LEDGE LIGHT HEALTH DISTRICT COSMETOLOGY REGULATION

(Effective April 10th, 2014)

BACKGROUND

The State of Connecticut has passed legislation concerning licensing and inspection oversight of Barbershops, Hairdressing Shops, Cosmetology Shops, Nail Salons and other services as described in Section 1(I) of this Regulation. The purpose of this Ledge Light Health District Regulation is to provide specific criteria for the inspection and licensing of said establishments. All Barbershops, Hairdressing Shops, Cosmetology Shops and Nail Salons are subject to the provisions of the "Ledge Light Health District Cosmetology Regulation." This Regulation was originally adopted on November 10th, 2005 and is hereby further amended effective April 10th, 2014.

AUTHORITY

This Regulation is authorized and promulgated pursuant to Connecticut General Statutes Section 19a-231 and Section 20-234 through Section 20-265.

SECTION 1. DEFINITIONS

- **A.** Cosmetology Establishment: For the purpose of this Regulation, all Barbershops, Hairdressing Shops, Cosmetology Shops, Nail Salons and other service providers as described in Section 1(I) of this Regulation are considered "Cosmetology Establishments."
- **B.** Barbering: Includes the following described practices when performed by a barber licensed in the State of Connecticut upon the head, face, scalp or neck for cosmetic purposes only:
 - The cutting, trimming, or shaving of the hair.
 - Singeing, shampooing, dyeing, coloring or styling of the hair.
 - The application of cosmetic preparations, hair tonics, antiseptics, powders, oils, clays, creams or lotions.
 - Giving facial and scalp massage or the application of oils, creams, lotions or other preparations, either by hand or mechanical appliances.
- **C. Barbershop:** Any establishment engaged in the practice of barbering for the public.
- **D.** Director of Health: The Director of Health of Ledge Light Health District or his/her duly authorized representative.
- **E.** Hairdressing and Cosmetology: Includes the following described practices performed by a hairdresser/cosmetician licensed in the State of Connecticut upon the head, face, scalp, arms, hands, body, legs and feet for cosmetic purposes only:
 - Dressing, arranging, curling, waving, weaving, cutting, singeing, relaxing/straightening, bleaching and coloring hair.
 - Treating the scalp, face, neck and arms by massaging, cleansing, exercising, stimulating, beautifying or manipulating, with the hands or mechanical appliances.
 - Application of cosmetics, preparations, antiseptics, tonics, lotions, creams, powders, oils, clays or sprays.
 - Manicuring nails of the hand and, for cosmetic purposes only, trimming, filing and painting the healthy nails of the feet, excluding cutting nail beds, corns, calluses, or other medical treatment involving the foot or ankle.
- **F.** Nail Technician: A person who 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.

- **G.** Nail Salon: An establishment, kiosk, or site that offers, provides, permits or allocates space for the manicuring of finger nails and pedicuring of toe nails or utilizes resins, plasticizers, solvents, pigments, creams, emollients, adhesives, paints or compressed air brush equipment for the purpose of treating, painting, repairing, and enhancing of finger nails and toe nails.
- **H. Operator**: Any person who is performing tasks allowed under the scope of this Regulation, the Connecticut Public Health Code and the Connecticut General Statutes.
- I. Other Services: The following described practices can be performed by an unlicensed individual:
 - Manicuring nails of the hands.
 - Pedicuring nails of the feet.
 - Performing facials.
 - Shampooing of the hair.
 - Eyebrow arching or "threading."
 - Braiding hair.
 - Waxing.
- J. Shampoo Station: A shampoo bowl (sink) and a shampoo chair.
- **K.** Work Area: Any room where a cosmetology service is provided.
- L. Work Station: 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-OPERATIONAL INSPECTIONS

- **A.** No Cosmetology Establishment shall be relocated, constructed, remodeled or extensively altered, nor shall any structure be converted to a Cosmetology Establishment, except in accordance with plans and specifications approved by the Director of Health.
- B. Properly prepared plans drawn to a scale of not less than ¼":1' and specifications for such construction, remodeling or alteration shall be submitted to the Director of Health for review and approval before relocation, construction, remodeling or alteration is begun. The plans and specifications shall indicate the proposed layout, arrangement and construction materials of work areas and the type and model of proposed fixed equipment and facilities. The Director of Health shall approve the plans and specifications if they meet the requirements of this Regulation, the Connecticut Public Health Code and the Connecticut General Statutes. Prior to the Cosmetology Establishment's opening the Director of Health shall conduct a pre-operational inspection to determine compliance with the approved plans and specifications and with the requirements of this Regulation, the Connecticut Public Health Code and the Connecticut General Statutes.

