

SUBCHAPTER 6L - BARBER SHOPS

21 NCAC 06L .0101 RESIDENTIAL BUILDING

History Note: Authority G.S. 86A-25;
Eff. February 1, 1976;
Repealed Eff. February 8, 1978.

21 NCAC 06L .0102 MEASUREMENTS OF BARBER SHOP

- (a) Each barber shop shall be a minimum of 196 square feet measured from the inside walls of the shop, not including common areas shared with other businesses or residents.
- (b) Each chair shall be located in an area where there is no less than eight linear feet from front wall to back wall, measured through the center of the chair, with the back wall being the wall or plane to which the backstand is affixed. There shall be a minimum of five linear feet of space between each barber chair, from center to center of each chair and there shall be no less than three linear feet from the center of any chair to any side wall. There shall be an unobstructed aisle in front of each chair of no less than four feet.
- (c) Paragraphs (a) and (b) apply to barber shops permitted on or after December 1, 1994 or that undergo modification or structural renovations on or after that date.
- (d) Barber shops permitted prior to February 1, 1976, shall be a minimum of 12 feet in width and 14 feet in length.
- (e) Barber shops permitted between February 1, 1976 and November 30, 1994 shall be a minimum of 14 feet in width and 14 feet in length.
- (f) Barber shops permitted within the North Carolina Department of Public Safety, Division of Adult Correction and Juvenile Justice prior to July 1, 2010 are exempt from the requirements of this Rule.

History Note: Authority G.S. 86A-15;
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. September 1, 2009; June 1, 2008; December 1, 1994; May 1, 1989;
Readopted Eff. July 1, 2016;
Amended Eff. April 1, 2017.

21 NCAC 06L .0103 EQUIPMENT

- (a) Each barber shall have a cabinet for barbering equipment. The cabinets shall be constructed of material that may be cleaned.
- (b) Each shop shall have smooth finished walls and floors, with no exposed pipes.
- (c) Each barber chair shall be covered with a smooth, non-porous surface, such as vinyl or leather, which is easily cleaned as required by G.S. 86A-15(a)(2)(c).
- (d) Each shop shall have within the shop or building functioning toilet facilities for employees and patrons.
- (e) Each barber shop shall have a cabinet, or other method of storage, such that clean towels are stored separate from used towels.
- (f) In addition to the requirements of Paragraph (d) of this Rule, barber shops that are permitted on or after January 1, 1995 or undergo structural renovations after that date, shall have within the shop or building a hand-washing sink or lavatory for patrons with hot and cold water, soap, and disposable towels.
- (g) Where a barber shop is located within a shop licensed by the North Carolina Board of Cosmetic Art Examiners, the toilet facility and sink may be shared with the cosmetology shop.
- (h) Paragraphs (a), (d), and (f) of this Rule do not apply to barber shops operated by the North Carolina Department of Public Safety, Division of Adult Correction and Juvenile Justice.
- (i) All equipment and tools used in the practice of barbering as set forth in G.S. 86A-2 shall be suitable for the safe cutting of hair and shall be maintained in a sanitary and good operating condition as required by G.S. 86A-15(a)(2).

History Note: Authority G.S. 86A-2; 86A-15;
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. September 1, 2013; September 1, 2009; June 1, 2008; January 1, 1995; May 1,

1989; March 1, 1983;
Readopted Eff. July 1, 2016;
Amended Eff. April 1, 2018.

21 NCAC 06L .0104 SHOP PERMITS

- (a) All applications for shop permits shall be on file in the office of the Board 15 days prior to the date when a shop will be complete and ready for inspection. Applications shall meet the requirements of 21 NCAC 06N .0102.
- (b) If the shop is not ready for inspection on a scheduled date, the owner or manager shall notify the Board.
- (c) Failure to notify the Board of a change of address shall result in forfeiture of the inspection fee.

History Note: Authority G.S. 86A-1; 86A-13;
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. May 1, 1989; March 1, 1983;
Readopted Eff. July 1, 2016.

21 NCAC 06L .0105 FEES

The Board shall inspect all newly established or reopened barber shops before issuing a permit. The barber shop shall submit the fee established by 21 NCAC 06N .0101(a)(19) for inspection when submitting the application for a shop permit.

History Note: Authority G.S. 86A-1; 86A-13; 86A-25;
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. March 1, 1983;
Legislative Objection Lodged Eff. March 7, 1983;
Curative Amended Eff. April 6, 1983;
Amended Eff. May 1, 1989;
Readopted Eff. July 1, 2016.

