

Chapter 16.50 BARBERSHOPS AND COSMETOLOGICAL ESTABLISHMENTS*

***Cross references:** Business licenses and regulations, Tit. 10; fines, § 14.60.030.

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16.50.010 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Cosmetology means the treatise or science of beautifying and improving the complexion, skin, hair or nails.

Director means the director of the department of health and human services, or his authorized representative.

Hairpiece means any artificial covering or partial covering for the head, consisting of hair interwoven by a kind of network.

Person means any person, firm, corporation, association or institution, whether principal or agent, employer or employee.

Shop means any premises used for the purpose of cutting hair (barbering or cosmetology), including all barbershops, barber schools, barber colleges, beauty shops, beauty colleges, beauty schools and establishments selling, fitting or styling wigs.

(GAAB 16.50.010; AO No. 85-8)

Cross references: Definitions and rules of construction generally, § 1.05.020.

16.50.020 Permit required.

It shall be unlawful for any person to construct, operate or to continue to operate any shop within the municipality without first acquiring a permit from the director.

(GAAB 16.50.020)

16.50.030 Application for permit.

Any person desiring to construct, operate or continue to operate any shop within the municipality must apply to the director for the required permit. The application shall include such information as may be necessary to evaluate the sanitary conditions and practices of the establishment and such other information as required by the director.

(GAAB 16.50.030)

16.50.040 Display of permit.

The permit issued by the director under this chapter shall be prominently displayed in the shop for which it was issued.

(GAAB 16.50.040)

16.50.050 Investigation; granting of permit; inspections.

- A. Upon receipt of the application for a permit under this chapter the director may cause an investigation to be made of the shop. If the director determines that the shop is or may reasonably be expected to become unclean or unsanitary or may constitute a menace to public health, he may deny the permit. If the director determines that the shop is or may reasonably be expected to be conducted continuously in a clean and sanitary manner and will not constitute a menace to public health, the director may grant the permit under such restrictions as he deems necessary.
- B. For the purposes of this chapter, the director shall have the authority to enter upon any and all parts of the premises of any shop to examine and investigate its sanitary condition and to determine whether the provisions of this chapter are being violated.

(GAAB 16.50.050)

16.50.060 Suspension or revocation of permit.

Any permit granted by the director as provided in this chapter shall be revocable or subject to suspension at any time by action of the director if the director determines that the shop is being operated in a manner which is unsanitary, unclean or dangerous to public health, or is in violation of this Code or the regulations issued under this Code.

(GAAB 16.50.060)

16.50.070 Facilities in violation of chapter declared public nuisance.

Any shop constructed, operated or maintained contrary to the provisions of this chapter is hereby declared to be a public nuisance, dangerous to health. Such nuisance may be abated or enjoined in an action brought by the director.

(GAAB 16.50.080)

