

THE NEW BRUNSWICK REGISTERED BARBERS' ASSOCIATION**BOARD OF BARBER EXAMINERS OF NEW BRUNSWICK****CHAPTER 82 STATUTES OF NEW BRUNSWICK 2007****ESTABLISHMENTS AND BOOTHS WHERE, BARBERING IS PRACTICED**

Summary: This chapter establishes the criteria to be met in order to obtain a license to operate a barber shop.

REGULATION # 2015-09-003 BARBER SHOP RULES

BE IT RESOLVED, by the Council of the New Brunswick Registered Barbers' Association that the following regulation be enacted and inforce upon radification:

3.01 DEFINITIONS

- A. Booth. "Booth" means an establishment, or business attached to or within a licensed establishment that is operated independently thereof.
- B. Establishment. "Establishment" means any premises, structure, building or part of a building where any activity licensed under c.82 SNB 2007 is practiced.
- C. Clean. "Clean" means the absence of soil, dirt, or hair or the removal of soil, dirt, or hair by washing, sweeping, clearing away, or any other appropriate method rendering a sanitary condition.
- D. Sanitary. "Sanitary" means free of agents of infection, disease, or infestation by insects and vermin and free of soil, dust, hair, or foreign material.
- E. Independently Operated. "Independently Operated" means a person or business who meets the following criteria:
 - 1. You set your own working hours;
 - 2. You keep your own appointments and records;
 - 3. You set your own prices for work performed;
 - 4. You file all appropriate provincial and federal taxes;
 - 5. You pay a flat rate rental fee;
 - 6. You control the cash flow of your business;

7. You can not be fired as long as you meet the specifications of your written contract; and
 8. You meet any other requirement set by the Canada Revenue Agency regarding independent contractors.
- F. Chair renter. "Chair Renter" means a person or business who meets the following criteria:
1. A chair "renter" is considered an employee and are subject to the shop owner making EI contributions on behalf of the renter provided the following conditions apply:
 1. The renter works during the established hours of the business;
 2. Makes appointments and/or accepts walk-ins within the business;
 3. Charges the same rates as established by the business
 4. Are charged a specific rate daily/weekly/biweekly, monthly or similar term;
 5. Are charge a percentage of amount collected for services in lieu of a specific rate of rent;
 6. You can be relieved of your duties for any cause by the owner.
 2. All persons who are considered to be "Renters" or "Independently Operated", shall be provided a written contact that is made in duplicate format and is retained by the business owner and the renter or independently operated contractor. It is a violation to not provide a written contract under this regulation.

3.02 LICENSING; GENERAL RULES

- A. Establishment License. No person, firm, or corporation may provide services in, operate or cause to be operated an establishment where barbering is practiced unless that establishment has been inspected and duly licensed by the board.
1. Charitable Functions. Licensees may practice the scope of barbering outside a licensed establishment provided that the function is for a charitable organization and the licensee receives no compensation for the work performed.

A written request must be submitted to the Board at least 10 (ten) days prior to the event. This request shall include, but shall not be limited to the following:

- a. Type of charitable function;
- b. Date of function;
- c. Location of function;
- d. Name(s) and license number(s) of all participants providing services;
- e. Name of the charitable organization

1. A letter from the charitable organization must accompany the request stating that all contributions will be given to that organization.
- B. Booth License. No person, firm, or corporation may provide services in, operate or cause to be operated a booth where barbering is practiced unless that booth has been inspected and duly licensed by the board.
- C. Display of License. All licenses, registrations, and permits must be displayed according to the following methods.
1. A valid establishment license shall be conspicuously displayed for public view and readily accessible for inspection.
 2. A valid booth license must be conspicuously displayed at the work station which has been approved by the board.
 3. Valid licenses, registrations and permits must be conspicuously displayed for public view and readily accessible for inspection in the shop where the barber, demonstrator or person operating under a temporary permit is employed.
 4. Photocopying, reproducing, defacing or writing on any license issued by the board is prohibited.
 5. The name of the licensee, license number, expiration date and photo must be visibly displayed at all times.
 6. All licensing requirements in this chapter shall also apply to booth rentals.
- D. The owner(s) of an establishment shall be responsible to ensure all required licenses, certificates of qualifications, permits, inspection reports are posted, and the registered owner will be subject to the applicable fine for any violation.
- E. All new establishments, changes of location or ownership must submit a floor plan of the establishment at the time of application for licensure.

3.03 PLACE OF SERVICE

- A. All persons practicing barbering as defined under *Registered Barbers' Act* must provide a suitable place equipped to give service to patrons and subject to inspection by the constituted authorities.
- B. An establishment licensed by the board must provide direct entry into the establishment or from a public access area.
1. private residential establishments must provide a separate entrance directly into the shop from a public access area. Accessing the shop from any personal living area is prohibited.

