

## ARTICLE VII. SALONS

### DIVISION 1. GENERALLY

#### **Sec. 30R-7-1. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning-

*Barbering* means and includes the following described practices when performed by a barber licensed in the state upon the head, face, scalp or neck for cosmetic purposes only:

- (1) The cutting, trimming, or shaving of the hair.
- (2) shampooing, dyeing, coloring or styling of hair.
- (3) The application of cosmetic preparations, hair tonics, antiseptics, powders, oils, clays, creams or lotions.
- (4) Giving facial and scalp massage or the application of oils, creams, lotions, or other preparations, either by hand or mechanical appliances.

*Barbershop* means any establishment engaged in the practice of barbering for the public.

*Body Piercing:* (GS Sec 19a-92g) Piercing or creating a channel through any part of the body other than the ear lobe (i.e. lower portion of the auricle having no cartilage) for the purpose of inserting a decorative object.

*Certificate of Inspection* means a form provided to the salon verifying the date the establishment was most recently inspected and that it was found to be in compliance with Darien Health Department regulations at the time of that inspection.

*Critical Violation* refers to a violation that is more likely than other violations to pose a potential health risk to patrons or employees. A list of critical violations is contained in Appendix A and B **(NEW, Effective 7/1/15)**

*Director of Health* means the Darien Director of Health or a duly authorized representative.

*Hairdressing and cosmetology* mean and include the following described practices performed by a licensed hairdresser/cosmetician in the state upon the head, face, scalp, arms, hands, body, legs and feet for cosmetic purposes only:

- (1) Dressing, arranging, curling, waving, weaving, cutting, singeing, relaxing/ straightening, bleaching and coloring hair.
- (2) Treating the scalp, face, neck and arms by massaging, cleansing, exercising, stimulating or manipulating, with the hands, mechanical appliances, or the application of water
- (3) Applying cosmetics, preparations, antiseptics, tonics, lotions, creams, powders, oils, clays, sprays, or any product pertaining to the skin.
- (4) Manicuring fingernails of the hand and, for cosmetic purposes only, pedicures, trimming, filing and painting the healthy toenails of the feet, excluding cutting nailbeds, corns, calluses, or other medical treatment involving the foot or ankle.
- (5) Hair removal and eyebrow braiding and arching.

*Hairdressing or cosmetology shop* means any establishment engaged in the practice of hairdressing, cosmetology, or barbering for the public.

*Imminent Health Risk Violation* refers to any condition found within an establishment that poses a significant immediate risk to public health as listed in Appendix B which necessitates immediate corrective action or closure of the facility. **(NEW, Effective 7/1/15)**

*Inspection Report* means the official report which itemizes any deficiencies that need to be corrected and the time frame within which those corrections must be done. This report is provided to the salon by the Director of Health or an authorized agent at the conclusion of the inspection.

*“Massage therapy”* means the systematic and scientific manipulation and treatment of the soft tissues of the body, by use of pressure, friction, stroking, percussion, kneading, vibration by manual or mechanical means, range of motion and nonspecific stretching. Massage therapy may include the use of oil, ice, hot and cold packs, stones (or other inert substances), tub, shower, steam, dry heat, or cabinet baths, for the purpose of, but not limited to, maintaining good health and establishing and maintaining good physical and mental condition. Massage therapy includes shiatsu, acupressure, Thai massage, Thai yoga massage and Thai yoga. Massage therapy does not encompass diagnosis, the prescribing of drugs or medicines, spinal or other joint manipulations, nor any service or procedure for which a license to practice medicine, chiropractic, naturopathy, physical therapy, or podiatry is required by law.

*Mobile work station* means a modular space which can be used for multiple purposes through the use of mobile equipment.

*Nail technician* means 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* means any person, including, but not limited to, a licensed hairdresser/cosmetician or barber, or unlicensed person who is performing tasks allowed under the public health code of the state.

*Permit holder* means a permit holder, owner of the facility or the person in charge.

*Salon:* Includes any shop, store, day spa or other commercial establishment at which the practice of barbering, hairdressing, massage therapy, body treatment, cosmetology, the services of a nail technician, or any combination thereof, is offered and provided.

*Shampoo station.* A shampoo station consists of a shampoo bowl (sink) and a shampoo chair.

*Tanning:* applies to tanning devices in tanning facilities, which are defined as any place where a device is used to produce a tan for a fee, membership dues, or other compensation. A tanning device is 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. (PA 06-195, § 22; CGS § 19a-232).