SECTION 3. LICENSE

- **A.** No Cosmetology Establishment shall operate without having a valid license issued by the Director of Health. Only establishments that comply with the requirements of the Connecticut Public Health Code, the Connecticut General Statutes and this Regulation shall be entitled to receive or retain such a license.
- **B.** Application for a license shall be made on forms furnished by the Director of Health, wherein the applicant shall provide pertinent information as required by the Director of Health.
- C. Licenses shall be valid until the expiration date indicated on the license unless suspended by the Director of Health, or until such time as the facility changes owners or closes.

- **D.** No license shall be granted to any individual to operate a Cosmetology Establishment unless the establishment employs an operator that has been licensed by the State of Connecticut as a barber or hairdresser/cosmetician for at least two (2) years. This requirement does not apply to those persons operating a cosmetology shop prior to May 17, 1982.
- **E.** Every applicant for a license to operate a Cosmetology Establishment shall pay an annual license fee of one hundred dollars (\$100.00). The annual license fee established by the Ledge Light Health District Board of Directors shall not to exceed the maximum fee set forth in the State Statutes.
- **F.** Every applicant for a license to open a new or extensively renovated Cosmetology Establishment shall pay a one-time plan review fee of three hundred dollars (\$300.00).
- **G.** No license shall be issued or renewed until a completed application has been submitted, the license fee has been paid and the applicant's Cosmetology Establishment meets the requirements set forth in this Regulation.
- **H.** Licenses shall not be transferable from person to person or from location to location.
- I. The Director of Health, after proper identification, shall be permitted to enter, during normal operating hours, any portion of a Cosmetology Establishment for the purpose of making inspections to determine compliance with this Regulation, the Connecticut Public Health Code and the Connecticut General Statutes.

SECTION 4. LICENSE SUSPENSION

- **A.** Failure to comply with the provisions of this Regulation, the Connecticut Public Health Code or the Connecticut General Statutes shall be grounds for suspension of any license issued under the provisions of this Regulation.
- **B.** In the event that unsanitary conditions are observed during an inspection or if a violation or set of violations appears on more than one (1) consecutive inspection report, the Director of Health may immediately issue a written notice to the license holder or person in charge citing such conditions and specifying the corrective action and time frame within which action shall be taken. If the correction is not made in the allotted time, the license may be suspended.
- C. Pursuant to Section 19a-206 of the Connecticut General Statutes, the owner or occupant of such property, or both, shall be subject to a civil penalty of \$250.00 per day for each day such nuisance is maintained or such filth is allowed to remain after the time fixed by the Director of Health has expired.
- **D.** The Director of Health may suspend, without warning, prior notice or hearing, any license to operate a Cosmetology Establishment if:
 - the operation constitutes an imminent hazard to the public health; or
 - the Cosmetology Establishment is operating without a valid license from Ledge Light Health District; or
 - the owner, operator or person in charge has interfered with the performance of the Director of Health's duties.
- **E.** An imminent hazard to the public health, as indicated on the inspection form, shall include but is not limited to, any one of the following:
 - an ongoing outbreak of an infectious, pathogenic or toxic agent capable of being transmitted to consumers:
 - the absence of potable water, supplied under pressure, in a quantity which, in the opinion of the Director of Health, is capable of meeting the needs of the facility;
 - a sewage backup into the facility;
 - an unlicensed individual performing procedures requiring licensure by the State of Connecticut;