- a. Subject to town or city ordinances, establishment entrances shall be clearly marked.
- 2. All doors or entrances opening into the living quarters shall be kept closed at all times when service is being rendered to patrons.
- C. The establishment must be adequately ventilated at all times.
- D. No other business shall be conducted in an establishment unless separated by a full length partition.
- E. The minimum square footage of a barber shop, or booth or shop in residence, with one chair shall be one hundred (100) square feet, and for each additional chair will require fifty (50) square feet of additional space. (Exception for booth will require fifty (50) square feet of space minimum)

3.04 EQUIPMENT

The following listed are minimum requirements for all establishments or booths.

- A. Two cabinets
 - 1. One cabinet for storing clean towels
 - 2. One cabinet or adequate shelving for storing supplies
 - 3. All cabinets and shelves must be kept clean at all times.
- B. One container for soiled towels
- C. At least one adequate size waste receptacle must be provided. Primary waste receptacles must be covered.
- D. One wet sanitizer unit of adequate size with appropriate sanitizing agent or UV electric sanitizer equipped with a proper medical grade bulb in good working order.
- E. At least one dry sanitizer agent or dry sanitizing unit of adequate size must be provided.
- F. Sink with hot and cold running water under pressure connected to sewerage disposal. All shampoo bowls must be equipped with an approved back flow prevention device.
- G. Adequate and sufficient tools and implements necessary for services being rendered.
- H. Adequate and appropriate chairs for service being rendered.

- I. Adequate supply of clean towels for services being rendered.

3.05 REST ROOM FACILITIES

- A. Effective November 10, 2015, any new establishment, change of ownership or change of location, must provide suitable rest room facilities for patrons and employees within or adjacent to the establishment. In the event an establishment is in or connected to a residence, patrons may not walk through any living area of the home to get to the restroom.
- B. All rest rooms must provide a flush operated toilet and sink with hot and cold running water.
- C. The rest room facilities must be in working order and be kept clean and sanitary at all times.
- D. With the exception of supplies to maintain the rest room, such room shall not be used for storage.
- E. Adequate ventilation shall be maintained. In the case where there are no windows capable of being opened, adequate mechanical ventilation shall be provided.
- F. A suitable holder for sanitary paper towels or workable hot air blower is required. The use of cloth towels is prohibited.
- G. Adequate supply of hand soap and soap dispenser shall be provided. The use of bar soap is prohibited.
- H. A waste container must be provided.
- I. A conspicuously displayed employee notice with the following shall be posted. "Notice to all employees - please wash hands after using rest room".

3.06 WATER, PLUMBING AND ELECTRICAL REQUIREMENTS

- A. Each establishment or booth must provide an adequate supply of hot and cold water in such quantities as may be necessary to conduct business in a sanitary manner.
- B. Private water supplies must be tested for bacteria and coliform by an approved testing agent within six months of application for initial licensing.
 - 1. Water supplies found to be unsatisfactory will require another test within six months of the date of any unsatisfactory test.
 - 2. A sign shall be posted indicating that the water is unsatisfactory until the water has been tested and is proven to be satisfactory.

- C. All plumbing must be in compliance with the New Brunswick Plumbing Code administered by the Department of Public Safety. Documentation certifying compliance by the city or town plumbing inspector is required at the time of inspection for new establishments or booths and changes of location and/or ownership.
- D. Mobile establishments shall have a waste holding tank 15% greater than the fresh water supply. All mobile units shall provide evidence of access to a provincially approved dumping station.
- E. Written notice shall be provided to the board within ten days of new plumbing being installed after the initial inspection. The notice shall contain information regarding the new plumbing and a copy of the documentation certifying that such installation complies with 3.06 (C).
- F. All electrical installations must be in compliance with the current edition of the National Electrical Code. Documentation certifying compliance by city or provincial electrical inspectors is required. Establishments that apply for a change of location or ownership are not required to submit documentation of compliance if the existing establishment does not have any electrical work or renovations done and the initial inspection was done within five (5) years from the change of ownership or location.

3.07 SANITATION FOR FACILITY

- A. All walls, ceilings, floors, doors, windows, receptacles, entrances and tools in an establishment, including rest room, must be kept clean, sanitary and in a safe condition at all times.
- B. Floors shall be of such construction as to be easily cleaned and be kept in good repair. Hair clippings shall be placed in a closed receptacle and not permitted to accumulate in corners or piles on the floor, it is acceptable to have hair clippings visible on the floor while a service is being performed, provided it is not excessive or poses a danger to the operator and/or client.
- C. In the case of any new establishment, change of location or ownership of an existing establishment, the use of carpeting under styling chairs and in the rest room facilities is prohibited and a non-porous hard flooring surface shall be provided.

3.08 SANITATION FOR OPERATORS AND EMPLOYEES

- A. Licensees and employees shall wear clean garments.
- B. Any person providing patron service must thoroughly wash their hands prior to starting work and shall wash hands during work hours as often as may be necessary to remove soil and contamination and immediately after using the rest room.

