 -- he -- and just anybody that shows up he will
7 do. He's not charging what people in established
8 businesses would charge; therefore, teenagers,
9 they don't need their parents' permission and they
10 don't need anything more than a night of
11 babysitting money to afford this.

12 So something needs to be done to stop
13 these people.

14 COUNCILWOMAN TASCIO: Are you from
15 Philadelphia?

16 MS. PAGE: Yes, I am.

17 COUNCILMAN DICICCO: And the business
18 you're speaking to, have you made any complaints
19 to anyone about it yet?

20 MS. PAGE: Oh, I've called everybody I
21 could, I made police reports, I called --

22 COUNCILMAN DICICCO: Speak to the two
23 gentlemen in the back, please, the gentlemen from
24 the Health Department.

25 MS. PAGE: Oh.

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 COUNCILWOMAN TASC0: Councilman Rizzo
3 has a question for you.

4 COUNCILMAN RIZZO: I have a question
5 for the industry, a question.

6 COUNCILMAN DICICCO: They'll be back
7 up.

8 COUNCILMAN RIZZO: They'll be back up,
9 will they?

10 COUNCILMAN DICICCO: Thank you, ma'am.

11 COUNCILWOMAN TASC0: Were you completed
12 with your testimony?

13 MS. PAGE: Yes.

14 COUNCILWOMAN TASC0: Who do you want
15 back?

16 COUNCILMAN RIZZO: Someone from the
17 industry.

18 COUNCILMAN DICICCO: Somebody from the
19 industry? Brett, you want to volunteer? Do you
20 tattooing, Brett, also? Someone who does
21 tattooing? Yeah, Bill?

22 (Witness comes forward.)

23 COUNCILMAN RIZZO: Thank you.

24 Could you please tell me about the
25 indelibility, or whatever word you want to

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 describe. When a person comes in the first time
3 and they have no tattoos at all, do you tell them
4 -- do they realize that this tattoo is pretty
5 much for life? Do they know that once they get
6 one -- and I understand there's a way to get rid
7 of them. The reason I'm interested in this, I had
8 received a letter recently from someone that can't
9 afford to get a tattoo removed.

10 Do the people that come, especially
11 when it's their first, know that this isn't
12 something that you just can't and get taken away
13 almost instantly?

14 MR. FUNK: I think you make a certain
15 assumption about people's intelligence, but I
16 would say yeah, over 90 percent at least would be
17 intelligent enough to have the knowledge that this
18 was a permanent change in their appearance and
19 their body.

20 Like you alluded to, the technology
21 today has sort of reversed that, in the sense that
22 they are removable, with some laser technology.
23 It is very expensive, as you mentioned.

24 So to answer your question, I would say
25 yes, pretty much 99 percent of the population

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 realize that it is a permanent change in their
3 body.

4 In addition, if they don't -- if that
5 assumption isn't already kind of made, we also
6 have on our release form, similar to what Brett
7 has turned in, the wording that that this is a
8 permanent change in your body and that you do
9 realize that. And they have to check each line
10 that they read that they understand it.

11 So, yes, we do go over that information
12 with them, both verbally and in writing. We
13 require them to sign it, that they understand the
14 release form in the sense that they do realize
15 that it's a permanent change.

16 We do not, however, discuss laser
17 removal or any type of removal with them at that
18 time. And that also is in writing.

19 COUNCILMAN RIZZO: If a person who
20 comes five years later to your business and asks
21 for some guidance on getting something taken away,
22 have you ever given that guidance?

23 MR. FUNK: Absolutely, absolutely.
24 There's a doctor in Maryland, his name is
25 Dr. Snyderman (ph.), and I think he is one of the

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 leaders in the industry for laser removal. We
3 occasionally also refer people to the University
4 of Pennsylvania, for instance. They also do some
5 pretty nice laser removal work that I've seen.

6 COUNCILMAN RIZZO: Visible tattoos.
7 Discrimination, employment. Tell me about a
8 person who goes to a major corporation on a summer
9 day, tattoos on their arms.

10 MR. FUNK: I think for the most part
11 stereotypes have been dramatically broken down and
12 kind of minimized. I think years ago, there were
13 certain stigmas that were pretty much associated
14 with a tattooed person. You know, I mean,
15 historically, you know, you could go back in
16 history and, you know, date it back to
17 Constantine, the first holy Roman emperor, and he
18 was the one who said that tattooing was going to
19 be no longer acceptable in his kingdom, so to
20 speak.