21 NCAC 06L .0106 SEPARATION FROM OTHER BUSINESSES; RESIDENTIAL SHOPS; MOBILE HOMES

- (a) When a building or room is used for both a barber shop and for some other business and the building or room does not have air conditioning, ventilation, or heat outlets, or air circulation, the required partition between the shop and the other business may be completed from the floor up to a minimum of six feet with material from six feet to the ceiling that permits good air circulation.
- (b) Notwithstanding Paragraph (a) of this Rule and 21 NCAC 06L .0102, when a barber shop is located within a shop licensed by the North Carolina Board of Cosmetic Art Examiners and was permitted on or after January 1, 1995, or undergoes modifications or structural renovations after that date, the area where the barber chair or chairs are located shall comply with the sanitary regulations in G.S. 86A-15(a) and this Subchapter not inconsistent with this Rule.
- (c) A barber shop permitted on or after July 1, 2008 that operates in a residential building shall maintain a separate entrance that shall not open off the living quarters, and shall not have any doors or openings leading to the living quarters that are unlocked during business hours. Entrance through garages or any other rooms is not permitted.
- (d) The toilet facilities or any sink in the living quarters of any residence shall not be considered to comply with the toilet facility and sink requirements in 21 NCAC 06L .0103 or the sink distance requirement in 21 NCAC 06L .0107.
- (e) For barber shops permitted on or after July 1, 2008, mobile homes, motor homes, trailers or any type of recreational vehicle shall be permanently affixed so they cannot be moved. Any such structure approved for a barber shop shall maintain a separate entrance that shall not open off the living quarters, and shall not have any doors or openings to the living quarters that are unlocked during business hours.

History Note: Authority G.S. 86A-15;
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. April 1, 2010; June 1, 2008; January 1, 1995; May 1, 1989; March 1, 1983;
Readopted Eff. July 1, 2016.

21 NCAC 06L .0107 LAVATORY

- (a) Each barber shop permitted before January 1, 1995 that is not modified or structurally renovated after that date shall have for each barber a functioning sink with hot and cold water, located at a convenient place as required by G.S. 86A-15(a)(1)(d).
- (b) For barber shops permitted on or after January 1, 1995 or that undergo modifications or structural renovation after that date, a sink shall be located within seven unobstructed linear feet of each barber chair.

History Note: Authority G.S. 86A-15;
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. June 1, 2008; January 1, 1995; May 1, 1989;
Readopted Eff. July 1, 2016.

21 NCAC 06L .0108 MOVED SHOP

History Note: Authority G.S. 86A-1; 86A-15;
Eff. March 1, 1983;
Amended Eff. September 1, 2009;
Repealed Eff. July 1, 2016.

21 NCAC 06L .0109 COMMERCIAL CHEMICALS

- (a) No person, shop, or school licensed or registered under Chapter 86A of the North Carolina General Statutes shall use any commercial chemical in the practice of barbering unless the commercial chemical is received with a list of all contents and instructions for its use.
- (b) For the purposes of this Rule, "commercial chemical" is defined in G.S. 86A-5(b)(1).

History Note: Authority G.S. 86A-5;
Eff. March 1, 1983;
Amended Eff. May 1, 1989;
Readopted Eff. July 1, 2016.

21 NCAC 06L .0110 SANITARY CONDITION RATING

History Note: Legislative Objection Lodged Eff. March 7, 1983;
Statutory Authority G.S. 86A-15(b);
Eff. March 1, 1983;
Repealed Eff. May 1, 1989.

21 NCAC 06L .0111 WHERE BARBER SERVICES MAY BE PERFORMED

- (a) Except as provided in this Rule, all barber services as defined in G.S. 86A-2 shall only be performed at a location permitted by the Board as a barber shop.
- (b) A registered barber may perform barbering services in a client's home, and the home shall be exempt from the inspection requirements of G.S. 86A-15(b), under the following conditions:
- (1) The client upon whom barber services are being performed is unable, due to a medical necessity, to come to a licensed barber shop;
 - (2) The licensed barber maintains a log of each instance where this exemption is used, including the name of the client, address of the home where the services were performed, the date services were performed, and the medical necessity requiring that barber services be provided in the home. The log shall be made available to the Board and its inspectors for review and
 - (3) The licensed barber otherwise complies with G.S. 86A-15(a).
- (c) For purposes of this Rule, a "client's home" includes the client's residence, nursing homes, rest homes, retirement homes, mental health institutions, and similar institutions where the client has established permanent residency.

