

VILLAGE OF RIDGEWOOD  
ORDINANCE NO. 3692

AN ORDINANCE TO CREATE A NEW CHAPTER OF THE CODE OF THE  
VILLAGE OF RIDGEWOOD ENTITLED "COSMETOLOGY" TO ADDRESS  
HEALTH AND SAFETY RELATED ISSUES

BE IT ORDAINED by the Village Council of the Village of Ridgewood:

**SECTION 1:**

1. **DEFINITIONS**

As used in this Chapter, the following terms shall have the meanings indicated:

**BARBER**

Any person who is licensed to engage in any of the practices encompassed in barbering.

**BARBERING**

Any separate or combination of the following practices when done on the human body for cosmetic purposes and not for the treatment of disease or physical or mental ailment and when done for payment either directly or indirectly or when done without payment for the general public:

- A. Shaving or trimming of the beard, mustache or other facial hair;
- B. Shampooing, cutting, arranging, relaxing or styling of the hair;
- C. Singeing or dyeing of the hair;
- D. Applying cosmetic preparations, antiseptics, tonics, lotions or creams to the hair, scalp, face or neck;
- E. Massaging, cleansing or stimulating the face, neck or scalp with or without cosmetic preparations, either by hand, mechanical or electrical appliances; or
- F. Cutting, fitting, coloring or styling of hairpieces or wigs, to the extent that the services are performed while the wig is being worn by a person.

**BARBERSHOP**

Any establishment engaged in the practice of barbering the public.

**DESIGNEE**

Any person designated by the Health Officer to act for him/her in the performance of his/her duties.

**DISINFECTANT**

An Environmental Protection Agency (EPA) or New Jersey Department of Environmental Protection Registered product with demonstrated bactericidal, virucidal and fungicidal activity used in accordance with manufacturer's instruction.

HAIRDRESSER/COSMETICIAN or COSMETOLOGIST

Any separate or combination of the practices as outlined in N.J.S.A 45:5B-3(j) when done on the human body for cosmetic purposes and not for the treatment of disease or physical or mental ailments and when done for payment either directly or indirectly or when done without payment for the general public.

HAIRDRESSING or COSMETOLOGY SHOP/SALON

Any establishment engaged in the practice of hairdressing, cosmetology or barbering for the public.

HEALTH OFFICER

The Health Officer of the Village of Ridgewood or his/her duly authorized representative.

NAIL SALON/SHOP

Any establishment engaged in the practice of cutting, shaping, polishing or enhancing the appearance of the nails of the hands or feet, including but not limited to the application and removal of sculptured or artificial nails.

NAIL TECHNICIAN

A person who, for compensation, 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.

OPERATOR

As to this Chapter, a person who owns, leases, or manages a shop/salon or any licensed person performing barbering, hairdressing, cosmetology or manicuring.

OWNER

As to this Chapter, a person who owns a shop/salon establishment and is responsible for upholding the regulations of this Chapter in all areas of the establishment.

PERSON

As to this Chapter, an individual, firm, partnership, company, corporation, trustee, association or any public or private entity.

PERSON IN CHARGE

As to this Chapter, the individual present in a barbershop or hairdressing and/or cosmetology salon/shop or nail salon/shop that is the apparent supervisor of the barbershop or hairdressing and/or cosmetology shop/salon or nail salon/shop at the time of inspection. If no individual claims to be a supervisor, then any employee present is deemed to be the person in charge for purposes of this chapter.

### SANITARY CONDITIONS

Safe and clean salon/shop conditions that prevent the spread of communicable diseases and protect the public health and welfare.

### WORKING AREA

A separate room with more than one work station, 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.

## **1. LICENSE AND FEES**

- A. No person shall maintain or operate any barbershop, hairdressing, cosmetology salon/shop or nail salon/shop or similar type of personal grooming establishment without having a valid license issued by the Health Officer. Only a person who complies with the requirements of this chapter shall be entitled to receive or retain such a license.
- B. Every barbershop, hairdressing, cosmetology salon/shop or nail salon/shop must comply with local planning and zoning regulations and all other applicable ordinances before being issued a license.
- C. Application for a license shall be made on forms furnished by the Health Officer. All licenses are valid for one year or a portion thereof and are renewable on January 1 of each year.
- D. Every applicant for a license to operate a barbershop or hairdressing and/or cosmetology salon/shop or nail salon/shop shall pay an annual license fee according to Chapter 145 fees of the Code of the Village of Ridgewood. The annual license fee shall be due and payable before the last day of December each year.
- E. No license shall be issued or renewed until a completed application has been submitted, the license fee has been paid and the applicant's barbershop or hairdressing and/or cosmetology salon/shop or nail salon/shop meets the requirements set forth in this chapter and all other applicable state and local regulations.
- F. Licenses shall be valid until December 31 of each year as noted on the license unless suspended by the Health Officer, or until such time as the facility changes owners, close, or goes out-of-business.
- G. Licenses shall not be transferable from person to person or from location to location. Any planned change in ownership of a facility must be reported promptly to the Village of Ridgewood and such changes must be approved by the Village of Ridgewood prior to the issuance of an operating license.
- H. Licenses must be displayed in a prominent location within the establishment where patron can observe it.

