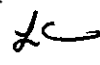


TOWN OF CROMWELL  
LEGAL NOTICE  
PUBLIC HEARING

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CROMWELL, CT 

The Town Council of the Town of Cromwell, Connecticut will hold a Public Hearing on Wednesday, May 8, 2019 at 6:50 p.m. in Room 224/5 of the Cromwell Town Hall, 41 West Street, Cromwell, CT regarding:

Amending the Code of the Town of Cromwell by updating Personal Service Establishments, §146-21.

Copies of the above are available for public inspection at the office of the Town Clerk, 41 West Street, Cromwell, Connecticut and will be posted on-line at [www.cromwellct.com](http://www.cromwellct.com).



Enzo Faienza, Mayor  
For the Cromwell Town Council

# **Cromwell Amended**

## **Chapter 146. Health Standards**

### **§ 146-21. Personal service establishments.**

#### **Authority of the Director of Health.**

The Director of Health or his or her designee shall have the full power to enter and inspect all barbershops, salons, tattoo, body piercing studios and tanning salons within the Town of Cromwell during their usual business hours to ensure proper sanitary conditions.

#### **Definitions.**

##### **BARBERSHOP**

The practice, as stated in Connecticut General Statutes § 20-234, when done upon the head, face and neck for cosmetic purposes and done for the public, with or without compensation therefor, shall be construed as practicing the occupation of barber or master barber within the meaning of this chapter: shaving or trimming the beard; cutting hair; styling or cutting hairpieces and wigs; giving facial and scalp massages or application of oils, creams, lotions or other preparations, either by hand or mechanical appliances; singeing, shampooing or dyeing the hair or applying hair tonic; and applying cosmetic preparations, antiseptics, powders, oils, clays or lotions to scalp, face or neck; provided nothing in this chapter shall permit any of the services or acts herein described to be used for the treatment or cure of any physical or mental disease or ailment.

##### **BODY PIERCING**

Involves the puncturing, piercing, or creating a channel through any part of the body other than the earlobe (i.e., lower portion of the auricle having no cartilage) for the purpose of inserting a decorative object.

##### **ESTABLISHMENT**

Encompasses the terms "salon," "tanning salon" and "barbershop" when used collectively.

##### **HAIRDRESSING AND COSMETOLOGY**

As defined in Connecticut General Statutes § 20-250. The art of dressing, arranging, curling, waving, weaving, cutting, singeing, bleaching and coloring the hair and treating the scalp of any person, and massaging, cleansing, stimulating, manipulating, exercising or beautifying with the use of the hands, appliances, cosmetic preparations, antiseptics, tonics, lotions, creams, powders, oils or clays and doing similar work on the face, neck and arms, and manicuring the fingernails of any person for compensation, provided nothing in this definition shall prohibit an unlicensed person from performing facials, eyebrow arching, shampooing or manicuring of the fingernails or, for cosmetic purposes only, trimming, filing and painting the healthy toenails, excluding cutting nail beds, corns and calluses or other medical treatment involving the foot or ankle, or braiding hair.

##### **NAIL TECHNICIAN**

A person who, for compensation, cuts, shapes, polishes, or enhances the appearance of nails of the hands or feet, including, but not limited to, the application and removal of sculptured or artificial nails as set forth in Connecticut General Statutes § 19a-231.

##### **OPERATOR**

An individual designated by the tanning facility to control operation of the tanning facility and to instruct and assist the consumer in the proper operation of the tanning device.

SALON

Includes any shop, store, day spa, or other commercial establishment at which the practice of barbering, as described in Connecticut General Statutes § 20-234, hairdressing and cosmetology, as defined herein and in Connecticut General Statutes § 20-250, or the services of a nail technician, or any combination thereof, is offered and provided.

STUDENT TATTOO TECHNICIAN

A person practicing tattooing on another person under the supervision of a licensed technician. [Connecticut General Statutes § 20-266n(5)].

