



Northeast District Department of Health Barbershop, Hairdressing, Cosmetology, Nail Salon and Spa Ordinance

Purpose: To define requirements for the inspection, establishment standards, permit fees and penalties for Barbershops, Hairdressing, Cosmetology, Nail Salons and Spas in any town or political subdivision comprising NDDH supplemental to the Connecticut General Statutes, §§19a-14, 19a-92a, 19a-92g, 19a-231, 20-234, 20-250.

SECTION 1. Definitions.

For the purpose of this ordinance,

A. Barbering - includes any and all described practices permitted by State law when performed by a barber licensed in the State of Connecticut, upon the head, face, scalp or neck for cosmetic purposes only.

B. Barbershop - any establishment engaged in the practice of barbering for the public.

C. Cosmetology and Hairdressing - includes any and all described practices permitted by State law when performed by a licensed individual upon the head, face, scalp, arms, hands, body, legs and feet for cosmetic purposes only.

D. Director of Health – the NDDH Director of Health or authorized agent.

E. Disinfect - to use a chemical or physical process to destroy harmful organisms, including bacteria, viruses, germs, and fungi.

F. Establishment - any premises, building, or part of a building, such as a Day Spa or similar business, engaged in the practice of any barbering, hairdressing, cosmetology, or nail technician services for the public. The term “establishment” and “salon” shall be used interchangeably.

G. Independent Contractor - a person who engages in an independent trade, business, or profession in which they offer their services to the public. They are generally not employees of the company and perform services under an expressed or implied agreement.

H. Nail Technician - means a person who, for compensation, cuts, shapes, polishes or enhances the appearance of the nails of the hands or feet, including, but not limited to, the application and removal of sculptured or artificial nails.

I. Operator - any person, including, but not limited to, a licensed hairdresser/cosmetician or barber or independent contractor who is performing tasks allowed under the scope of this ordinance and Connecticut General Statutes.

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of this ordinance, see the NDDH website at NDDH.org***

J. Permit Holder - the person who applies for and is granted a Permit to Operate and provides the services of Barbershop, Hair Dressing, Cosmetology, Nail Salon and Spa establishment in the towns covered by NDDH.

K. Shampoo Station - consists of a shampoo sink (used for no other purpose) with hot and cold running water and a shampoo chair.

L. Work Area - is defined as a separate room with one or more work stations, or a private room set aside to serve one customer at a time.

M. Work Station - is defined as a chair, countertop and floor space set aside for the purpose of serving a customer, including floor space for the operator to stand while serving the customer.

SECTION 2. Plan Review and Pre-Operation Inspections.

A. A plan review application and layout design plan must be completed and submitted to the Health Department for review and approval prior to opening a new salon or the remodeling or alteration of an existing salon.

B. Prior to salon opening, the Director of Health, or authorized agent, shall conduct a pre-operational inspection to determine compliance with the approved plans, with the requirements of this ordinance and the Public Health Code of the State of Connecticut.

C. The permit holder must obtain a Certificate of Occupancy (CO) from the Building Department and Zoning approval from the Planning and Zoning Department, if applicable, prior to Health Department permit issuance.

SECTION 3. Permits.

A. No establishment shall operate without a valid permit issued by the Director of Health. Only an establishment that complies with the requirements of this ordinance and all other applicable regulations, statutes and local ordinances shall be entitled to receive or retain such permit.

B. Independent Contractors working in a permitted establishment shall be independently permitted by the Director of Health. A Connecticut State license and permit must be posted in a prominent location at the work station where patrons can observe it.

C. A temporary permit is required for conducting a public demonstration, a fund-raising event or a public convention for an unpermitted establishment.

D. Permits shall not be transferable from person to person or from location to location. Any planned change in ownership of a facility must be reported promptly to NDDH and such changes must be approved by NDDH prior to the issuance of an operating permit.

E. Applications for a permit or permit renewal shall be made on the appropriate forms furnished by the Director of Health.

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SECTION 4. Permit Fees and Enforcement.

- A. All permits are valid for one (1) year or a portion thereof; and are renewable on or before January 1st of each year. Renewal applications and fees must be remitted prior to December 15th or late and penalty fees will be assessed as specified in the fee schedule determined by the NDDH Board of Directors. Permit fees shall not be pro-rated.
- B. The Director of Health, or authorized agent, after proper identification, shall be permitted to enter, during normal operating hours, any portion of any salon or establishment for the purpose of conducting inspections to determine compliance with this ordinance and the Public Health Code of the State of Connecticut.
- C. The NDDH permit must be displayed in a prominent location in the establishment.
- D. The establishment must keep a copy of licenses for all employees performing services that require a Connecticut State license posted at the work station or at the front desk.
- E. Every applicant for a permit to operate a barbershop, hairdressing, cosmetology, nail salon, spa or as an independent contractor shall pay an annual permit fee as listed in the fee schedule determined by the NDDH Board of Directors. Any applicant whose check is returned unpaid to NDDH shall be required to pay a returned check fee as specified in the fee schedule.
- F. Enforcement interpretation. This chapter shall be enforced by the Director of Health and his/her authorized agent(s).
- G. Penalties. Any person who operates an establishment without a valid permit shall be subject to monetary penalty and further legal action as provided in Connecticut General Statutes, 19a-230. Each day that such violation continues shall constitute a separate and distinct violation.