History Note: Authority G.S. 86A-15(c);
Eff. June 1, 2008;
Amended Eff. April 1, 2010;
Readopted Eff. July 1, 2016.

21 NCAC 06L .0112 RENTED BOOTH SPACE

- (a) Where a barber shop rents or leases space to a barber, the Board shall hold the barbershop manager and licensee responsible for the barbering services performed in the rented or leased space and for the sanitary conditions of the rented or leased space.
- (b) The Board's inspectors shall examine the entire premises of each shop irrespective of booth space allotments.

*History Note: Authority G.S. 86A-15;
Eff. June 1, 2008;
Readopted Eff. July 1, 2016.*

21 NCAC 06L .0113 DISEASES

- (a) No holder of a registered barber, apprentice, or student barber permit shall serve a patron:
- (1) with an open sore or sores;
 - (2) exhibiting symptoms of an infectious dermatologic disease or disorder;
 - (3) with parasitic infestations of the skin or hair; or
 - (4) with a communicable disease.
- (b) No holder of a registered barber, apprentice, or student barber permit who knows he or she has an infectious dermatologic disease that can be spread by providing barbering services, infectious disease with open sore or sores on the hand or hands, or parasitic infestation of the skin or hair in a communicable stage or any other communicable disease shall provide barber service in a barber shop or, when authorized by Rule .0111 of this Section, in a client's home.
- (c) The Board shall have the right to require a physical examination of any barber employed in any barber shop who is suspected of having an infectious dermatologic disease, infectious disease with open sore or sores on the hand or hands, or parasitic infestation of the skin or hair in a communicable stage.

*History Note: Authority G.S. 86A-15;
Eff. June 1, 2008;
Readopted Eff. July 1, 2016.*

21 NCAC 06L .0114 PETS PROHIBITED

With the exception of trained guide or assistance animals, no animals shall be permitted in a barber shop.

*History Note: Authority G.S. 86A-15;
Eff. June 1, 2008;
Amended Eff. September 1, 2013;
Readopted Eff. July 1, 2016.*

21 NCAC 06L .0115 INSPECTIONS OF SHOPS

- (a) The Board's Executive Director and its inspectors may enter and make inspections of any shop during its business hours for the purpose of determining whether or not G.S. 86A and the Board's administrative rules are being followed. Persons authorized to make an inspection of shops shall prepare a report according to Rule .0119 of this Section. The report shall be signed by the inspector and shall be available free of charge upon request by the owner or manager or any member of the public. The copy of any violation notice shall be left with the owner or manager, and retained within the barbering area until the violation is resolved with the Board.
- (b) The Board's Executive Director and its inspectors may inspect all areas of the shop, including the backstand and its drawers and cabinets, and any other drawers, closets or other enclosures within the permitted shop.
- (c) The Board's Executive Director and its inspectors may determine and assign numerical and letter sanitary grades to a shop following inspections as set forth in Rules .0118 and .0119 of this Section. The grade shall be displayed in a place visible to the public at the front of the shop.

*History Note: Authority G.S. 86A-5(a)(1); 86A-15;
Eff. June 1, 2008;
Amended Eff. April 1, 2010;
Readopted Eff. July 1, 2016;
Amended Eff. January 1, 2017.*

21 NCAC 06L .0116 BARBER SHOP MANAGERS

- (a) All barber shop managers shall verify that any licensee employed in the barber shop is the person whose name appears on the license or permit prior to allowing the licensee to perform barbering services in the shop. This verification shall be based on government issued identification.
- (b) The shop manager is responsible for the sanitary condition, as defined in 21 NCAC 06P .0103(10), of the entire shop.
- (c) The barber shop manager is accountable for activities at the shop whether present on the premises or not.

History Note: Authority G.S. 86A-15; 86A-22;
Eff. June 1, 2008;
Amended Eff. April 1, 2010;
Readopted Eff. July 1, 2016;
Amended Eff. January 1, 2018.

21 NCAC 06L .0117 GENERAL SANITATION

All barber shops shall remain free of any signs of rodents, vermin, insects, mold, mildew, or water damage.

History Note: Authority G.S. 86A-15;
Eff. June 1, 2008;
Readopted Eff. July 1, 2016.