- I. No person shall operate any barbershop, beauty parlor, nail salon or any similar type of personal grooming establishment without first securing any and all applicable licenses from the New Jersey Board of Cosmetology and Hairstyling.
- J. No person shall provide barbering, cosmetology and/or hairstyling services in a barbershop, beauty parlor, nail salon or similar establishment without being in compliance with the New Jersey Board of Cosmetology and Hairstyling for the particular specialty or service said person is providing.

## **2. REVIEW OF PLANS**

- A. Submission of Plans. Whenever a barbershop, beauty parlor, nail salon or other similar personal grooming establishment is constructed or renovated, and whenever a structure is converted for such use or alterations are made that will significantly change the nature of the operation, plans and specifications pertaining to the health and sanitary aspects of the operation shall be submitted to the health authority for review and approval before construction, renovations or conversion is begun. The health authority shall review these plans and respond accordingly within 30 days of the date of submission. No barbershop, beauty parlor, nail salon or similar establishment shall be constructed, renovated or converted except in accordance with plans and specifications previously submitted to and approved by the appropriate health and construction authorities.
- B. Preoperational inspection. Whenever plans and specifications are required to be submitted the regulatory authority, the regulatory authority shall inspect the establishment prior to the start of operations to determine compliance with the requirements of this article.

## **3. ANNUAL INSPECTIONS**

- A. The Health Officer shall promulgate such rules and procedures as are necessary to ensure compliance with this chapter.
- B. At least once a year, the Health Officer or his/her designee shall inspect each barbershop, hairdressing and/or cosmetology shop/salon and nail salon/shop and shall make as many additional inspections as are necessary for the enforcement of this chapter.
- C. The Health Officer or his/her designee, after proper identification shall be permitted to enter, during normal operating hours, any portion of any barbershop or hairdressing and/or cosmetology shop/salon or nail salon/shop for the purpose of conducting inspections to determine compliance with this chapter.
- D. In the event that the Health Officer or his/her designee observes unsanitary conditions in the operation of a barbershop or hairdressing and/or cosmetology shop/salon or nail salon/shop, or if a violation or multiple violations occur, the Health Officer or his/her designee may immediately issue a written notice to the license holder, or person in charge, citing such conditions, specifying the corrective action to be taken and time frame within which such action shall be

taken. If corrective action is not made in the allotted time, the licensee may be fined or his/her license suspended.

#### **4. LICENSE AND OPERATION REQUIREMENTS**

- A. General cleanliness. Each shop/salon shall be maintained to provide a safe and sanitary environment. All facilities shall be kept clean, sanitary and in good repair.
- B. Disinfection of reusable equipment:
  - 1. After each use on a patron, all electrical and nonelectrical instruments shall be thoroughly cleaned to remove foreign matter, treated with an approved disinfectant and stored in a protected manner until the next use.
  - 2. Disinfectants shall be changed in accordance with the manufacturer's instructions to ensure complete disinfection. No sediment from the item being disinfected shall be allowed to remain in the bottom of the disinfection container.
- C. Disposable and single use equipment:
  - 1. Disposable or single use articles shall be disposed of in a waste receptacle after use on each patron unless stored in a separate closed clean container labeled with the patrons name and used only on that patron.
  - 2. All disposable or single use articles that come into contact with blood and/or body fluids shall conform to medical waste regulations
  - 3. All sharp or pointed articles shall be disposed of in a puncture proof container.
- D. Sanitation of foot spas and water baths
  - 1. An antimicrobial additive shall be placed in each foot spa or water bath during use.
  - 2. After each patron, the shop/salon shall drain all water and debris, thoroughly wash, rinse and properly disinfect and dry the foot spa or water bath.
  - 3. At the end of each day, the shop/salon shall remove and immerse any filter in disinfectant and flush the foot spa or water bath with low sudsing soap and water.
- E. Towels
  - 1. Clean, properly laundered or disposable towels shall be used for each patron.
  - 2. All linens and towels shall be deposited in a covered cleanable receptacle after each patron.
  - 3. Clean towels and linens shall be stored off the floor in a clean protected location.
- F. Cosmetics
  - 1. When only a portion of a cream, liquid, powder, wax or other cosmetic preparation is to be removed from the container, it shall be removed in such a way as to not contaminate the remaining portion.
  - 2. Multi-use of cosmetic applicators is prohibited. This includes the use of lipsticks, powder puffs, makeup brushes and sponges which are not disposable.
  - 3. Lotions and powders shall be dispensed from a sanitary self-dispensing container.
- G. Operators
  - 1. Operators shall thoroughly wash their hands with soap and water immediately after using the toilet, eating or smoking. Before serving each customer,

operators shall thoroughly wash their hands with soap. Proper handwashing procedures shall be adhered to by:

