
ARTICLE 20

RULES AND REGULATIONS GOVERNING THE OPERATION OF SUN TANNING FACILITIES

Section 1. Rationale:

Tanning booths and beds are being made available to residents in communities with increasing frequency throughout the United States. Such facilities exist in the Town of Saugus. The booths or beds are potentially more hazardous to the user than sunlamps, due to the intensity of the ultraviolet radiation. The radiation is generally directed at the user's entire body which includes sensitive areas not normally exposed to the sunlight. Overexposure to the ultraviolet radiation may cause premature aging of the skin and skin cancer. No regulations exist to insure that proper bathroom facilities are available for men and women utilizing the booths or beds within the same facility. Therefore, pursuant to the provision of Chapter III, Section 31 of the Massachusetts General Laws, the Board of Health adopts the following regulations which are designed to protect the health of residents in the Town of Saugus. The Board of Health does not recommend the use of tanning facilities due to the potential for overexposure, premature aging of the skin and skin cancer.

Section 2. Definitions:

For the purpose of these regulations, the following definitions shall apply:

1. Suntanning Establishment means any place which exposure to ultraviolet radiation is available for hire, for aesthetic purposes except hospitals, physicians offices and medical clinics.
2. Suntanning Booths refers to any enclosed or semi-enclosed structure which is designed to accommodate one person in a standing position. The booth provides radiation consisting of electromagnetic waves through use of ultraviolet lamps or bulbs which produce ultraviolet radiation in the wavelength interval of 180 to 400 monometers.
3. Suntanning Beds means a bed covered with an acrylic sheet upon which an individual lies and lowers the top enclosure over their body. Ultraviolet radiation is provided through the use of lamps or bulbs located in both lower and upper components of the bed.
4. Exposure Time means the amount of time per visit and number of visits during which an individual is exposed to ultraviolet radiation to produce a tanning effect.
5. Operator refers to any person who: (a) alone or jointly with other owns a suntanning booth or bed for hire or (b) has charge, manages or controls the use of a suntanning booth or bed as designated by the owner, manager or

independent contractor.

Section 3. Safety Precautions Requirements:

1. Provide accurate timers which are set by the operator and have the ability to shut off automatically.
2. Lamps shall be surrounded by physical barriers to prevent a person from being cut, shocked, burned or otherwise injured by falling into or bumping against the lamps. At no time shall the temperature of said barriers exceed 120 ° Fahrenheit.
3. Doors to tanning booths shall open outwardly and be capable of being opened from the outside in case of emergency.
4. All booths shall be wired in conformance with the Massachusetts Electrical Code and other applicable standards. A ground fault protector shall be incorporated into the circuit for each booth.
5. The operator of the suntanning establishment shall, for the use of all patrons, provide protective eyewear which protects eyes from ultraviolet radiation and allows adequate vision.
6. The operator shall provide, for the use of all patrons, disposable heavy paper mats on which to stand for protection against "Athletes' Foot", or other fungi. These mats shall be replaced after each use of the tanning booths.
7. All suntanning booths, beds and protective eyewear shall be thoroughly cleaned and sanitized by operator after each use. Agent and methods used for disinfection must be approved by the Health Inspector.
8. The operator shall provide a least one (1) standard Red Cross 24 unit first aid kit or its equivalent, and at least one (1) standard cot (may be folding) and a blanket on the premises.
9. Individuals utilizing or using a suntanning bed must cover sensitive areas of the body not normally exposed to sun (bathing trunks - men) (2 piece bathing suits - women) or some protective clothing.
10. A history is taken on all potential users to determine if the following drugs are used:
 - a. diuretic (often prescribed for high blood pressure)
 - b. diabetic drugs.
 - c. drugs used to treat urinary tract infections with phenothiazine or sulfanilamide.
 - d. tranquilizers such as Thorazine.
 - e. antihistamines
 - f. coal tar for treatment of psoriasis or chronic eczema.
 - g. compounds call furocoumorins prescribed for loss of skin pigmentation.
 - h. birth control pills.

11. Clients taking medications stated in No. 3 or any other medications must be warned that their skin could be supersensitive to sunlight and precautions must be taken.
12. The following WARNING NOTICE must be placed in full view of all clients: "DANGER-ULTRAVIOLET RADIATIONS". Follow instructions. Medications or cosmetics can increase your sensitivity to the ultraviolet radiation from this product and result in eye and skin injury. Always protect your eyes by wearing the available goggles. Consult physician if taking any medication or pregnant, or if you believe yourself especially sensitive to sunlight. Avoid exposure while any circumstance persists that would increase your sensitivity. As with natural sunlight, repeated exposure to ultraviolet radiation may cause delayed effects such as premature aging of the skin and skin cancer.

Section 4 - Bathroom Facilities:

1. Any center or establishment having a suntanning bed or booth must provide separate bathroom facilities for men and women if both sexes use the suntanning booth or bed at any time while the booth/bed is in operation.
2. Separate changing rooms shall be provided for each sex utilizing the suntanning facility if booths are not designed with integral changing areas.

Section 5 - Restriction:

1. No person under 18 years of age shall be allowed to use a tanning booth without consent of his parent or guardian.
2. The following signs shall be posted inside or on the doors of the tanning booths:

"WARNING-Protective eyewear must be worn during use of tanning booths".

"WARNING-Do not remove protective eyewear while lamps are energized".

Section 6. Application of Patrons:

Before a patron is allowed to use the tanning facilities, he must fill out and sign an application form supplied by the operator, which includes as a minimum the following questions (if the answer to E.F.G.H. is affirmative, patron may not use tanning facilities without physician's written consent): applications must be kept in a file for a period of at least one (1) year.

1. Name.
2. Address.
3. Telephone Number.
4. Age _____: if under 18, do you have consent of a parent or guardian?
5. Are you taking any medication which would cause photosensitivity?
6. Do you have, or have you had during the past three (3) months, any skin eruption or communicable skin disease? .

7. Are you in any way allergic to the sun _____ .
8. Are you pregnant? _____ .
9. Signature of applicant and date of signature.

Section 7. Enforcement:

- A. Inspections: Every licensee shall permit the Board of Health or its agent acting in an official capacity to inspect his place of business and his work at any reasonable time.

Permit - No person shall operate a suntanning establishment without a permit from the Board of Health. Application shall be made on a form supplied by Board of Health. A permit shall be for the year and expire on December 31st; the annual permit fee shall be two-hundred and fifty (250.00) dollars. A permit is not transferable. The permit shall be displayed in a conspicuous place on the premises. A permit may be suspended or revoked by the Board of Health for such cause as it deems sufficient.

Section 8. HEARING FOR SUSPENSION OR REVOCATION OF LICENSE

A person whose license has suspended or revoked may within ten (10) days of the suspension or revocation of the license, requesting in writing, a hearing with the Board of Health.