16.50.080 Standards for premises and equipment; sanitation.

- A. *Identification sign.* Each shop shall display a sign indicating that it is a barbershop, barber school or cosmetological establishment, and the sign shall be clearly visible at the main entrance of the establishment.
- B. *Premises generally; separation from other uses.* All shops, together with all furniture, equipment, tools, utensils, floors, walls and ceilings, shall at all times be kept in a clean and sanitary condition, well lighted and ventilated. Artificial lighting shall provide at least 20 footcandles on all working surfaces. In all new establishments, or establishments which are extensively remodeled, all exterior walls shall completely separate the establishment from any room or area used as living or sleeping quarters, and the shop shall not be in close proximity to food handling establishments. In all establishments, none of the operations connected with the shops shall be conducted in any room used as living or sleeping quarters.
- C. *Floors, walls and other surfaces to be cleanable.* The floors, walls, ceilings and work surfaces shall be smooth, easily cleanable and in good repair, free from cracks and open seams. Floors, walls and work surfaces subject to splash or flooding shall, in addition, be of nonabsorbent construction. Floor mats, when used, shall be easily cleanable and kept in good repair.
- D. *Toilet facilities.* Each shop shall have access to conveniently located toilet facilities provided with a toilet, handwashing sink, soap, individual towels, toilet tissue and a clean receptacle for waste material. Toilet facilities, including rooms and fixtures, shall be kept in a clean condition and in good repair, and shall be accessible at all times. Handwashing sinks shall be provided with hot and cold or tempered running water. Toilet facilities shall be installed in accordance with applicable state and local laws, ordinances and regulations, or, in the absence thereof, as approved by the director.
- E. *Containers for disposable items.* At least two disposable or easily cleanable containers of nonabsorbent construction shall be provided in each shop. Used single-service disposable items shall be deposited in one and used towels and other washable reusable linen shall be deposited in the other. Under no circumstances shall single-service disposable items be deposited in the same containers as reusable linens.
- F. *Handwashing.* Every barber, cosmetologist, apprentice and student shall wash his hands with soap and hot water immediately before serving each person.
- G. *Headrest coverings.* The headrest on each chair shall be provided with a clean towel or sheet of paper for each patron. Headrest towels or papers shall be relaundered or disposed of after each use.
- H. *Cleaning of towels and linens.* All towels and linens except hair cloths used on one person shall not be used on another person until relaundered.
- I. *Neckbands.* A strip of cotton, towel or a neckband shall be placed around each patron's neck so that the hair cloth does not come in contact with the neck or skin of the patron's body.
- J. *Prohibited equipment.* The use of powder puffs, fingerbowls, sponges, shaving mugs and shaving brushes is prohibited. Where hairbrushes are used, they shall

be sanitized with an approved disinfectant powder or by other approved methods such as washing and sterilizing before use on each patron.

- K. *Sanitizing of equipment.* Prior to use on each patron, all razors, scissors, tweezers, combs, rubber discs, parts of vibrators, brushes, clippers, parts of hair vacuums or blowers, and other utensils, appliances and implements or anything that comes in contact with the head, face or neck of a patron shall be:
1. Immersed in a two percent carbolic acid solution or its equivalent for a period of not less than 15 minutes;
 2. Placed in boiling water at a temperature of 212 degrees Fahrenheit for a period of not less than 15 minutes;
 3. Placed in a closed compartment or cabinet containing fumes from a 40 percent formaldehyde solution for a period of not less than 15 minutes;
 4. Placed in an ultraviolet ray sterilizer containing Bactericidal 2537 A radiation for a period of 15 minutes or for a period as recommended by the manufacturers of such radiation lamp sufficient to equal the germicidal and organism destruction of two percent carbolic acid solution, or its equivalent; or
 5. Cleaned and prepared for use by any other method that shall be the equivalent in germicidal or organism destructive effect of a two percent carbolic acid solution used for 15 minutes as provided in subsection K.1 of this section.

Effective germicidal oils may be used for clipper heads.

Effective germicidal powders may be used for brushes.

After complying with the requirements of this subsection, razors, scissors, tweezers, combs, rubber discs or parts of vibrators shall then be placed and kept in a clean, closed cabinet until next used.

- L. *Styptic pencils.* The use of styptic pencils or lump alum is prohibited. Liquid or powdered astringents may be used and shall be applied by means of a clean spatula, or sterilized piece of gauze or cotton, of a single-service design.
- M. *Lather-producing machines.* Lather-producing machines shall be thoroughly cleaned daily and shall be kept clean at all times.
- N. *Nonessential articles prohibited.* No equipment, furniture, supplies or other articles which are not essential to the operation of the shop shall be kept on the premises.
- O. *Supply room.* Each shop shall include a supply room or adequate space to provide for operating supplies and equipment.
- P. *Dispensing of food.* The dispensing of food and drink shall be through the use of approved vending machines or other methods using single-service utensils and individually packaged additives (sugar, cream, etc.).
- Q. *Ventilation.* All shops and restrooms within the shops shall be ventilated by mechanical or natural means to the outside air. Ventilation shall be sufficient to remove all noxious or offensive odors and to provide a clean, wholesome

atmosphere within the shop.