21 But today, no, I don't think there are
22 pretty much any stereotypes or stigmas that would
23 prohibit or impede any one individual from gaining
24 employment from any business, and I also would
25 probably consider it to be unconstitutional to

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 have that kind of bias.

3 COUNCILMAN RIZZO: You'd be surprised
4 to know that if there are certain companies that
5 require an employee that has tattoos visible to
6 wear long-sleeved shirts?

7 MR. FUNK: I believe that that wouldn't
8 surprise me to have dress codes in certain
9 business. I think there's probably many
10 businesses that have dress codes, whether it's to
11 present a certain image or to cover up a possible
12 tattoo or scar or something else that might be,
13 you know, viewed publicly.

14 COUNCILMAN RIZZO: So you would agree
15 then that there are companies that might have in
16 the summer a short-sleeved policy.

17 MR. FUNK: It wouldn't surprise me.

18 COUNCILMAN RIZZO: But the employee
19 with tattoos from wrists to shoulder would be
20 required to wear a long-sleeved shirt. That
21 wouldn't surprise you?

22 MR. FUNK: It wouldn't surprise me that
23 companies impose dress codes in their business
24 practices. Whether or not they state for the
25 record that the reason they're imposing those

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 dress codes is because you have a tattoo and they
3 find it distasteful, or you have a scar on your
4 arm and they find that distasteful, or you have
5 too much hair on your arm and they find that
6 distasteful. I would find that surprising if they
7 would admit that publicly.

8 I would not find surprising that they
9 would have a dress code in their business, stating
10 whatever, like you have to wear a suit and tie,
11 you have to wear long sleeves, or you can't wear
12 shorts. That wouldn't surprise me that any
13 business in any state in the country might want to
14 establish a dress code in their business for
15 whatever reason.

16 But, again, it would surprise me that
17 they would state publicly that the reason they
18 have that dress code is because they find your
19 tattoos distasteful or they find the hair on your
20 arm distasteful or they don't like a scar.

21 COUNCILMAN RIZZO: What if tattoo in
22 itself was distasteful? What if it had
23 vulgarity?

24 MR. FUNK: Then I would say that
25 certain people or certain groups would probably be

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 offended, but it's not something that obviously I
3 practice or most professionals in the industry
4 would practice.

5 But, again, that's why I'm kind of
6 alluding towards the real root of the problem
7 being not with established professional businesses
8 who do have ethics and standards and do operate
9 very professionally; it's the problem -- the
10 problem lies with the people operating out of
11 their houses who really need your attention, and
12 that's where you should be focusing your efforts
13 and your time and your money.

14 Obviously, there are, you know, is a
15 limited budget in the Health Department and with
16 Licenses and Inspections, and if you're going to
17 spend X-amount of dollars going after one a month,
18 one complaint a month hypothetically, or maybe
19 twelve cases a year, then I'd say you're misusing
20 some public funds. But, you know, that's for you
21 to decide.

22 COUNCILMAN RIZZO: It -- you're talk --
23 I just -- to end up, I'd like to talk about ethics
24 for a minute, your professional ethics. If a
25 customer came in and wanted a young -- what's the

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 minimum age that you can --

3 MR. FUNK: 18.

4 COUNCILMAN RIZZO: If an 18-year-old,
5 18th birthday, comes into your business and wants
6 vulgarity tattooed, how would you deal with that?

7 MR. FUNK: We do not tattoo vulgarity
8 on an 18-year-old or an 80-year-old. We do not
9 provide tattooing that would be -- that would --
10 that would slander or, you know, have any
11 malicious intent for any group of individuals. So
12 it's not something that we practice, whether you
13 were 18 or whether you were 80.

14 You know, we do recommend that people
15 sort of do think about what they get. In other
16 words, if we do get an 18- or 19- or 20-year-old
17 who obviously -- and this is a common thing --
18 come in and they want a loved one's name tattooed
19 on their arm, well, obviously, you know, we're
20 going to sort of try and guide them to the fact
21 that they may, in fact, you know, this
22 relationship may not exist beyond the length of
23 their tattoo, that the tattoo may last forever but
24 their relationships may not.

25 (Laughter.)

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 COUNCILMAN RIZZO: Or when you're out
3 socially, you make sure that if you were dating a
4 Debbie, you continue to ask that --

5 (Unintelligible, parties talking over
6 each other.)