SECTION 5. Establishment Inspections.

- A. The Director of Health, or authorized agent, shall conduct an annual inspection of each establishment and shall make as many additional inspections as are necessary for the enforcement of this ordinance and the Public Health Code of the State of Connecticut.

SECTION 6. Permit Suspensions.

- A. Failure to comply with the provisions of this ordinance and applicable State regulations shall be grounds for suspension of any permit issued under the provisions of this section.
- B. In the event that the Director of Health, or authorized agent, finds unsanitary conditions in the operation of an establishment, the Director of Health may issue an Order to Correct to the permit holder, citing such conditions, specifying the corrective action to be taken and time frame within which action shall be taken. If correction is not made in the allotted time, the permit may be suspended.

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C. The Director of Health may suspend, without warning, prior notice or hearing, any permit to operate a salon:

- (1) If the operation constitutes an imminent hazard to public health; or
- (2) If the owner, operator or person in charge has interfered with the performance of the Director of Health's duties or has prohibited access to conduct an inspection; or
- (3) If there is an unsupervised and unlicensed individual performing procedures requiring licensure by the State of Connecticut.

D. An imminent health hazard shall include, but is not limited to, any of the following:

- (1) An ongoing outbreak of an infectious, pathogenic or toxic agent capable of being transmitted to clients; or
- (2) The absence of an approved sanitizer/disinfectant or evidence that sanitizer/disinfectant is not being used properly to thoroughly clean and sanitize equipment after each client; or
- (3) The absence of potable water, supplied under pressure, at adequate temperature (105°-115° F) and quantity capable of meeting the needs of the facility; or
- (4) A sewage backup into the facility; or
- (5) If there is an unsupervised and unlicensed individual performing procedures requiring licensure by the State of Connecticut.

E. Suspension shall be effective immediately upon documentation of imminent public health hazard and/or interference with the Director of Health or authorized agent in the performance of official duties. A written order to cease and desist to the permit holder of the facility from the Director of Health will follow within 24 hours. All operations within the establishment shall cease immediately and shall not resume until full compliance is verified and written approval to resume has been issued by the Director of Health.

F. Any permit holder who is aggrieved by such action of the Director of Health may appeal the written order as provided in the Connecticut General Statutes, 19a-229. An appeal does not stay the order.

SECTION 7. Permit Revocation/Nonrenewal.

A. Revocation/Nonrenewal of permit shall be effective immediately for serious or repeated violations of any of the provisions of this ordinance, or for cases where the permit to operate has been obtained through nondisclosure, misrepresentation or intentional misstatement of a material fact.

B. The Director of Health shall notify the permit holder of the specific reason(s) for such revocation or non-renewal within 24 hours. All operations within the establishment shall cease

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immediately. The permit holder who is aggrieved by such action of the Director of Health may appeal the written order as provided in the Connecticut General Statutes, 19a-229. An appeal does not stay the order.

C. After a period of thirty (30) days from the date of revocation or refusal to renew, a written application may be made for the issuance of a new permit. This application will be treated as a new application. All appropriate procedures, fees and inspections will be required, including a plan review, prior to the issuance of a new permit.

SECTION 8. Equipment and Facilities.

A. Water

(1) All sinks in the establishment must have hot and cold running water, under pressure, from an approved source at all times. Hot water shall be provided at a minimum temperature of 105°F and maximum of 115°F.

(2) Equipment must be commercial grade and designed for such purpose.

(3) Wastewater from all plumbing fixtures shall be discharged into municipal sewers or approved subsurface sewage disposal systems.

(4) Plumbing fixtures shall be maintained and shall conform to applicable building and plumbing codes; proper devices to prevent back siphonage or cross-connections are required.

(5) A separate and designated utility or mop sink shall be provided. Establishments in operation prior to enactment of this ordinance may submit written request for an exemption from this requirement based on physical constraints of the establishment.

B. Floors, Walls and Cove Base

(1) Floors and walls shall be of such construction as to be easily cleaned and kept in good repair.

(2) All establishments shall have properly fitted sanitary cove base installed.

C. Lighting and Ventilation

(1) Lighting fixtures shall be in sufficient number and properly placed so as to provide adequate illumination.

