

TITLE 3
LEGISLATIVE RULES
BOARD OF BARBERS AND BEAUTICIANS
SERIES 4
OPERATION OF BEAUTY SHOPS AND SCHOOLS OF BEAUTY CULTURE

§3-4-1. General.

1.1. Scope. -- These legislative rules govern the operation of beauty shops and schools of beauty culture.

1.2. Authority. -- W. Va. Code §30-27-10

1.3. Filing Date. -- July 21, 1964

1.4. Effective Date. -- August 21, 1964

1.5. Refiling Date. -- December 30, 1982

§3-4-2. Application and enforcement.

2.1. Application. -- These legislative rules apply to the owners and operators of beauty shops and schools of beauty culture.

2.2. Enforcement. -- Enforcement of these legislative rules is vested in the West Virginia Board of Barbers and Beauticians.

§3-4-3. Sanitation requirements.

3.1. Every beauty shop or school of beauty culture shall, before opening its place of business, notify the board in writing, at least ten (10) days before the proposed opening date of such shop or school (a twenty-five dollar (\$25.00) opening inspection fee for new or change of location). All beauty 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 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 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.

3.4. Each beautician, instructor, junior beautician and student shall thoroughly cleanse his or her hands with soap and water immediately before serving any patron.

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 on a patron is prohibited.

3.7. Shampoo bowls and boards must be cleansed after each shampoo.

3.8. All beauty 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, a lavatory is that plumbing fixture commonly used for hand washing.) 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 2 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 beauty 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 beauty shops. Shops located in residences must have a private entrance, proper toilet facilities and must be confined strictly to rooms used exclusively for beauty culture.

3.10. Every beautician who uses hair brushes must have at least six (6) 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 beautician must have at least twelve (12) combs in use. Every comb must be thoroughly washed and sterilized after each use.

3.12. Waving fluid, or other liquid preparations, must be applied to the hair only through a sanitary dispenser, or by dripping, pouring or spraying on the hair.

3.13. All rollers must be cleaned and sterilized after each patron and, when not in use, kept in a closed cabinet used for that purpose only.

3.14. The advertised price of a permanent wave must include a shampoo and all other preparations necessary prior to giving the wave, and every act necessary to complete the permanent wave. The manager of each shop will be held responsible for seeing that the shop has on hand at all times all supplies required to give each individual permanent wave advertised, by name, by that particular shop.

3.15. All razors, scissors, tweezers, needles, blades and other instruments shall be thoroughly cleaned and then 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 storage cabinet.

3.16. Each beautician, student and junior beautician shall be responsible for keeping his or her individual chair, workstand, mirror, drawers, individual sterilizers and entire booth or stand clean and neat during working hours. Each such operator practicing in any capacity must keep his entire personal appearance clean and neat, and above reproach, at all times. (Shorts and slacks are prohibited.)

3.17. Every beauty operator must have adequate cabinet space for storing tools and accessories only. Each beautician must have an individual dip sterilizer which must be of sufficient size to allow combs to be completely submerged. Dip sterilizers may be made of glass or metal, and must contain, at all times, an adequate fresh supply of an approved disinfectant. Combs and brushes shall be immersed in a dip sterilizer after washing, and prior to placing in the cabinet

sterilizer.

3.18. No person practicing beauty culture, 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.

3.19. Floors must be kept clean and free from hair and, where possible, mopped each day.

3.20. Any member of the State Board of Barbers and Beauticians, or its agents, shall be privileged to enter and inspect any beauty shop or beauty 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 being violated, and to take any other action necessary to properly enforce the law.

3.21. A copy of these Rules and Regulations must be framed and posted in a conspicuous place in every beauty shop and school of beauty culture.

3.22. Failure on the part of the owner, manager or employees to comply with the foregoing Rules and Regulations 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.

3.23. All license must be framed and posted in the booth or workstand.

3.24. An approved disinfectant shall mean a one thousandth (1/1000) solution of quarternary ammonium salts of high germicidal activity, or its equivalent

§3-4-4. Duty to carry out rules, reporting or complaints.

4.1. It shall be the duty of the proprietors of all beauty shops, beauty schools and all registered beauticians, junior beauticians, students and others to assist in carrying out these Rules and Regulations 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 beauty shop or school of beauty. Such complaints will immediately be investigated. Complaints sent to the office of the Division of

Barbers and Beauticians cannot possibly receive prompt attention.