- a. Rinse the hands and exposed portions of the arms under clean running water
  - b. Apply a generous amount of soap
  - c. Rub the hands together vigorously for at least 10 seconds creating friction on the surface of the hands, arms fingertips and areas between the fingers
  - d. Rinse thoroughly
  - e. Dry thoroughly with a disposable paper towel
  - f. Turn of the faucet without touching the faucet with clean hands by using a barrier such as a paper towel
2. No operator shall remove moles or warts or treat any disease of a patron, nor perform any medical procedure such as an injection, nor dispense any medical device.
  3. All operators shall have an exclusion policy for people with a communicable disease that may be transmitted through the services of a barber, hairdresser, cosmetologist or nail technician.
  4. No individual shall perform procedures requiring licensure by the New Jersey State Board of Cosmetology without possessing such a valid license.
  5. No individual shall perform procedures requiring licensure by the New Jersey State Board of Cosmetology without having such license on site and visibly posted near the entrance along with a current photograph.
- H. Water and Plumbing
1. Every shop/salon must have an approved water supply with sufficient hot and cold running water under pressure.
  2. All plumbing fixtures must be protected against back-siphonage or backflow.
  3. Plumbing fixtures shall be clean and free from defects.
  4. Every such establishment shall be provided with a suitable mop sink.
- I. Toilet and Sink Facilities
1. Each shop/salon shall provide adequate toilet and hand washing facilities for patrons and employees.
  2. Toilet and hand washing facilities shall be in working condition at all times, and kept clean and sanitary.
  3. Each hand-washing sink shall have a soap dispenser and disposable towels or an air dryer for hand drying.
- J. Lighting and Ventilation
1. Lighting shall be no less than 30 foot candles to provide adequate illumination in the work area.
  2. The shop/salon shall be properly and adequately ventilated to remove excess heat, vapors and odors.
  3. Windows shall be effectively screened against insects, rodents, and other vermin.
- K. Floors, walls and ceilings shall be kept clean and in good repair.
- L. Proper measures shall be in place to prevent harborage of pests.

- M. Smoking shall be prohibited in all areas of licensed shops pursuant to the New Jersey Smoke-Free Air Act, N.J.S.A. 26:3d-55, and the Smoke Free Air Act Rules, N.J.A.C. 8:27.
- N. A copy of the most current Material Data Safety Sheet (MDSS) for each hazardous chemical is stored in a binder and available to all salon/shop staff and to the Health Officer or its authorized representatives.
- O. The owner of the shop shall not permit any animals or pets in the licensed premises. This prohibition shall not apply to trained guide dogs (or dogs in training) for the disabled, sightless or hearing impaired, consistent with the requirements of the Law Against Discrimination, N.J.S.A. 10:5-29.
- P. The owner of the shop shall not provide or offer to provide fish pedicures.

#### **6. LICENSE SUSPENSION**

- A. Failure to comply with the provisions of this chapter and applicable state regulations shall be grounds for suspension of any license issued under the provisions of this chapter.
- B. The Health Officer may suspend, without warning, prior notice or hearing, any license to operate a barbershop or hairdressing and/or cosmetology shop/salon or nail salon/shop if the operation constitutes an imminent hazard to public health including, but not limited to, any of the following:
  - 1. There is an outbreak of an infectious, pathogenic or toxic agent capable of being transmitted to consumers.
  - 2. There is an absence of potable water, supplied under pressure, in a quantity which, in the opinion of the Health Officer is capable of meeting the needs of the facility.
  - 3. There is a sewage backup into the facility
- C. Suspension shall be effective immediately upon delivery of the written order to the license holder or person in charge of the facility by the Health Officer or his/her designee. When a license is suspended, all barbershop, hairdressing and/or cosmetology shop or nail salon/shop operations shall cease immediately and shall not resume until written approval has been issued by the Health Officer.

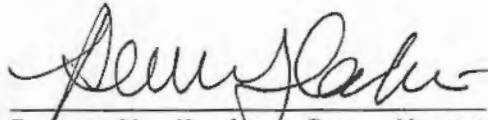
**SECTION 2:** This ordinance shall take effect immediately upon passage and publication as required by law.

VILLAGE OF RIDGEWOOD  
ORDINANCE NO. 3692

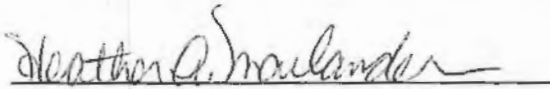
FOR AFFIRMANCE: Councilmembers: Knudsen, Sedon, Voigt, Walsh and  
Mayor Hache

NAYS: NONE  
ABSENT: NONE  
ABSTAIN: NONE  
RECUSE: NONE

Introduction Date: November 28, 2018  
Adoption Date: December 12, 2018  
Effective Date: January 1, 2019

  
Ramon M. Hache Sr., Mayor

ATTEST:

  
Heather A. Mailander  
Village Manager/Village Clerk