TANNING DEVICE

Any equipment that emits radiation used for tanning of the skin, such as a sunlamp, tanning booth or tanning bed that emits ultraviolet radiation, and includes any accompanying equipment, such as timers or handrails.

TANNING SALON

Any place where a tanning device is used for a fee, membership dues, or other compensation as stated in Connecticut General Statutes § 19a-232.

TATTOOING

Marking or coloring, in an indelible manner, the skin of any person by pricking with coloring matter by injection into the skin with permanent dye or ink or by producing scars. (Connecticut General Statutes § 19a-92a[1]).

TATTOO ARTIST/TECHNICIAN

A person who practices tattooing on another person; effective July 1, 2014, shall include any and all described practices permitted by state law performed by a tattoo artist/technician licensed in the State of Connecticut. (Connecticut General Statutes § 20-266n)

TATTOO EQUIPMENT

Any equipment, instruments or utensils used in the application of ink to the skin, including permanent cosmetics.

WORK AREA

A separate room with one or more work stations, or a private room set aside to serve one customer at a time.

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.

[Added BOS 7-12-2006]

A.

License required. It shall be unlawful for any person or organization to operate any salon or establishment that performs massage therapy, manicures, pedicures, facials, the shampooing or cutting of the hair or the barbering of hair, care or conditioning of the skin, including tanning, within the Town of Cromwell without the possession of a valid license issued by the Director of Health or his representative.

B.

Conditions of license; expiration. Only a person who complies with the requirements of the Public Health Code of the State of Connecticut and the Code of the Town of Cromwell, Connecticut, shall be entitled to receive and retain such a license. Licenses shall not be transferred from one person to another person or from one location to another. All licenses shall expire on June 30 of each year.

C.

Posting required. The owner or proprietor of any salon shall keep a valid license posted in a conspicuous public location visible to the patrons of the establishment, protected against defacement or damage, at all times.

D.

Fee. Each of these services shall be charged a licensing fee of \$85.  
[Amended TC 6-16-2014]

E.

Citation and license revocation procedures.

Any license issued under this chapter may be revoked by the Director of Health, or his or her duly authorized designee, in accordance with this chapter, whenever the Director of Health, or his or her duly authorized designee, finds a hazard to the public health or the existence of a violation under this chapter, the Connecticut Public Health Code, and any other applicable codes, regulations or statutes. When the Director of Health uncovers such hazard or violation, he/she shall issue a written notice to the license holder citing the conditions, specifying the corrective action to be taken, and specifying the time period within which the action shall be taken. If the corrective action is not taken within the time period set forth in the written notice, a written order shall be issued revoking the license and prohibiting further use of the establishment until said violations are corrected. If the conditions, in the judgment of the Director of Health, or his or her duly authorized designee, constitute a substantial hazard to the public health, he/she may immediately revoke the license or order immediate correction.

F.

Age restriction on use of tanning device.

Pursuant to Connecticut General Statutes § 19a-232, an operator shall not allow any person under 17 years of age to use a tanning device. Any operator who, knowing that a person is under 17 years of age or under circumstances where such operator should know that a person is under 17 years of age, allows such person to use a tanning device shall be fined not more than \$100. Such fine shall be payable to the Town of Cromwell and collected by the Director of Health, or his or her duly authorized designee.

G.

Display of license.

Any license issued under this chapter shall be displayed in a prominent place at the salon, barbershop, or tanning salon. Failure to do so may result in revocation of a license issued under this chapter.

H.

Equipment.