- R. *Storage of towels and linens.* Each shop shall provide an adequate number of closed containers or compartments protected from dust and dirt for the storage of clean towels and linens. All clean towels and linens shall be kept in the containers or compartments until they are used on a patron.
- S. *Communicable diseases; treatment of diseases; animals.*
1. No barber, barber teacher, cosmetologist, apprentice or student shall be allowed to practice in the municipality if he is infected with and in a communicable stage of the following conditions or diseases: tuberculosis, ringworm of the skin or scalp, pediculosis, scabies, favus, impetigo, sore throat, herpes zoster, fever or other disease capable of being communicated from person to person, and no patron showing evidence of any such disease shall be served by any shop until he presents a current statement from a physician to the effect that such disease or infection is not communicable.
 2. The director may at any time require any barber, barber teacher, cosmetologist, apprentice or student to produce a certificate by a physician licensed in the state certifying that such barber, barber teacher, cosmetologist, apprentice or student is free from any contagious or infectious disease, which certificate shall, when required by the director, state the name of the laboratory at which blood tests were made and the serial number of the report on such test.
 3. After the handling of a customer affected with any eruption, or whose skin is broken out or is inflamed or contains pus, the hands of the attendant shall be disinfected immediately. This shall be done by thoroughly washing with soap and water followed by rinsing in alcohol (70 to 80 percent), or by the use of some equally efficient disinfectant.
 4. No person practicing barbering or cosmetology in any capacity shall remove or attempt to remove warts or moles or attempt to treat any diseases of the skin, scalp or other disease.
 5. No owner or manager of any shop shall allow any dog, cat, bird or other pet in his shop.

(GAAB 16.50.090)

16.50.090 Sanitizing and handling of hairpieces.

- A. *Protective cap.* Prior to placing any hairpiece on the head of any customer, the customer's head shall be covered with a protective cap. Protective caps either shall be of the single-service disposable type or shall be laundered prior to reuse.
- B. *Maintenance.* All hairpieces on display or available for sale, demonstration or rent shall be maintained in sanitized condition and shall bear the certification of a cosmetologist licensed to practice in the state. Certification shall include the signature of the cosmetologist, the date of certification and the cosmetologist's state license number.
- C. *Manufacturer's label.* No hairpiece shall be offered for sale by any person unless

- the hairpiece bears the manufacturer's label.
- D. *Soiled wigs.* All shops dealing in hairpieces shall provide separate storage facilities for soiled or unsanitized wigs. New wigs not on display shall be kept in separate containers and stored so as not to be subject to contamination by soiled wigs or other sources.
 - E. *Sterilization.* Hairpieces removed from any shop either through sale, loan or rental shall be thoroughly sterilized in a manner approved by the director prior to resale, loan or rental. The director shall from time to time prescribe up-to-date approved methods of sterilization.
 - F. *Seizure.* The director may seize and destroy any hairpiece offered for sale or rental which does not bear the manufacturer's label and the certification of sanitation signed by a cosmetologist licensed to practice in the state.

(GAAB 16.50.100)

16.50.100 Right of entry.

The director is authorized to inspect all shops to determine their sanitary status. It shall be the duty of every proprietor, his superintendent, manager or agent to allow the director access to his establishment and facilities or any part thereof for the purpose of inspection. Any interference with or obstruction of the director in the performance of such duties shall be deemed a violation of the Code.

(GAAB 16.50.110)

16.50.110 Penalty. (Repealed)

(AO No. 80-131)

16.50.120 Authority to prescribe additional regulations.

The director has supervision over the sanitation, healthfulness, cleanliness and safety of barbershops and is empowered to make and enforce such rules and regulations as he deems necessary to carry out the provisions and intent of this chapter.

(GAAB 16.50.130)