*Tattooing:* (CGS Sec 19a-92a) Marking or coloring, in an indelible manner, the skin of any person by pricking in coloring matter or by producing scars.

*Unsanitary conditions:* Salon conditions which are likely to cause or risk the spread of viral, bacterial or fungal infections, or any other communicable disease.

*Working area* means a separate room with more than one work station, or a private room set aside to serve one customer at a time.

*Work station* means 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.

**Sec. 30R-7-2. Plan review and pre-operation inspections.**

- (a) No salon having a permanent location shall be relocated, constructed, remodeled or extensively altered, nor shall a structure be converted to use as a barbershop or hairdressing and/or cosmetology shop, except in accordance with plans and specifications approved by the town health department
- (b) Properly prepared architectural plans drawn to a scale of not less than one-quarter-inch to one foot (1/4":1'), and specifications for such construction, remodeling or alteration shall be submitted to the director of health, or authorized agent, for review and approval before relocation, construction, remodeling, alteration, change of ownership, or conversion is begun. The plans and specifications shall indicate the proposed layout, arrangement and construction materials of work areas and the type and model of proposed fixed equipment and facilities. The plans and specifications shall be submitted with forms furnished by the director of health. The director of health shall approve the plans and specifications if they meet the requirements of these regulations and the public health code of the state. Copies of the plans shall be submitted to the other town agencies as required.
- (c) Prior to opening a salon to offer services to the public, the director of health, or authorized agent, shall conduct a preoperational inspection to determine compliance with the approved plans and specifications and with the requirements of this article and the public health code of the state.
- (d) All products, equipment and procedures used by salons that need FDA or EPA approval shall not be utilized until approved.

**Sec. 30R-7-3. Inspections and Posting Requirements.**

- (a) At least twice a year, the director of health, or authorized agent, shall inspect each salon and shall make as many additional inspections as are necessary for the enforcement of these regulations and the public health code of the state.

- (b) Upon successful completion of an inspection with no critical violations noted, the director of health, or his agent, shall issue a Certificate of Inspection which must be posted in a location clearly viewable by patrons. **(NEW, Effective 7/1/15)**
- (c) In the event critical violations are found during an inspection, those items must be corrected within a specified time period not to exceed two weeks, whereupon the Director or Agent shall make a reinspection and issue a new inspection report and certificate. **(NEW, Effective 7/1/15)**
- (d) Failure to post the Certificate of Inspection constitutes a violation of these regulations, may result in the issuance of orders by the director of health and could lead to permit suspension.

**Sec. 30R-7-4. Hearings.**

The director of health or designee shall conduct the hearings provided for in this article at a time and place designated. The director of health or designee shall make a final finding based upon the complete hearing record, and shall sustain, modify or rescind any notice or order considered in the hearing. The director of health shall furnish a written report of the hearing decision to the permit holder within ten calendar days of the hearing date.

**Sec. 30R-7-5. Service of notices or orders.**

A notice or order provided for in these regulations is properly served when it is delivered to the permit holder, or person in charge, or when it is sent by registered or certified mail, return receipt requested, to the last known address of the permit holder. A completed and signed inspection report shall constitute a written notice.

**DIVISION 2. PERMITS**

**Sec. 30R-7-10. Required; compliance.**

No person shall maintain or operate any salon without having a valid permit issued by the director of health. Only a person who complies with the requirements of these regulations and the public health code shall be entitled to receive or retain such a permit.

**Sec. 30R-7-11. Fees.**

- (a) The fees required by these regulations shall be proposed by the director of health within limits established by the General Statutes and approved from time to time by the board of selectmen after public notice and public hearing.
- (b) A reinspection fee shall be assessed whenever an establishment is found to have critical violations two or more times within one calendar year. **(NEW, Effective 7/1/15)**

**Sec. 30R-7-12. Application.**

- (a) *Forms; validity.* Application for a permit shall be made on forms furnished by the director of health, wherein the applicant shall state his name, address, the address of the place of business, services provided, give such other pertinent information as the director of health may require and affix his signature to the application. All permits are valid for one year, or a portion thereof, and are renewable each year on or before September 30 of each year. If the applicant is a corporation or other legal entity, the applicant shall designate the chief officers to receive notice and/or service of process.
- (b) Every application for a permit to operate a salon shall pay a permit fee as determined by section 30R-7-11.