All shops, stores or places of business shall be properly equipped to conduct the business of hairdressing and cosmetology, as well as tattoo and body piercing studios. There shall be one wash bowl for each shampoo chair and three operators. Shampoo bowls shall be used for hairdressing and cosmetology work only. A utility sink shall be provided for proper cleansing of instruments. Shampoo bowls, cabinets, combs, brushes, hand sinks, and towels shall be provided by the shop owner and be in good working condition and clean. Booths or working areas shall provide 36 square feet as minimum area for each operator employed in the shop. This area shall not include any space devoted to waiting rooms and other purposes. No dryers shall be placed in any waiting room or in the three-foot passageway, which is the minimum amount of space for passageways that shall be maintained throughout the shop.

I.

Sanitation.

(1)

No attendant who is affected with any infectious disease in a communicable form shall attend to any person without taking appropriate precautions. Attendants shall wash their hands thoroughly with soap and hot water before attending to any person. Attendants shall wear clean, washable uniforms at all times. No animals or pets shall be kept in a beauty salon or studio.

(2)

All brushes, combs, instruments and applicators shall be cleansed and disinfected after each use. Individual head rest coverings shall be supplied for each person. In manicuring, a clean paper lining for the finger bowl shall be used for each person. Brushes, scissors, clippers, tweezers, combs, rubber discs, parts of vibrators and other utensils and appliances shall be disinfected after use upon any person. No tools shall be left exposed on work stands, but after each use shall be cleansed, disinfected and kept in a clean, closed drawer or cabinet. No towel shall be used for more than one person without being laundered. Clean towels shall be delivered in bags and kept in a clean, closed cabinet or closet. Suitable containers for soiled towels, brushes and combs shall be provided. No powder puff, sponge, neck duster or brush roller shall be used for more than one person. The use of solid soap in common, or for more than one person, is prohibited. All hair dropping upon the floor shall be removed therefrom as soon as possible and in such manner as not to cause a nuisance.

(3)

Proper ventilation shall be provided for excess heat and odors. Floors shall have hard washable surfaces in areas where tinting or shampooing is done or where such chemicals as sodium hydroxide, peroxide or thioglycolate are used. Floors shall be maintained in a clean state at all times. Toilets shall meet requirements of the regulations governing plumbing in the public code.

(4)

Effective EPA-approved sanitizing solution shall be used for brushes, combs, and other implements.

(5)

An adequate supply of hot and cold running water at proper temperature from a municipal or approved private source shall be provided for service of customers, cleanliness of employees, and for washing of floors, walls, ceilings, and equipment. There shall be a minimum of one hand washing facility conveniently located in or adjacent to each private treatment room and in each work area and bathroom in order to provide for proper hand washing.

J.

Tattoo license required; age restriction.

(1)

No person shall engage in the practice of tattooing unless the person is a licensed tattoo technician per Connecticut General Statutes Chapter 387a, Sections 20-266n through 20-266s.

(2)

No person shall tattoo or perform body piercing (see definition) on an unemancipated minor under 18 years of age without the written permission of the minor's parent or legal guardian. Permission forms shall be held on site for one year.

K.

All reusable equipment that comes into contact with the blood or skin must be properly sterilized by thoroughly cleaning with an ultrasonic machine or other approved method and then holding in a steam autoclave at an adequate temperature, time and pressure, or another equal process. Verification of achieving sterilization with temperature-sensitive indicator tape is required to be included in every batch placed in an autoclave following manufacturer instruction regarding spore (*Bacillus stearothermophilus*) testing. Documentation by a licensed laboratory, to ensure sterilization capability of the autoclave, must be maintained for two years. The Cromwell Health Department must be notified within 24 hours of receipt of a report that nonsterile conditions were identified. Single-use disposable needles and ink tubes are required.

L.

Sterilized water shall be used for dilution of any tattoo ink.

M.

Connecticut Department of Health and Department of Energy and Environmental Protection requirements must be followed regarding the disposal of sharps and biomedical waste.

Professional license required.

All operators and employees of a salon, barbershop, tattoo or body piercing studio, or tanning salon that are engaged in the practices described herein shall hold the proper professional license issued by the State of Connecticut. Failure to do so may result in revocation of a license issued under this chapter.