

## SUBCHAPTER 060 – CIVIL PENALTY

### 21 NCAC 060 .0101 SCHEDULE OF PENALTIES

The rules in this Subchapter establish the schedule of civil penalties required by G.S. 86A-27(c). The amounts stated are the presumptive amounts that may be modified in accordance with G.S. 86A-27(b).

*History Note:* Authority G.S. 86A-5(a)(6); 86A-27;  
Eff. April 1, 2005;  
Readopted Eff. July 1, 2016.

### 21 NCAC 060 .0102 LICENSING OF BARBER SHOPS

(a) The presumptive civil penalty for operating a barber shop without first filing an application for a barber shop license, obtaining an inspection, and obtaining a shop permit:

- (1) 1st offense \$200.00
- (2) 2nd offense \$300.00
- (3) 3rd offense \$500.00

(b) The presumptive civil penalty for operating a barber shop with an expired permit:

- (1) 1st offense \$150.00
- (2) 2nd offense \$300.00
- (3) 3rd offense \$500.00

*History Note:* Authority G.S. 86A-1; 86A-5(a)(6); 86A-27;  
Eff. April 1, 2005;  
Readopted Eff. July 1, 2016;  
Temporary Amendment Eff. May 2, 2023;  
Temporary Amendment Exp. Eff. February 9, 2024.

### 21 NCAC 060 .0103 LICENSING OF BARBER SCHOOLS

(a) The presumptive civil penalty for operating a barber school without first filing an application for a barber school license, obtaining an inspection, and obtaining a school permit:

- (1) 1st offense \$200.00
- (2) 2nd offense \$300.00
- (3) 3rd offense \$500.00

(b) The presumptive civil penalty for operating a barber school with an expired permit:

- (1) 1st offense \$150.00
- (2) 2nd offense \$300.00
- (3) 3rd offense \$500.00

*History Note:* Authority G.S. 86A-1; 86A-5(a)(6); 86A-27;  
Eff. April 1, 2005;  
Readopted Eff. July 1, 2016.

### 21 NCAC 060 .0104 UNSUPERVISED APPRENTICE

(a) The presumptive civil penalty for a registered barber allowing an apprentice or student barber with a temporary permit to engage in barbering without supervision as required by G.S. 86A-24(b):

- (1) 1st offense \$300.00
- (2) 2nd offense \$400.00

(b) The presumptive civil penalty for an apprentice or student barber with a temporary permit engaging in barbering without supervision as required by G.S. 86A-24(b):

- (1) 1st offense \$200.00
- (2) 2nd offense \$300.00
- (3) 3rd offense \$500.00

*History Note:* Authority G.S. 86A-5(a)(6); 86A-24; 86A-27;  
Eff. April 1, 2005;  
Amended Eff. September 1, 2009;

*Readopted Eff. July 1, 2016;*  
*Temporary Amendment Eff. May 2, 2023;*  
*Temporary Amendment Exp. Eff. February 9, 2024.*

**21 NCAC 060 .0105 UNLICENSED BARBER**

(a) The presumptive civil penalty for a barber shop manager allowing a barber to practice without a license:

- (1) 1st offense \$300.00
- (2) 2nd offense \$500.00

(b) The presumptive civil penalty for an individual engaging in barbering without a license:

- (1) 1st offense \$250.00
- (2) 2nd offense \$450.00
- (3) 3rd offense \$500.00

*History Note: Authority G.S. 86A-1; 86A-5(a)(6); 86A-27;*  
*Eff. April 1, 2005;*  
*Readopted Eff. July 1, 2016;*  
*Temporary Amendment Eff. May 10, 2023;*  
*Temporary Amendment Exp. Eff. February 26, 2024.*

**21 NCAC 060 .0106 DISPLAY OF CURRENT LICENSE**

(a) The presumptive civil penalty for the failure of a barber shop or barber school to display a current shop or school license:

- (1) 1st offense \$100.00
- (2) 2nd offense \$150.00
- (3) 3rd offense \$250.00

(b) The presumptive civil penalty for a barber shop or barber school to allow an individual to perform barbering without displaying a current license or permit:

- (1) 1st offense \$100.00
- (2) 2nd offense \$150.00
- (3) 3rd offense \$250.00

(c) The presumptive civil penalty for an individual to practice barbering without displaying a current license or permit:

- (1) 1st offense \$100.00
- (2) 2nd offense \$150.00
- (3) 3rd offense \$250.00

*History Note: Authority G.S. 86A-1; 86A-5(a)(6); 86A-16; 86A-27;*  
*Eff. April 1, 2005;*  
*Readopted Eff. July 1, 2016;*  
*Temporary Amendment Eff. May 2, 2023;*  
*Temporary Amendment Exp. Eff. February 9, 2024.*

**21 NCAC 060 .0107 FRAUDULENT MISREPRESENTATIONS OR SUBMISSION OF FRAUDULENT DOCUMENT**

The presumptive civil penalty for barbering or attempting to barber by fraudulent misrepresentations or the submission of fraudulent or false documents in connection with licensing or an application for license as prohibited by G.S. 86A-20: 1st offense \$500.00.

