

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Operation of Barber Shops and Schools of Barbering (3 CSR 3)

Type of Rule: Legislative Interpretive Procedural

Agency Board of Barbers and Beauticians Address 4860 Brenda Lane, Guthrie Center
Charleston, WV 25312

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$	\$	\$ 0	\$ 0	\$ 0
Personal Services					
Current Expense					
Repairs and Alterations					
Equipment					
Other					

2. Explanation of above estimates. These changes will not alter the overall existing workload of the WV Board of Barbers and Beauticians.

3. Objectives of these rules:

The proposed amendments delete outdated language concerning water storage tanks where no running water is available; prohibit barbers from wearing shorts and open toed shoes; and make a few "clean-up" changes.

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

NONE

B. Economic Impact on Political Subdivisions; Specific Industries;
Specific groups of citizens.

A few individual barbers may have expenses associated with the purchase of appropriate wearing apparel.

C. Economic Impact on Citizens/Public at Large.

NONE

Date September 14, 1987

Signature of Agency Head or Authorized Representative

Edwin Roush

Edwin Roush
Executive Director

WEST VIRGINIA BOARD OF BARBERS AND BEAUTICIANS

RULE ABSTRACT

Title: Operation of Barber Shops and Schools of Barbering

CSR Title and Series: 3 CSR 3

Type: Legislative

Summary: The proposed amendments delete outdated language concerning water storage tanks where no running water is available; prohibit barbers from wearing shorts and open toed shoes; and make a few "clean-up" changes.

For further information contact: Regulatory Development Section, Health Department, 1800 Washington Street, Charleston, WV 25305, Telephone 348-3223, or WV Board of Barbers and Beauticians, 4860 Brenda Lane, Guthrie Center, Charleston, WV 25312, Telephone 348-2924.

FILED

1987 SEP 25 PM 12: 26

SECRETARY OF STATE

[PROPOSED]

TITLE 3

WEST VIRGINIA LEGISLATIVE RULES
BOARD OF BARBERS AND BEAUTICIANS

Operation of Barber Shops and Schools of Barbering

Series 3

198_

For Public Hearing
October 26, 1987

[PROPOSED]
WEST VIRGINIA LEGISLATIVE RULES
BOARD OF BARBERS AND BEAUTICIANS

Operation of Barber Shops and Schools of Barbering

3 CSR 3

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[PROPOSED]
TITLE 3
WEST VIRGINIA LEGISLATIVE RULES
BOARD OF BARBERS AND BEAUTICIANS

Series 3

Title: Operation of Barber Shops and Schools of Barbering

Section 1. General

1.1. Scope - These ~~This~~ legislative rules governs the operation of barbershops and schools of barbering.

1.2. Authority - These-legislative ~~This~~ rules are ~~is~~ issued under the authority of and are related to Chapter 30, Article 27, Section 10 of the West Virginia Code of 1931, as amended.

1.3. Filing Date -

1.4. Effective Date -

1.5. Supersession and Repeal of Former Regulations - This rule supersedes and repeals Operation of Barber Shops and Schools of Barbering, West Virginia Legislative Rule, 3 CSR 3, 1972.

Section 2. Application and Enforcement

2.1. Application - These-legislative ~~This~~ rules apply applies to the owners and operators of barbershops and schools of barbering.

2.2. Enforcement - Enforcement of these-legislative ~~this~~ rules is vested in the West Virginia board of barbers and beauticians.

Section 3. Sanitation and Operation Requirements

3.1. Every barber shop, or school of barbering, shall ~~before-opening-its-place-of-business-***-notify-the-board,-in-writing,-at-least-ten-days-before-the-proposed-opening-date-of-such-shop,-or-school-***-(A-\$25.00-opening-inspection-fee-for-new,-or-change-of-location.)~~ at least ten days prior to opening return to the board the completed shop opening application and twenty-five dollar inspection fee. All barber shops must have cross, or approved, ventilation before opening.

3.2. All such shops, schools, bathrooms, toilets, and adjoining rooms, used in connection therewith, must be kept clean, sanitary, well lighted and ventilated at all times. The use of chunk alum, powder puffs, and styptic pencils in any such shop, or school, is prohibited. No pets such as cats, dogs, birds, etc. shall be kept in, or allowed to habit shops, or the entrance to such shops, or schools.

3.3. Each barber, instructor, ~~junior-barber,~~ and student, shall thoroughly cleanse his, or her, hands with soap and water immediately before serving any patron.

3.4. Each patron must be served with clean, freshly laundered linen which is kept in a closed cabinet used for that purpose alone. All linens, immediately after being used, shall be placed in a receptacle used for that purpose alone.

3.5. A freshly laundered towel, or paper neck strip, must be placed around the neck of every patron so that the chair cloth, or shampoo apron, does not come in contact with the patron's skin.