**Sec. 30R-7-13. Issuance or renewal.**

- (a) No permit shall be issued or renewed until a completed application has been submitted, the permit fee has been paid and the applicant's salon meets the requirements set forth in these regulations and all other applicable state and local regulations.
- (b) Proposed services not listed on the application for a permit must be reviewed and approved by the Director of Health before they can be offered to the public.

**Sec. 30R-7-14. Validity.**

Permits shall be valid until the expiration date indicated on the permit unless suspended or revoked by the director of health, or until such time as the facility changes permit holders, closes, or goes out-of-business.

**Sec. 30R-7-15. Transferability.**

Permits shall not be transferable. Permits may not be transferred among persons, legal entities, or from location to location.

**Sec. 30R-7-16. Right of entry for inspections.**

The director of health, or agent, after proper identification, shall be permitted to enter, during normal operating hours, any portion of any salon for the purpose of making inspections to determine compliance with these regulations and the public health code of the state.

**Sec. 30R-7-17. Temporary permit.**

A temporary permit to operate a salon may be granted for a period not to exceed 14 calendar days. A temporary permit would be required for conducting a public demonstration, a fundraising event or a public convention.

**Sec. 30R-7-18. Enforcement.**

- (a) Failure to comply with the provisions of these regulations and applicable state regulations shall be grounds for revocation or suspension of any permit issued under the provisions of these regulations.
- (b) In the event that the director of health finds unsanitary conditions in the operation of a salon or if a violation or set of violations appears on more than one consecutive inspection report, the director of health may immediately issue a written notice to the permit holder, citing such conditions, specifying the corrective action to be taken and the time frame within which such action shall be taken. If correction is not made in the allotted time, the permit may be suspended or revoked.
- (c) The director of health may suspend, without warning, prior notice or hearing, any permit to operate a salon, as follows:
  - (1) If the operation constitutes an imminent hazard to public health; or
  - (2) If the permit holder or any other person has interfered with the performance of the director of health's duties.
- (d) An imminent public health hazard shall include, but is not limited to, any one of the following:
  - (1) An ongoing outbreak of an infectious, pathogenic or toxic agent capable of being transmitted to consumers.
  - (2) The absence of potable water, supplied under pressure, in a quantity which, in the opinion of the director of health, is capable of meeting the needs of the facility;
  - (3) A sewage backup into the facility; or
  - (4) An unlicensed individual performing procedures requiring licensure by the public health code of the state.
- (e) Suspension shall be effective immediately upon delivery of the written order to the permit holder by the director of health or designee. When a permit is suspended, all operations shall cease immediately and shall not resume until written approval to resume has been issued by the director of health. The director of health shall remove a suspended permit from the premises.
- (f) When a permit is suspended, the permit holder shall be notified in writing of the suspension, and an opportunity for a hearing will be provided if a written request for hearing is filed with the director of health by the permit holder within 48 hours. The director of health may end the suspension at any time by giving written notice to the permit holder if reasons for suspension no longer exist.
- (g) Upon receiving a request for a hearing, the director of health shall examine the merits of such suspension and may vacate, modify or affirm such suspension.
- (h) The permit holder who is aggrieved by such action of the director of health may, within three (3) business days after the making of such decision, appeal to the Commissioner of the State Department of Public Health who shall thereupon immediately notify the local director of health from whose order the appeal was taken and examine the merits of such suspension and may vacate modify, or affirm such suspension.

**Sec. 30R-7-19. Permit revocation/nonrenewal.**

- (a) The director of health, after providing opportunity for hearing, may revoke or refuse to renew the permit of any person for repeated violations of any of the provisions of these regulations, or for interference with the director of health and his employees in the performance of official duties or for cases where the permit to operate has been obtained through nondisclosure, misrepresentation or intentional misstatement of a material fact.
- (b) Prior to revocation or nonrenewal, the director of health shall notify the permit holder of the specific reason for such revocation or nonrenewal, and that permit shall be revoked or not renewed at the end of seven (7) calendar days following service of such notice, unless a written request for hearing is filed with the director of health by the holder of the permit within 48 hours of such notice, the revocation or nonrenewal becomes final.

**Sec. 30R-7-20. Permit reinstatement.**

- (a) *Suspension.* Whenever a permit has been suspended, the permit holder of the suspended permit may make written request for permit reinstatement. Within ten days following receipt of a written request, including a statement signed by the applicant that, in his opinion, the conditions causing the suspension have been corrected, the director of health shall make a reinspection. If the director of health determines that the applicant has complied with the requirements of these regulations and the state public health code, the permit shall be reinstated and returned to the permit holder.
- (b) *Revocation/ nonrenewal.* After a period of 60 days from the date of revocation or refusal to renew, a written application may be made for the issuance of a new permit. This application will be treated as a new application. All appropriate procedures and inspections will be required.

