

---

**STAFF REPORT TO THE PLANNING & PROTECTIVE SERVICES COMMITTEE  
MEETING OF WEDNESDAY, JUNE 28, 2006**

---

**SUBJECT:** Capital Regional District Bylaw No. 3304, A Bylaw Regulating Tattoo Facilities

**PURPOSE/PROBLEM:**

To update Capital Regional District Bylaw No. 487, A Bylaw Regulating Tattoo Facilities in the Capital Regional District, by replacing it with Capital Regional District Bylaw No. 3304, A Bylaw Regulating Tattoo Facilities in the Capital Regional District.

**HISTORY/BACKGROUND:**

In July 2005, the Chief Medical Health Officer (CHMO) of the Vancouver Island Health Authority (VIHA) requested the Capital Regional District (CRD) amend CRD Bylaw No. 487 regulating tattooing facilities to reflect current health practices and address the tattooing of minors. That request was reviewed at the July 20, 2005 meeting of the Health Facilities Planning Committee with a recommendation to the Capital Regional District Board for approval.

At its September 14, 2005 meeting, the CRD Board directed staff to develop a consultation process for the Board to receive input from the public on this issue and two other public health bylaws/amendments.<sup>1</sup> Given that there are only eight tattoo facilities doing business in the District, VIHA opted to visit each facility to review the bylaw and obtain feedback from these operators. That process is complete and the results are as follows:

- Tattoo facility operators were familiar with the existing bylaw
- VIHA discussed the proposed changes in the bylaw with each operator
- Operators were provided with copies of the proposed changes to the bylaw
- All eight tattoo facility operators had no concerns with the proposed changes

VIHA has advised the CRD that it is common practice in the tattooing industry to not tattoo minors. Reasons given range from *"not having the maturity to conduct the aftercare required"* to *"tattoos will not look good if the body is still growing."* Based on VIHA's canvassing, the changes in the proposed bylaw do not cause concern among tattoo facility operators in the District.

Given the number of changes and renumbering of sections in the bylaw, staff recommends the existing bylaw (No. 487) be rescinded and replaced with a new bylaw (No. 3304).

The following documents are attached for reference:

- Attachment One - briefing document from VIHA summarizing the issue and the canvassing
- Attachment Two - summary of changes between existing and proposed bylaws
- Attachment Three - existing bylaw (No. 487)
- Attachment Four - proposed replacement bylaw (No. 3304)

---

<sup>1</sup> Other items included the Amendment to the Clean Air Bylaw and the Draft Bylaw regulating Tanning Salons

**ALTERNATIVES:**

**1) That the existing Tattoo Bylaw be maintained.**

Maintaining the existing bylaw would not require tattoo operators to follow current health practices nor would there be an age restriction on minors acquiring a tattoo. This alternative is not recommended.

**2) That the replacement Tattoo Bylaw be approved.**

Tattoo operators in the District support the replacement bylaw which reflects current practices and procedures already followed by these establishments. This alternative is recommended.

**FINANCIAL IMPLICATIONS:**

N/A

**SUMMARY/CONCLUSION:**

Capital Regional District Bylaw No. 487, A Bylaw Regulating Tattoo Facilities has not been amended since enactment in 1978. The proposed replacement bylaw reflects concerns that have been brought to the attention of VIHA by both the industry and the public. The proposed changes will better reflect current health practices and address the issue of tattooing of minors.

Upon Board approval, the District will deposit a copy of the replacement bylaw with the Minister of Health as notification of the CRD's intention to adopt the replacement bylaw and rescind the existing bylaw at a future meeting of the Board.

**RECOMMENDATION:**

That approval be granted for First through Third reading of the proposed replacement bylaw, Capital Regional District Bylaw No. 3304, a Bylaw Regulating Tattoo Facilities.

---

Kevin Brewster, Senior Planner  
Health Facilities Planning Division  
Report Writer

---

Jeremy Tate, Senior Manager  
Health Facilities Planning Division

---

Robert Lapham, General Manager Concurrence

---

Kelly Daniels, CAO Concurrence

COMMENTS: