

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2010, Legislative Day No. 2

Bill No. 3-10

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Mr. Vincent J. Gardina, Councilman

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By the County Council, January 19, 2010

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A BILL  
ENTITLED

AN ACT concerning

Tanning Facilities - Minors

FOR the purpose of prohibiting the use of certain tanning devices and tanning facilities by minors;  
defining terms; providing exceptions; requiring certain notice; and generally relating to the  
use of tanning devices at tanning facilities by minors.

BY adding

Section 17-1-116  
Article 17- Miscellaneous Provisions and Offenses  
Title 1- Miscellaneous Provisions and Offenses  
Baltimore County Code 2003

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE  
2 COUNTY, MARYLAND, that Section 17-1-116 be and it is hereby added to Article 17-  
3 Miscellaneous Provisions and Offenses, Title 1 - Miscellaneous Provisions and Offenses, of the  
4 Baltimore County Code 2003, to read as follows:

5 17-1-116. USE OF TANNING FACILITIES BY MINORS.

6 (A) DEFINITIONS.

7 (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
8 INDICATED.

1 (2) "TANNING DEVICE" MEANS ANY EQUIPMENT THAT EMITS  
2 RADIATION USED FOR TANNING OF THE SKIN, INCLUDING SUNLAMPS, TANNING  
3 BOOTHS, OR TANNING BEDS AND ANY ACCOMPANYING EQUIPMENT, SUCH AS  
4 PROTECTIVE EYEWEAR, TIMERS AND HANDRAILS.

5 (3) "TANNING FACILITY" MEANS ANY PLACE WHERE A TANNING  
6 DEVICE IS USED FOR A FEE, MEMBERSHIP DUES, OR OTHER COMPENSATION.

7 (B) PROHIBITION; NOTICE. A TANNING FACILITY OWNER OR OPERATOR MAY  
8 NOT PERMIT A MINOR TO USE A TANNING DEVICE AT A TANNING FACILITY UNLESS  
9 THE MINOR'S PARENT OR LEGAL GUARDIAN PROVIDES WRITTEN CONSENT ON THE  
10 PREMISES OF THE TANNING FACILITY AND IN THE PRESENCE OF AN OWNER,  
11 EMPLOYEE, OR OPERATOR OF THE TANNING FACILITY. THE CONSENT FORM SHALL  
12 ~~INCLUDE A NOTICE THAT ULTRAVIOLET LIGHT FROM TANNING BEDS HAS BEEN~~  
13 ~~SHOWN TO CAUSE SKIN CANCER.~~ USE THE WORDING AND CONTENT OF THE  
14 CONSENT FORM APPROVED BY THE STATE DEPARTMENT OF HEALTH AND MENTAL  
15 HYGIENE.

16 (C) PENALTY. A PERSON WHO VIOLATES THIS SECTION IS ~~GUILTY OF~~  
17 ~~A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING~~  
18 ~~\$500 OR IMPRISONMENT NOT EXCEEDING 90 DAYS OR BOTH.~~ SUBJECT TO A CIVIL  
19 PENALTY OF \$100 PER DAY FOR EACH DAY OF VIOLATION.

20 (D) ENFORCEMENT. THE HEALTH OFFICER MAY ENFORCE THE  
21 PROVISIONS OF THIS SECTION IN ACCORDANCE WITH SECTION 13-12-105(E) OF THE  
22 CODE.

23 SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect forty-five  
24 days after its enactment.