- C. It is prohibited to place tools, instruments or any articles used in connection with barbering in garment pockets

3.09 SANITATION OF EQUIPMENT, TOOLS, IMPLEMENTS, INSTRUMENTS AND SUPPLIES

- A. A separate and clean towel shall be used for each patron. Soiled towels shall be kept in an appropriate container and adequately laundered regularly.
- B. A sanitary neck strip or towel shall be used to keep haircutting and shampoo capes from coming into contact with the patron's neck. Haircutting and shampoo capes shall at all times be clean.
- C. Hairclippings must be regularly swept and disposed of in a waste receptacle.
- D. The use of a brush for dusting powder on open sores or lesions is prohibited. All brushes shall be kept clean and sanitized.
- E. All creams, emollients, cosmetic preparations, etc. shall be removed from containers with spatulas or other sanitized article. The use of fingers to remove substances from containers is prohibited. All substances shall be properly covered at all times to prevent contamination.
- F. With the exception of disposable items, instruments used in direct contact of a patron shall be sanitized after each use.
- G. All non-electrical tools and instruments when not in use shall be stored in cabinets or adequate closed storage area containing a suitable sanitizing agent approved by the board.
- H. Wet sanitizers shall contain suitable chemical germicide solution which shall be bacteriologically effective. The solution shall be changed regularly.
- I. Any tool, instrument or item which has been contaminated with blood borne fluid shall immediately be washed with hot sudsy water.
 - 1. Any disposable material coming into contact with blood and/or body fluids shall be deposited in a sealable plastic bag or in a manner that not only protects the licensee and client but also others who may come in contact with the material, i.e. sanitation workers.
 - 2. Any disposable sharp objects that come in contact with blood or other body fluids shall be disposed or in a sealable puncture proof container strong enough to protect the licensee, client and others from accidental cuts or puncture wounds that could happen during the disposal process.
 - 3. Shop owners shall have both sealable plastic bags and sealable rigid containers available for use at all times.

- J. Metal instruments, tools, and implements used shall be sanitized by washing in hot sudsy water or immersing for at least 10 minutes in 70% isopropyl alcohol or by boiling at least 10 minutes or by any other sanitizing agent which meets the approval of the board.
- K. Establishments shall provide an adequate supply of combs, brushes and implements to allow for adequate sanitizing practices.
- L. The use of combs and brushes on more than one patron without first being sanitized is prohibited.
- M. Any instruments, tools, implements or other items having been dropped on the floor shall be sanitized before reusing.
- N. All equipment must be kept clean.
- O. Brush rollers are prohibited.
- P. Razor strops and hones used in any establishment shall be maintained in a sanitary condition at all times.
- Q. Lather brushes and shaving mugs are prohibited.
- R. Styptic sticks or pencils are prohibited.
- S. All drawers and/or cabinets containing brushes, combs, rollers, implements or other related supplies must contain adequate dry sanitation and must be clean.
- T. In the event of head lice, the shop must immediately take necessary steps to completely rid the shop of infestation by means of approved disinfectant and sanitation products.

The steps that are recommended to be taken include, but are not limited to, the following:

1. Wash all clothing, capes, towels, etc. in hottest water (125°F) for five to ten minutes
 - a. Any clothing, capes, towels, etc. that cannot be washed should be sealed in a plastic bag for ten days.
2. Vacuum and or spray pesticide on rugs and furniture.
3. Soak brushes and combs in a solution of medicated shampoo for one hour or boil in water for five to ten minutes at 150 deg. F

3.10 GENERAL REQUIREMENTS

- A. Birds and/or animals are permitted provided that the shop is maintained in a sanitary condition, animals must not be aggressive in nature, and must be controlled by the shop owner at all times. If the above conditions cannot be met it would make the animal prohibited and subject to further restrictions.
- B. Mobile barbering is permitted without additional license. A person providing mobile service shall have a valid Registered or Master Barber license.
- C. A copy of these rules shall be made available to be seen by all patrons.
- D. Food is not to be prepared, kept or sold in establishments, except coffee, tea or other non-alcoholic beverages prepared and kept for the convenience of employees and patrons. Exceptions would be food and beverages that may be dispensed from vending machines if said machines comply with federal, provincial and local laws. (Alcoholic beverages made be available if establishment holds a liquor license issued by the Province Liquor Control Board)
- E. Any person practicing barbering outside of licensed establishments, booths or mobile units as authorized by the Registered Barbers' Act must comply with section 3.08 and 3.09 of this chapter.
 - 1. Any person practicing as described in 3.10 (E) must carry their valid license Photo ID Card to practice at each site where service is rendered and be made readily available.

STATUTORY AUTHORITY: c.82 SNB 2007, s.6(1)(b)(v)

EFFECTIVE DATE:

2015-11-10 - as "**Rules for Certifying Barber Shops**"
2020-01-17 – Executive Revision

AMENDED: 2015-09-09, 2020-01-17

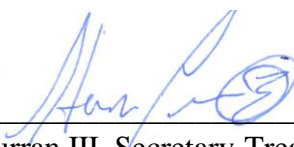
REGULATION # 2015-09-003

Shall replace the following regulations:

By-law 27 inclusive is hereby repealed

IT WAS RESOLVED AND HEREBY ENACTED:

Dated in the Province of New Brunswick on the 10TH day of November, 2015.



Stan Curran III, Secretary-Treasurer