*History Note: Authority G.S. 86A-1; 86A-5(a)(6); 86A-20(2); 86A-20(3); 86A-27;*  
*Eff. April 1, 2005;*  
*Readopted Eff. July 1, 2016.*

**21 NCAC 060 .0108 INSPECTIONS OF SHOPS AND SCHOOLS**

The presumptive civil penalty for refusing to permit or preventing the inspection of a barber shop or barber school:

- (1) 1st offense \$150.00
- (2) 2nd offense \$300.00

- (3) 3rd offense \$500.00

*History Note:* Authority G.S. 86A-1; 86A-5(a)(6); 86A-15(b); 86A-27;  
Eff. April 1, 2005;  
Readopted Eff. July 1, 2016;  
Temporary Amendment Eff. May 2, 2023;  
Temporary Amendment Exp. Eff. February 9, 2024.

**21 NCAC 060 .0109 EXPIRED LICENSE**

(a) The presumptive civil penalty for engaging in the practice of barbering with a registered barber certificate that has expired for more than a six month duration:

- (1) 1st offense \$100.00
- (2) 2nd offense \$150.00
- (3) 3rd offense \$200.00

(b) The presumptive civil penalty for a barber shop manager allowing an individual to engage in the practice of barbering with a registered barber certificate that has expired for more than a six month duration:

- (1) 1st offense \$100.00
- (2) 2nd offense \$150.00
- (3) 3rd offense \$200.00

*History Note:* Authority G.S. 86A-1; 86A-5(a)(6); 86A-17(b); 86A-27;  
Eff. April 1, 2005;  
Readopted Eff. July 1, 2016;  
Temporary Amendment Eff. May 2, 2023;  
Temporary Amendment Exp. Eff. February 9, 2024.

**21 NCAC 060 .0110 ADEQUATE PREMISES**

(a) The presumptive civil penalty for a school to fail to maintain facilities as required by G.S. 86A-15 and 21 NCAC 06F .0101, after two written warnings:

- (1) 1st offense \$250.00
- (2) 2nd offense \$400.00
- (3) 3rd offense \$500.00

(b) The presumptive civil penalty for a shop to fail to maintain facilities as required by G.S. 86A-15 and the applicable rules in 21 NCAC 06L .0102 through .0109, after two written warnings:

- (1) 1st offense \$250.00
- (2) 2nd offense \$450.00
- (3) 3rd offense \$500.00

*History Note:* Authority G.S. 86A-5(a)(6); 86A-15; 86A-18(6); 86A-18(7); 86A-22(6); 86A-27;  
Eff. April 1, 2005;  
Readopted Eff. July 1, 2016;  
Temporary Amendment Eff. May 2, 2023;  
Temporary Amendment Exp. Eff. February 9, 2024.

**21 NCAC 060 .0111 SCHOOL INSTRUCTORS**

The presumptive civil penalty for a school failing to provide sufficient instructors to meet the student-teacher ratios set forth in G.S. 86A-22(2):

- (1) 1st offense \$150.00
- (2) 2nd offense \$300.00
- (3) 3rd offense \$500.00

*History Note:* Authority G.S. 86A-5(a)(6); 86A-22(2); 86A-27;  
Eff. April 1, 2005;  
Readopted Eff. July 1, 2016.