21 NCAC 06L .0118 SANITARY RATINGS AND POSTING OF RATINGS

- (a) The sanitary rating of a barber shop shall be based on a system of grading outlined in 21 NCAC 06L .0119. Based on the grading, all establishments shall be rated in the following manner:
 - (1) all establishments receiving a sanitary rating of at least 90 percent shall be awarded a grade A;
 - (2) all establishments receiving a sanitary rating of at least 80 percent, and less than 90 percent, shall be awarded a grade B; and
 - (3) a sanitary rating of less than 80 percent shall be awarded a failing grade.
- (b) Every barber shop shall be given a sanitary rating.
- (c) The sanitary rating of A, B, or failing given to a barber shop establishment shall be posted in a conspicuous place, defined as a place easily seen by the public at the front of the shop, at all times.
- (d) No newly established barber shop shall be permitted to operate without first having obtained a sanitary rating card with a grade of not less than 80 percent.
- (e) Barber inspectors shall give each barber shop a new sanitary rating card.
- (f) A re-inspection for the purpose of raising a failing sanitary rating of a barber shop shall not be given within 30 days.

History Note: Authority G.S. 86A-5(a)(1); 86A-15;
Eff. June 1, 2008;
Amended Eff. September 1, 2013;
Readopted Eff. October 1, 2016.

21 NCAC 06L .0119 SYSTEMS OF GRADING BARBER SHOPS AND BARBER SCHOOLS

The system of grading the sanitary rating of all barber shops and schools shall be as follows, setting forth areas to be inspected, and the maximum points given for compliance. In cases where barber shops or schools are exempt from specific rules cross-referenced below, the barber shop or school shall receive the maximum points for that listing:

- (1) whether the entrance and waiting area are sanitary 2;
- (2) whether there is a water system with hot and cold running water and plumbing or a septic system for removal of sewage 2;
- (3) whether the walls and floors:
 - (a) comply with 21 NCAC 06F .0101(b)(8) for barber schools or 21 NCAC 06L .0103(b) for barber shops 9;
 - (b) are sanitary 7;
- (4) whether the barber shop or school is well-lighted and well-ventilated, with sanitary windows, fixtures, and ventilation surfaces 3;
- (5) whether the public toilet or lavatories:

- (a) are sanitary and well-ventilated 5;
- (b) have soap and individual towels 5;
- (c) have hot and cold running water 2;
- (6) whether each person working as a barber is sanitary in person and dress 1;
- (7) for towels and linens:
 - (a) whether there is a supply of sanitary towels 2;
 - (b) whether clean towels are stored separately as set forth in 21 NCAC 06F .0101(b)(12) for barber schools or 21 NCAC 06L .0103(e) for barber shops 3;
 - (c) whether barbers have a sanitary hair cloth or cape for clients 1;
- (8) whether there is a soiled towel receptacle that meets the requirements set forth in G.S. 86A-15(a)(2)(d) 4;
- (9) for tools and instruments:
 - (a) whether disinfectants used by the barber shop or school are selected from those approved by the federal Environmental Protection Agency 4;
 - (b) whether disinfectants are used according to manufacturer instructions 4;
 - (c) whether all implements are cleaned and disinfected and, when not in use, stored in a tool cabinet as set forth in 21 NCAC 06F .0101(b)(11) for barber schools or 21 NCAC 06L .0103(a) for barber shops 8;
- (10) for working areas:
 - (a) whether the work stand is sanitary 3;
 - (b) whether sinks are sanitary 2;
 - (c) whether jars and containers are sanitary and disinfected 1;
 - (d) whether the work area is free from equipment that is unnecessary to provide barbering services, and whether articles in the work area are sanitary 1;
- (11) whether the license, permit, or certificate of registration is current and posted as set forth in G.S. 86A-16 10;
- (12) whether the sanitary rules and regulations are posted in a conspicuous place as set forth in G.S. 86A-15(b) 1;
- (13) whether there are sterilizing containers and solutions that are used according to manufacturer instructions 20.

History Note: Authority G.S. 86A-5(a)(1); 86A-15; 86A-16;
 Eff. June 1, 2008;
 Amended Eff. September 1, 2013;
 Readopted Eff. October 1, 2016;
 Amended Eff. April 1, 2018.

21 NCAC 06L .0120 NOTIFICATION OF CHANGE OF ADDRESS

The barber shop owner or manager shall notify the Board of a change in the barber shop's mailing or, if changed by the United States Postal Service, the physical address, within five business days of the change.

History Note: Authority G.S. 86A-1;
 Eff. September 1, 2009;
 Readopted Eff. July 1, 2016.