3.6. The wiping of hands, or instruments of any kind, on linen being used is prohibited.

3.7. The headrests of all barber chairs must possess an attachment, allowing a change of paper for each customer. Used shaving papers must be deposited in a receptacle used for that purpose alone.

3.8. All barbers shops must be equipped with hot and cold running water piped to hot and cold water faucets of a lavatory. (For purposes of this regulation, rule, a lavatory is that plumbing fixture commonly used for hand washing.) An individual lavatory shall be provided for each barber chair in all such shops, and shall be located in the working area of each barber chair. Waste water must be drained through proper plumbing facilities into the public sewer system. ~~In places where there is no water under pressure, storage tanks to supply running water may be used, one for hot and one for cold water. Openings in storage tanks shall not exceed two inches in diameter. The dipping of any towels or cloths of any nature, or other articles, into water tanks is prohibited.~~ The use of steamers, sterilizers, bowls, or receptacles of any kind into which to put hot towels, or hot water, is prohibited.

3.9. All rooms used for barber shops must be equipped with all implements, supplies, sterilizers, linen, and all other equipment and requisites necessary to perform any, or all, of the services usually rendered in barber shops. Shops located in residences must have a private entrance, proper toilet facilities, and must be confined strictly to rooms used exclusively for barbering.

3.10. Every barber who uses hair brushes must have at least six in use. After each brush is used, it must be thoroughly washed and immersed in an approved disinfectant solution, dried, and placed in a cabinet sterilizer until used again.

3.11. Every barber must have at least six combs in use. Every comb must be washed and thoroughly sterilized after each use. Every barber must have at least two neck dusters in use, and each must be kept clean at all times.

3.12. All razors, scissors, tweezers, needles, blades, and other instruments shall be thoroughly cleaned and disinfected by immersion in an approved disinfecting solution, after they have been in use, and such tools, instruments, and appliances shall, when not in use, be kept in a dry cabinet sterilizer. Massage cups, glass applicators, and metallic accessories must be

detached after each use and thoroughly washed, disinfected, and then placed in a dry sterilizer. The bottom blade of all clippers shall be sponged with a small pledget of cotton that has been dipped in an approved disinfectant before each use.

3.13. Each barber, student, and junior student barber shall be held responsible for keeping his, or her, individual chair, work stand, mirror, drawers, individual sterilizers, and entire booth, or stand, clean and neat during working hours. Each such barber practicing in any capacity must keep his entire personal appearance clean and neat, and above reproach, at all times. Shorts and open toe shoes are prohibited.

3.14. Every barber must have adequate cabinet space for storing tools and accessories only. Each barber must have an approved, compartment-type, individual dip sterilizer, which must be of sufficient size to allow combs to be completely submerged. Dip sterilizers may be made of glass, or other noncorrosive materials, and must contain, at all times, an adequate fresh supply of an approved disinfectant. Combs, brushes, and other implements, shall be washed in soap and water prior to being placed in the dip sterilizer, and shall be dried before being placed in the cabinet sterilizer.

3.15. No person practicing barbering, in any capacity, is permitted to remove warts, moles, or skin blemishes. Neither must they attempt to treat any disease of the skin or scalp. Persons desiring, or in need of treatment of any disease, must be referred to a licensed physician.

3.16. Floors must be kept clean and free from hair, and where possible, mopped each day. Where cuspidors are used, they must be cleaned at least once a day, and a disinfectant solution left in them at all times.

3.17. Any member of the state board of barbers and beauticians, or its agents, shall be privileged to enter and inspect any barber shop, or barber school, during business hours, or check any part of the premises, to ascertain whether or not any part of the law, or any rules and regulations are is being violated, and to take any other action necessary properly to enforce the law.

3.18. A copy of these this rules and regulations must be framed and posted in a conspicuous place in every barber shop and school of barbering. License must be framed and posted near barber chair or work stand.

3.19. Failure on the part of the owner, manager, or employees to comply with the ~~foregoing rules and regulations~~ this rule will be deemed a violation of the law and sufficient cause for the state board of barbers and beauticians to revoke, or fail to renew any certificate of registration.

3.20. An approved disinfectant shall mean a 1/1000 solution of quarternary ammonium salts of high germicidal activity, or its equivalent.

Section 4. Duty to Carry Out Rules, Reporting and Complaints

4.1. It shall be the duty of the proprietors of all barber shops, barber schools, and all registered barbers, ~~junior barbers~~, students, and others, to assist in carrying out these ~~rules-and-regulations~~ this rule by reporting any violation to the state board of barbers and beauticians, or any of its duly authorized agents.

4.2. All complaints will please be handed to an inspector on his visit to your barber shop, or school of barbering. Such complaints will immediately be investigated. Complaints sent to the office of the division of barbers and beauticians cannot possibly receive prompt attention.