**Section 795.130 Denial, Suspension, Revocation or Non-Renewal of a Permit to Operate a Tanning Facility**

The Department may deny, suspend, revoke or refuse to renew a permit to operate a tanning facility sought or issued pursuant to this Part for any of the following reasons:

a) Failure to submit information required pursuant to Section 795.60 that demonstrates that the tanning facility will be constructed, operated and maintained in accordance with the requirements of this Part;

b) Submission of incorrect, false or misleading information in the documents required under this Part;

c) Failure to construct, operate or maintain the tanning facility in accordance with this Part, except as the maintenance may involve the replacement of lamps by "equivalent" lamps as defined in Section 795.100;

d) Operation of the tanning facility in a way that causes or creates a nuisance or hazard to the public health or safety;

e) Violation of the Act or this Part;

f) Violation of any condition upon which the permit was issued;

g) Failure to allow duly authorized agents of the Department or its designated health authorities to conduct inspections of the facility;

h) Conviction of an applicant or permit holder of an offense arising from false, fraudulent, deceptive, or misleading advertising (The record of conviction or a certified copy of the record shall be conclusive evidence of the conviction.);

i) Revocation of a permit during the past five years, or surrender or expiration of the permit during the pendency of action by the Department to revoke or suspend the permit during the previous five years, if before the permit was issued to the individual applicant, a controlling owner or controlling combination of owners of the applicant, or any affiliate of the individual applicant or controlling owner of the applicant or affiliate of the applicant was a controlling owner of the prior permit;

j) Payment of permit fees or fines with checks returned for non-sufficient funds;

k) Failure to pay any permit fees or applicable fines; or

l) Allowing anyone under the age of 18 years to use a permitted facility's tanning equipment.

(Source: Amended at 38 Ill. Reg. 11802, effective May 21, 2014)