- the absence of or improper use of an approved disinfectant as described in Section 7 of this Regulation.
- **F.** Suspension shall be effective immediately upon delivery of a written Public Health Order to the license holder or person in charge of the facility. When a license is suspended, the licensure certificate must be forfeited and all operations shall cease immediately and shall not resume until written approval to resume has been issued by the Director of Health.
- G. A Public Health Order provided for in this Regulation is properly served when it is delivered to the license holder or person in charge or when it is sent by registered or certified mail, return receipt requested, to the last known address of the holder of the license.
- H. When a license is suspended, the holder of a license shall be afforded an opportunity for a hearing if a written request for hearing is filed with the Director of Health by the holder of the license within forty-eight (48) hours of receipt of the Public Health Order. The Director of Health may end the suspension at any time by giving written notice to the license holder if reasons for suspension no longer exist.
- I. Upon receiving a request for a hearing, the Director of Health shall examine the merits of such suspension and may vacate, modify or affirm such suspension. The Director of Health shall conduct the hearings provided for in this chapter at a time and place to be designated. The Director of Health shall make a final finding based upon the complete hearing record, and shall sustain, modify or rescind any notice or order considered in the hearing. The Director of Health shall furnish a written report of the hearing decision to the license holder with ten (10) calendar days of the hearing date.
- J. Connecticut General Statutes Section 19a-229 states "Any person aggrieved by an order issued by a town, city or borough director of health may appeal to the Commissioner of Public Health not later than three business days after the date of such person's receipt of such order, who shall thereupon immediately notify the authority from whose order the appeal was taken, and examine into the merits of such case, and may vacate modify, or affirm such order."

SECTION 5. SPECIFIC STANDARDS AND REQUIREMENTS

A. Water Supply

- i. An adequate supply of hot and cold running water from a municipal or approved private source shall be provided.
- ii. Hot water must not exceed 115°F.

B. Waste Disposal

- i. Wastewater from all plumbing fixtures shall be discharged into municipal sewers or approved subsurface sewage disposal systems.
- ii. Oils, greases, industrial/commercial wastes, toxic chemicals and wastewater that is not sewage, as defined in Public Health Code Section 19-13-B103b (a), shall not be discharged to a subsurface sewage disposal system.
- iii. Mineral oil and chemical laden swabs or cloth shall be placed in a metal container with a foot-actuated cover.
- iv. All waste materials from Cosmetology Establishment work stations shall be removed from the premises to outside garbage disposal at the end of each workday.
- v. Outside garbage storage areas shall be maintained in a sanitary condition.

C. Plumbing Fixtures

- i. All plumbing installation and fixtures shall conform to applicable public health, building and plumbing codes, including the installation and maintenance of approved backflow prevention devices.
- ii. Shampoo bowls shall be used for cosmetology work only.
- iii. A utility sink shall be provided.
- iv. At least one (1) handwash station shall be located in each cosmetology establishment. This handwashing sink must be used for handwashing only.

D. Process Ventilation

- i. Cosmetology Establishments shall be properly and adequately ventilated so as to remove chemical vapor emissions, excess heat, and odors. Salon ventilation shall comply with state and local building codes and ordinances.
- ii. Cosmetology Establishment using chemical agents that create indoor vapor emissions shall not pollute nor negatively affect the indoor air quality of adjacent premises. Vapor emissions shall be controlled by ventilation systems that remove the contaminating agent at its source. Emissions shall be discharged to the outdoors and shall not be re-circulated into any structure. The source, for the purpose of this section, shall mean vapor emissions originating at Cosmetology Establishment work stations. Those facilities in operation prior to January 1, 2006 are exempt from this requirement, except that the Director of Health may order the correction of nuisance conditions should they occur.

F. <u>Cabinets</u>

Cabinets shall be provided for storage of clean linen, towels, and gowns. They shall have tight-fitting doors that shall be kept closed to protect the linen, towels, and gowns from dust and dirt.

G. Receptacle for Used Towels and Gowns

A covered receptacle which can be readily emptied and cleansed shall be provided for used towels and gowns and it shall be maintained in a sanitary manner. Chemically soiled towels and linens shall be stored in fire-retardant containers.