**21 NCAC 060 .0112 IDENTIFICATION**

(a) The presumptive civil penalty for a barber shop owner or manager failing to positively identify a registered barber, apprentice, or holder of a temporary permit:

- (1) 1st offense \$100.00
- (2) 2nd offense \$150.00
- (3) 3rd offense \$250.00

(b) The presumptive civil penalty for a registered barber, apprentice, or holder of a temporary permit failing to maintain and produce a license or permit as defined in 21 NCAC 06P .0103(7):

- (1) 1st offense \$100.00
- (2) 2nd offense \$150.00
- (3) 3rd offense \$250.00

(c) The presumptive civil penalty for a barber student failing to wear identification as set forth in 21 NCAC 06F .0122:

- (1) 1st offense \$100.00
- (2) 2nd offense \$150.00
- (3) 3rd offense \$250.00

*History Note: Authority G.S. 86A-1; 86A-10; 86A-11; 86A-27;  
Eff. June 1, 2008;  
Amended Eff. September 1, 2009;  
Readopted Eff. July 1, 2016;  
Temporary Amendment Eff. May 10, 2023;  
Temporary Amendment Exp. Eff. February 26, 2024.*

#### **21 NCAC 06O .0113 BARBER SHOPS IN RESIDENCES AND MOBILE HOMES**

(a) The presumptive civil penalty for operating a barber shop in a residence in violation of 21 NCAC 06L .0106(c):

- (1) 1st offense \$150.00
- (2) 2nd offense \$250.00
- (3) 3rd offense \$500.00

(b) The presumptive civil penalty for operating a barber shop in a mobile home in violation of 21 NCAC 06L .0106(e):

- (1) 1st offense \$200.00
- (2) 2nd offense \$300.00
- (3) 3rd offense \$500.00

*History Note: Authority G.S. 86A-15; 86A-27;  
Eff. June 1, 2008;  
Readopted Eff. July 1, 2016;  
Temporary Amendment Eff. May 2, 2023;  
Temporary Amendment Exp. Eff. February 9, 2024.*

#### **21 NCAC 06O .0114 ANIMALS IN BARBER SHOPS**

The presumptive civil penalty for a barber manager allowing an animal in a barber shop in violation of 21 NCAC 06L .0114:

- (1) 1st offense \$100.00
- (2) 2nd offense \$150.00
- (3) 3rd offense \$250.00

*History Note: Authority G.S. 86A-15; 85A-27;  
Eff. June 1, 2008;  
Readopted Eff. July 1, 2016;  
Temporary Amendment Eff. May 10, 2023;  
Temporary Amendment Exp. Eff. February 26, 2024.*

#### **21 NCAC 06O .0115 SCHOOL FAILING TO MAINTAIN, FALSIFYING, OR FAILING TO SUBMIT RECORDS**

(a) The presumptive civil penalty for a barber school failing to maintain records:

- (1) 1st offense \$200.00
  - (2) 2nd offense \$250.00
  - (3) 3rd offense \$500.00
- (b) The presumptive civil penalty for a barber school falsifying records:
- (1) 1st offense \$250.00
  - (2) 2nd offense \$400.00
  - (3) 3rd offense \$500.00
- (c) The presumptive civil penalty for a barber school failing to submit required records:
- (1) 1st offense \$200.00
  - (2) 2nd offense \$350.00
  - (3) 3rd offense \$500.00

*History Note:* Authority G.S. 86A-22; 86A-27;  
 Eff. June 1, 2008;  
 Amended Eff. September 1, 2009;  
 Readopted Eff. July 1, 2016.

**21 NCAC 060 .0116 UNLICENSED SCHOOL INSTRUCTORS**

- (a) The presumptive civil penalty for a barber school allowing an individual to instruct without an instructor's certificate:
- (1) 1st offense \$200.00
  - (2) 2nd offense \$300.00
  - (3) 3rd offense \$500.00
- (b) The presumptive civil penalty for an individual engaging in instructing without an instructor's certificate:
- (1) 1st offense \$150.00
  - (2) 2nd offense \$450.00
  - (3) 3rd offense \$500.00

*History Note:* Authority G.S. 86A-22; 86A-23; 86A-27;  
 Eff. September 1, 2009;  
 Readopted Eff. July 1, 2016;  
 Temporary Amendment Eff. May 2, 2023;  
 Temporary Amendment Exp. Eff. February 9, 2024.

**21 NCAC 060 .0117 BARBER FAILING TO MAINTAIN OR PRODUCE EXEMPTION LOG**

- (a) The presumptive civil penalty for a barber failing to maintain the exemption log required by 21 NCAC 06L .0111:
- (1) 1st offense \$100.00
  - (2) 2nd offense \$150.00
  - (3) 3rd offense \$250.00
- (b) The presumptive civil penalty for a barber failing to produce the exemption log required by 21 NCAC 06L .0111:
- (1) 1st offense \$100.00
  - (2) 2nd offense \$150.00
  - (3) 3rd offense \$250.00

*History Note:* Authority G.S. 86A-15(c); 86A-27;  
 Eff. April, 1, 2010;  
 Readopted Eff. July 1, 2016;  
 Temporary Amendment Eff. May 2, 2023;  
 Temporary Amendment Exp. Eff. February 9, 2024.