7 MR. FUNK: That's right. Sometimes we
8 provide T-shirts to that effect, "I'm looking for
9 Debbie."

10 But, you know, to address your ethics
11 question, I think that most people, if they're
12 going to consider themselves to be professionals
13 in the industry, would have some ethics in that
14 regard, and I think giving people the right advice
15 -- in other words, there's many times that we
16 turn away clientele because, number one, we may
17 find that a profanity issue may come about and we
18 don't really want to get involved in something
19 like that, or we may advise them that they are
20 maybe make a poor choice in doing something and
21 perhaps they should think about it another day or
22 two, or whatever the case may be.

23 So, obviously, that sort of monetary
24 gain is not 100 percent of our motivation. We
25 still want our clients to be happy and, obviously,

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063
2 to refer other clientele to your business. You
3 know, and if you don't sort of, at least to a
4 certain extent, portray a certain professional
5 image and, you know, sort of display certain
6 professional ethics, that you're not going to get
7 that clientele.

8 And, again, you know, if people are
9 looking to do -- in other words, if a minor is
10 looking to get tattooed or pierced today and they
11 walk into an established business and they're
12 turned away, like they other are, because of
13 inappropriate age documents or they're not
14 actually old enough, or whatever the case may be,
15 they will find places underground, they will find
16 places in their neighborhoods, in their friends'
17 backyards, okay, that will provide this service
18 for them.

19 And, again, you know I think that is
20 the real threat to the public health.

21 COUNCILMAN RIZZO: Thank you. I
22 appreciate your coming here today. I learned a
23 lot. Thanks.

24 COUNCILWOMAN TASC0: Thank you very
25 much.

1 2/28/01 PUB. HEALTH & HUM. SVCS. - BILL 000063

2 Is there anyone else to testify on this
3 bill? Yes, Mr. Hirschhorn.

4 MR. HIRSCHHORN: Madam Chair, I would
5 just would like to reiterate for the members of
6 the committee that this regulation development
7 will be an open process. The members of the
8 industry who have not already received drafts will
9 receive drafts of the proposals. We will
10 incorporate comments that they have.

11 And also, as far as the licensing fees,
12 Council has always admonished the City agencies to
13 charge fees only to cover our costs. So I can't
14 imagine how we would ever charge a \$7,000 fee, for
15 example. It's going to be for the operating fees,
16 what it costs us to conduct an inspection, the 100
17 or \$150, whatever it is. That's how we set our
18 fees.

19 And we're not trying to be prohibitive;
20 we're just trying to make sure that people who are
21 out there doing this, that there is a level
22 playing field, that just as these gentlemen are
23 professional operators, that they are not hindered
24 by others who want to cut corners, not have the
25 proper equipment, et cetera. That's the purpose.

1 2/28/01 PUB. HEALTH & HUM. SVCS. - PUBLIC MEETING

2 Not to put anybody who's legitimate and
3 trying to operate properly out of business. We
4 certainly don't want to drive tattooing and body
5 piercing underground. We want it to be legitimate
6 under our supervision so that we can assure both
7 the industry and the Health Department that people
8 are not going to get blood-borne diseases or
9 infections.

10 COUNCILWOMAN TASC0: Thank you very
11 much.

12 We will now go into our public meeting.

13 - - -

14 COUNCILWOMAN TASC0: The Chair
15 recognizes DiCicco for a motion.

16 COUNCILMAN DICICCO: Do you gentlemen
17 suggest a rules suspension, or it doesn't it
18 matter? A suspension of the rules?

19 MR. HIRSCHHORN: I'm not familiar with
20 it.

21 COUNCILMAN DICICCO: No? Okay, all
22 right, thank you.

23 Thank you, Madam Chair. I move that
24 Bill No. 63 be reported out of this committee with
25 a favorable recommendation.

1 2/28/01 PUB. HEALTH & HUM. SVCS. - PUBLIC MEETING

2 (Duly seconded.)

3 COUNCILWOMAN TASC0: It has been moved
4 and properly seconded that Bill 000063 be reported
5 out of this committee with a favorable
6 recommendation.

7 All those in favor will signify by
8 saying aye.

9 Is there any opposition?

10 (No opposition.)

11 COUNCILWOMAN TASC0: There being none,
12 the motion is carried.

13 Thank you very much for your time.

14 (Adjourned 4 o'clock p.m.)

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C E R T I F I C A T E

I HEREBY CERTIFY that the foregoing
proceedings of the Council of the City of
Philadelphia of Wednesday, February 28, 2001, were
reported fully and accurately by me, and that this
is a correct transcript of same.

RE: COMMITTEE ON PUBLIC HEALTH AND HUMAN SERVICES
BILL NO. 000063

_____,
JOSEPHINE CARDILLO,
Registered Professional Reporter