H. Refuse

Covered containers for hair droppings, paper and other waste material shall be provided and maintained in a sanitary manner.

I. Toilet Facilities

- i. Adequate toilet facilities and handwashing sinks must be provided for customers and employees. Such facilities and washbasins shall be kept clean and in working order.
- ii. The use of common bar soap is prohibited.
- iii. A covered refuse receptacle shall be provided.
- iv. Common towels for handwashing are prohibited.
- v. Common finger nail brushes are prohibited.

J. Work Stations

- i. Chairs in work stations shall be at least fifty-four (54) inches apart, center to center. Those premises in operation prior to January 1, 2006 are exempt from this requirement.
- ii. A two (2)-foot wide workspace shall be maintained behind each chair for the operator. Those premises in operation prior to January 1, 2006 are exempt from this requirement.
- iii. Three (3)-foot wide aisles that are separate and discrete from work areas shall be maintained throughout the shop. Those premises in operation prior to January 1, 2006 are exempt from this requirement.
- iv. No hair dryers shall encroach on the required three (3)-foot wide aisle space.
- v. Mobile stations must be designed to provide the same workspace and separating distances as fixed stations. For a mobile station, it is assumed that the dryer can be accommodated in the workspace designated for the operator.
- vi. Cosmetology Establishments located in a residence must be confined to a separate room, separated with ceiling-high partitions and provided with a door to be closed at all times. The area within a home operated as a Cosmetology Establishment must conform to this Regulation.

SECTION 6. MAINTENANCE AND OPERATION

A. General Cleanliness

- i. Cosmetology Establishments shall be kept in a clean and sanitary condition at all times.
- ii. No hair droppings shall be allowed to accumulate on floors. Hair droppings shall be removed following service to a customer, and before a new customer is seated. Arms, seats and rests of chairs shall be wiped of hair droppings after serving each customer and shall be kept in a clean and sanitary condition at all times.

B. Floors, Walls, Ceilings and Fixtures

- i. Floors shall be of such construction as to be easily cleaned and shall be kept clean and in good repair.
- ii. Ceilings shall be kept in good repair and cracks in walls shall be filled in so as to prevent the harboring and breeding of insects.
- iii. Cabinets, shelves, furniture, shampoo bowls and fixtures shall be kept clean and free of dust, dirt and hair droppings.

C. Sanitary Services

- i. A towel shall not be used for more than one (1) person without being properly laundered before each use.
- ii. A sanitary paper strip or clean towel shall be placed completely around the neck of each customer before an apron or any other protective device is fastened around the neck.
- iii. Clean towels shall be delivered in a closed container and kept in a clean, closed cabinet or closet. A commercial linen service shall be used for laundering if not done on the premises.

D. <u>Disinfection of Equipment and Implements</u>

i. Hair brushes, combs and all other implements used on a customer shall be kept clean and sanitary at all times and shall undergo thorough cleansing and disinfection as described in Section 7 of this Regulation after serving each customer, or single-service disposable implements shall be used.

- ii. Cleaned and disinfected implements shall be stored in sanitary-covered containers which shall contain a disinfectant or in a clean drawer.
- iii. After attending a customer, the instruments shall be effectively cleaned, washed with soap or a detergent and water and then disinfected as described in Section 7 of this Regulation.
- iv. Single-service towels, papers and other material shall be disposed of in the proper receptacle immediately after use and shall not be used again.
- v. All disposable materials that come into contact with blood and/or body fluids shall be disposed of in sealable plastic bags prior to placing in the waste receptacle.
- vi. All articles that come into direct contact with the customer's skin, nails, or hair that cannot be effectively cleaned and sanitized shall be disposed of in a covered waste receptacle immediately after use. Exception: orangesticks, 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.

E. Shaving Brushes, Shaving Mugs, Finger Bowls, and Credo Blades

- i. The use of shaving brushes, shaving mugs and credo blades is prohibited.
- ii. The use of finger bowls for manicuring purposes is allowed, but the finger bowl must be properly cleaned and disinfected as described in Section 7 of this Regulation after each customer. Disposable, single-use finger bowls may be used.