**21 NCAC 060 .0118 UNLICENSED BARBER STUDENT**

- (a) The presumptive civil penalty for a barber school allowing an individual to receive barber instruction without a barber student permit:
- (1) 1st offense \$200.00

- (2) 2nd offense \$300.00
- (3) 3rd offense \$500.00
- (b) The presumptive civil penalty for an individual engaging as a barber student without a barber student permit:
  - (1) 1st offense \$200.00
  - (2) 2nd offense \$300.00
  - (3) 3rd offense \$500.00

*History Note:* Authority G.S. 86A-1; 86A-22; 86A-27;  
Eff. July 1, 2016.

**21 NCAC 060 .0119 FAILURE TO NOTIFY BOARD OF CHANGE OF ADDRESS**

- (a) The presumptive civil penalty for the failure of a barber shop or barber school to fail to notify the Board of a change of address:
  - (1) 1st offense \$50.00
  - (2) 2nd offense \$100.00
  - (3) 3rd offense \$200.00
- (b) The presumptive civil penalty for an individual manager for the failure to notify the Board of a change of address for a barber shop or barber school:
  - (1) 1st offense \$50.00
  - (2) 2nd offense \$100.00
  - (3) 3rd offense \$200.00

*History Note:* Authority G.S. 86A-1; 86A-5(a)(6); 86A-27;  
Eff. July 1, 2016.  
Temporary Amendment Eff. May 10, 2023;  
Temporary Amendment Exp. Eff. February 26, 2024.

**21 NCAC 060 .0120 RESERVED FOR FUTURE CODIFICATION**

**21 NCAC 060 .0121 FAILURE TO DISPLAY SANITATION GRADE AND SHOP PERMIT**

- The presumptive civil penalty for the failure of a shop to display its sanitation grade and shop permit in a place visible to the public at the front of the shop:
- (1) 1st offense \$50.00
  - (2) 2nd offense \$100.00
  - (3) 3rd offense \$200.00

*History Note:* Authority G.S. 86A-1; 86A-5(a)(6); 86A-16; 86A-27;  
Eff. July 1, 2016.  
Temporary Amendment Eff. May 2, 2023;  
Temporary Amendment Exp. Eff. February 9, 2024.

**21 NCAC 060 .0122 FAILURE TO NOTIFY BOARD OF CHANGE OF BARBER SHOP OR SCHOOL MANAGER**

- (a) The presumptive civil penalty for the failure of a barber shop or barber school to notify the Board of a change of barber shop manager:
  - (1) 1st offense \$50.00
  - (2) 2nd offense \$100.00
  - (3) 3rd offense \$200.00
- (b) The presumptive civil penalty for an individual manager for the failure to notify the Board of a change of manager of a barber shop or barber school:
  - (1) 1st offense \$50.00
  - (2) 2nd offense \$100.00
  - (3) 3rd offense \$200.00

*History Note:* Authority G.S. 86A-1; 86A-5(a)(6); 86A-22; 86A-27;  
Eff. July 1, 2016;

*Amended Eff. July 1, 2020;*  
*RRC objection due to lack of statutory authority Eff. April 20, 2023.*

**21 NCAC 060 .0123 LICENSING OF MOBILE BARBER SHOPS**

*History Note: Authority G.S. 86B-10; 86B-21; 86B-29; 86B-30;*  
*Temporary Adoption Eff. May 2, 2023;*  
*Temporary Rule Expired Eff. February 9, 2024.*

**21 NCAC 060 .0124 TOILETS, SINK, SEWAGE, AND WASTEWATER IN MOBILE BARBER SHOPS**

*History Note: Authority G.S. 86B-10; 86B-30;*  
*Temporary Adoption Eff. May 2, 2023;*  
*Temporary Rule Expired Eff. February 9, 2024.*

**21 NCAC 060 .0125 MOBILE BARBER SHOP MONTHLY REPORTS**

*History Note: Authority G.S. 86B-10; 86B-30;*  
*Temporary Adoption Eff. May 2, 2023;*  
*Temporary Rule Expired Eff. February 9, 2024.*

**SECTION .0200 – ELECTROLYSIS**

**21 NCAC 060 .0201 ELECTROLOGY APPRENTICESHIP PROGRAM**

*History Note: Authority G.S. 86B-10; 86B-65;*  
*Temporary Adoption Eff. June 1, 2023;*  
*Temporary Rule Expired Eff. March 11, 2024.*