(2) The establishment shall be properly and adequately ventilated so as to remove chemical vapor emissions, excess heat and odors.

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D. Refuse and Garbage

(1) Containers inside the establishment shall consist of covered containers for hair droppings, paper, and other waste material. The containers shall be emptied daily and maintained in a sanitary manner.

(2) Containers stored outside the establishment shall consist of approved garbage receptacles that have lids which are kept closed at all times. The garbage receptacle area and property must be maintained in a clean manner, free of litter at all times, and screened from public view.

E. Toilet Facilities

(1) Toilet facilities with hand wash sinks must be provided for customers and employees and kept clean and in working order.

(2) Mechanical ventilation or an operational window is required.

F. Work Stations

(1) All products not stored in the original container must be clearly labeled.

(2) A container with a sufficient amount of disinfectant shall be located within easy access of each nail and pedicure station. Hair salons may keep a container of disinfectant for brushes and combs at work stations.

G. Salon Establishment Located in Residence

(1) A salon located in a residence must be confined to a separate room or separated with ceiling-high partitions and provided with a door to be closed at all times.

(2) The area within a home operated as a salon must be equipped with all the facilities and instruments required in all such establishments and in conformance with all sections of this ordinance and Zoning approval from the Planning and Zoning Department.

SECTION 9. Infection Control.

A. In accordance with the Occupational Safety and Health Administration Blood-Borne Pathogen Standard 29 CFR 1910.1030 established in 1992, each employer must ensure that housekeeping procedures are developed and implemented. These procedures should include the appropriate methods to disinfect surfaces or implements that have come in contact with blood and/or body fluids.

B. Contaminated sharps (e.g., blades or broken glass) must be disposed of in a covered, puncture-proof and leak-proof "sharps" container that is labeled with the biohazard symbol.

C. All biohazard containers shall be properly removed and disposed of according to OSHA guidelines.

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D. Use of ultraviolet (UV) light is not an approved method to disinfect equipment.

SECTION 10. Maintenance and Operation.

A. General Cleanliness

- (1) The establishment and work stations shall be kept in a clean and sanitary condition. Hair or nail clippings should be removed frequently.
- (2) Cloth towels must be cleaned and disinfected after each customer; paper towels must be disposed of after use.
- (3) Sleeping quarters shall not be located in any part of the permitted premises.

B. Walls, Ceilings and Fixtures

- (1) Ceilings and walls shall be kept in good repair.
- (2) Cabinets, shelves, furniture, shampoo sinks, and fixtures shall be kept clean, in good repair, free of dust, dirt and hair clippings.

C. Sanitary Services

- (1) Washing and/or drying of towels must be done in the salon or by a commercial linen service.
- (2) Laundering conducted on site shall be located in a separate room and only the hot water cycle shall be used for all laundering.

D. Sanitation of Equipment and Implements:

- (1) All nail salon equipment and implements must be washed with soap, rinsed, and disinfected after each customer.
- (2) Hair brushes, combs and all other implements shall undergo thorough cleansing and disinfecting after serving each customer, or single-service disposable implements shall be used.
- (3) Emery boards, orange sticks, buffing blocks, waxing sticks, cosmetic sponges, and all single-service items shall be disposed of immediately after use and shall not be used again. Exception: orange sticks, emery boards, buffing squares, cosmetic sponges and disposable nail bits may be kept for the original customer if kept in a covered container labeled with the customer's name.
- (4) The use of Credo Blades is prohibited.

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E. Food and Beverages

(1) Food and beverages shall not be prepared or sold in the permitted premises except coffee and tea may be prepared and kept for the convenience of employees and customers.

(2) A separate employee break room shall be provided if food and beverages are to be consumed by the employees. Those establishments in operation prior to enactment of this ordinance may submit written request for an exemption from this requirement based on physical constraints of the establishment.

SECTION 11. Hygiene of Operators and Customers.

A. No person known to be affected with any communicable disease in an infectious stage shall engage in barbering, hairdressing or cosmetology or nail services.

B. No client known to be affected with any infectious disease shall be attended.

C. Operators shall not eat or drink while providing services to a customer.

SECTION 12. Smoking Prohibited.

Establishments must adhere to Connecticut Statutes regarding smoking in public places.

SECTION 13. Technical Standards.

The Director of Health shall have the authority to adopt technical standards and associated inspection procedures to assure proper sanitary maintenance and safe operation of establishments. Such standards and inspection shall not contravene any of the provisions of this section or any state or municipal laws, ordinances or regulations, and may be amended or revised by the Director of Health. Failure of an establishment to achieve and maintain minimum requirements of these technical standards shall constitute a violation of this ordinance. A copy of the technical standards shall be available at the Health Department for review and copying.

Revisions Approved by Board April 12, 2018

Effective: April 16, 2018

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