F. Alum and Other Astringents

Alum or other material used to stop the flow of blood shall be applied in powdered or liquid form only.

G. Neck Dusters, Powder Puffs, Makeup Brushes and Sponges

The use of brush neck dusters, powder puffs, makeup brushes and sponges is prohibited unless they are singleuse disposable implements or kept for the original customer if kept in a covered container labeled with the customer's name.

H. First Aid Kit

The facility shall maintain at least one (1) portable, readily available first aid kit. Each kit shall be a closed container designated for storing first aid supplies and shall be accessible to staff at all times. The first aid kit shall contain at least the following items:

- assorted sizes of non-medicated adhesive strips;
- sterile, individually wrapped, three (3) or four (4) inch gauze squares;
- a two (2) inch gauze roller bandage;
- one (1) roll of adhesive tape (hypoallergenic);
- scissors;
- tweezers;
- two (2) instant cold packs;
- two (2) triangular bandages with safety pins;
- disposable, nonporous gloves; and
- CPR mouth barrier (face shield).

I. Foods and Beverages

Foods and beverages shall not be prepared, stored or provided to patrons in any Cosmetology Establishment, except with a valid food service license from the Director of Health. Customer self service coffee or tea with dry non-dairy creamers or individually prepackaged Ultra High Temperature (UHT) creamers may be offered for free or for sale without a food service license.

J. Animals, Pets or Live Birds

No animals, pets or live birds shall be kept in any working area of any Cosmetology Establishment. This prohibition does not apply to trained guide dogs (or dogs in training) for the disabled, sightless or hearing impaired.

SECTION 7. APPROVED DISINFECTANTS

A. <u>Disinfection of Implements and Contact Surfaces</u>

- i. The following method constitutes satisfactory disinfection of implements and all contact surfaces (foot baths, countertops, etc.):
- Step 1. Clean the surfaces/implements with soap or detergent, rinse with clean water and drain.
- Step 2. After cleaning, disinfect the surfaces with the appropriate disinfectant (see list below) according to the manufacturer's directions on the label.
- Step 3. Surfaces must remain wet with the disinfectant for 10 minutes or the time stated on the label, which may be shorter.
- Step 4. After disinfection, drain and rinse with clean water.

Note: certain types of hair clippers are not designed for immersion/saturation; in these cases, follow the manufacturer's directions for disinfection.

- ii. The following chemicals are approved disinfectants:
 - Ethyl or isopropyl alcohol (70-90%)
 - Sodium hypochlorite (5.25-6.15% household bleach diluted 1:500 provides >100 ppm available chlorine)
 - Phenolic germicidal detergent solution (follow product label for use/dilution)
 - Iodophor germicidal detergent solution (follow product label for use/dilution)
 - Quaternary ammonium germicidal detergent solution (follow product label for use/dilution)
 - Barbicide® (follow product label for use/dilution)

B. <u>Disinfection of Towels, Linens and Gowns</u>

Chemicals suitable for low temperature washing (less than or equal to 158°F) of towels, linens and gowns shall be used. Lysol or household bleach (sodium hypochlorite) shall be used according to manufacturer's specifications. Color safe bleach may *not* be used.

C. <u>Non-Chemical Methods of Disinfecting</u>

Non-chemical methods of disinfecting must be approved in writing by the Director of Health. Equipment specifications shall accompany requests for approval.

SECTION 8. HYGIENE OF OPERATORS

A. Cleanliness of Operators

The hands of the operator shall be thoroughly washed with soap and warm water before serving each customer and immediately after using the toilet or after eating.

B. Health of Operators

No person known to be affected with any communicable disease in an infectious stage shall engage in barbering, hairdressing or cosmetology. Operators shall not eat or drink while providing services to a customer.

C. Proper Attire

While attending any customer in a Cosmetology Establishment, operators shall wear clean, washable garments.

SECTION 9. SMOKING PROHIBITED

Smoking is prohibited in all Cosmetology Establishments.

SECTION 10. INSPECTION FORM

Attachment A provides a sample Inspection Form. This is provided solely for information and is not intended to revise, delete, suspend or add to the above specifications and Regulation requirements.

SECTION 11. UNCONSTITUIONALITY PROVISION

Should any section, paragraph, sentence, clause or phrase of this Regulation be declared unconstitutional or invalid for any reason, the remainder of said Regulation shall not be affected thereby.

The foregoing regulation was approved and duly adopted at a meeting of the Ledge Light Health District Board of Directors on November 10, 2005, to be effective January 1, 2006 and then further amended at a meeting of the Ledge Light Health District Board of Directors on April 10th, 2014 to be effective April 10th, 2014.

Baker Salsbury, MPH, MSW, MHSA

Director of Health

Susan Vincent

Secretary, Board of Directors

Attachment A – Inspection Form

	Annual Inspection Complaint Servi	ces:		1 01	D W.11.10
	Reinspection Other:		□ N	arber Shop ails	☐ Hairdressing/Cosmetology ☐ Other
		.C41 I1	T :-1-	4 II141. D:-4-:-	(De 16 C D 1 L William)
	Based on an inspection this day, the items circled below identify violations of Cosmetology Shops and Nail Salons.	or the Leage	Ligh	t Health Distric	t Regulations for Barbershops, Hairdressing,
A.	Water Supply	J.		usekeeping	
	1. Water supply adequate, safe	F	19.		e shop completely separate from living/sleeping quarters
	2. Hot and cold water under pressure, provided as required		20. 21.		beverages on premises unless permittedpets in working areas
R	Sewage Disposal		22.		spaces properly maintained
15.	Approved method of sewage disposal				
C.	Plumbing	K.	Per	sonnel	
•	Approved plumbing fixtures, clean, maintained		23.	All personne	properly licensed as required by DPH
	No potential cross connection, back siphonage, backflow		24.		ith infection or communicable disease attended or workin
	F		25.	Good hygien	ic practices, smoking prohibited restricted
D.	Toilet/Handwashing Facilities		26.	Clean outer g	garments
	Toilets and washbasins adequate, convenient, accessible, designed, installed	4 0	27.		ed with soap and water before serving each customer
	7. Proper fixtures in good repair, clean	44 I.	Lite	nsils/Fauinme	nt – Handling (other than Single Service)
	8. Soap in dispensers and single-service paper towels provided		28.	The followin	g items are prohibited: neck dusters, powder puffs, spong hes, shaving mugs
E.	Garbage Disposal		29.		gs removed frequently and in proper manner
	9. Adequate number of covered refuse containers provided, clean		30.		vered with clean towels or paper
	10. Outside disposal area and enclosures properly constructed, clean	V.	31.		er strip placed around neck before protective device
	T1		32.		ontainer used for dispensing lotion or powders
F.	Floors/Walls/Ceilings		33.		r material to stop the flow of blood provided in powder o
	11. Floors properly constructed, in good repair, clean			liquid form	
	12. Ceilings properly constructed, in good repair, clean				
	13. Walls properly constructed, in good repair, clean	20			
	14. Attached equipment, fixtures, properly constructed, maintained, clean, free of hair clippings	M.	Ute	nsils/ <mark>E</mark> quipme	nt - Sanitizing (other than Single Service)
	nee of hair enppings	*/:	34.	Utility sink p	rovided for instrument cleaning
Н.	Ventilation 16. Adequate ventilation, no excess heat or odors.		35.	Equipment us	sed on customer cleaned and disinfected after each
	16. Adequate ventilation, no excess heat or odors	•	36.	Utensils used	on customers cleaned and sanitized after each customer.
I.	Storage		37.	Proper use of	recommended disinfection techniques/solutions
	17. Cabinets for clean linens and towels are adequate, clean, with tight		38.	Disinfected u	tensils kept in sanitary covered containers when not in us
	fitting doors		39.	Linens and to	wels properly sanitized when washed on premises
	18. Covered receptacle provided exclusively for soiled linens and towels	Ye	Yellow Items are Imminent Health Hazards and must be corrected immediately All other items must be corrected within 2 weeks		