**DIVISION 3. SPECIFIC STANDARDS AND REQUIREMENTS**

**Sec. 30R-7-30. Equipment and facilities.**

- (a) *Water supply.* An adequate supply of hot and cold running water, at proper temperatures, from a municipal or approved private source shall be provided for service for customers, cleanliness of employees and for washing floors, walls, ceiling and equipment.
- (b) *Temperature.* Hot water at any faucet shall not exceed 110 degrees Fahrenheit.
- (c) *Waste disposal.* Wastewater from all plumbing fixtures shall be discharged into municipal sewers; otherwise, suitable facilities shall be installed for the absorption of the wastes by the soil in subsurface sewage disposal systems in accordance with provisions of the state public health code and the town health department regulations.
- (d) *Plumbing fixtures.* Plumbing fixtures shall be of impervious material and of a type which is easily cleanable. They shall be free from cracks and from parts, which are not readily accessible for cleaning and be of a type which does not constitute a hazard to a public water supply through backsiphonage, or cross connection.

- (1) All plumbing installation and fixtures shall conform to applicable building and plumbing codes.
  - (2) Shampoo bowls shall be used for barbering, hairdressing and cosmetology work only.
  - (3) A utility sink shall be provided for the proper cleaning of surfaces and equipment.
  - (4) At least one handwash facility shall be located in each private treatment room and in each work area in order to provide for proper handwashing before working with each customer. Those premises in operation prior to January 1, 2004, are exempt from this requirement.
  - (5) A mop sink must be provided for cleaning the facility. Those premises in operation prior to January 1, 2004, are exempt from this requirement.
- (e) *Floors.* Floors shall be nonporous and of such construction as to be easily cleaned. Floors where tinting or shampooing are done, or where chemicals for bleaching hair are used, shall have hard and washable surfaces. Floors shall be kept clean and in good repair. Carpeting or similar material used for floor covering in non-work areas shall be of light color with a single loop pile of not more than one-fourth inch in height. Such floor covering shall be kept clean by vacuuming at least daily and shampooing at least once annually and more frequently if the covering is not clean. All floor/wall junctures shall be properly covered with a sanitary type coving.
- (f) *Lighting.* Lighting fixtures shall be of sufficient number and properly placed so as to provide adequate illumination.
- (g) *Ventilation.* The salon shall be properly and adequately ventilated so as to remove chemical vapor emissions, excess heat and odors.
- (1) Nail salons using nail polishes, enamels, basecoats, hardeners, and chemical solvents are deemed to create indoor vapor emissions and shall ventilate so as to not pollute or negatively affect the air quality of adjacent premises.
  - (2) Salons providing nail technician services shall be equipped with ventilation systems in compliance with the requirements of applicable building codes.
- (s) The Director of Health may order the correction of nuisance conditions related to ventilation should one occur.
- (h) *Cabinets.* Cabinets shall be provided for storage of clean linen, towels, blankets and gowns. They shall have tight fitting doors that shall be kept closed to protect the linen, towels, blankets and gowns from dust and dirt.
- (i) *Receptacle for used towels and gowns.* A covered receptacle, which can be readily emptied and cleansed, shall be provided and maintained in a sanitary manner. Chemically soiled towels and linens shall be stored in fire-retardant containers. All receptacles shall be properly labeled.
- (j) *Refuse.*
- (1) Covered containers for hair droppings, paper and other waste material shall be provided and maintained in a sanitary manner.
  - (2) A site plan shall be submitted showing location of exterior refuse containers.
- (k) *Toilet facilities.*
- (1) Adequate toilet facilities and handwash sinks must be provided for customers and employees. Such facilities and wash basins shall be kept clean and in working order.

- (2) Adequate and conveniently located handwashing facilities shall be provided with hot and cold running water, a sanitary soap dispenser, single-use towels for customers and employees and waste receptacles.
- (3) The use of common soap for more than one person is prohibited.
- (4) A covered refuse receptacle shall be provided in the ladies' room.

(l) *Workstations*

- (1) Chairs in workstations shall be at least 54 inches apart, center-to-center. Those premises in operation prior to January 1, 2004, are exempt from this requirement.
- (2) A two-foot-wide workspace shall be maintained behind each chair for the operator. Those premises in operation prior to January 1, 2004, are exempt from this requirement.
- (3) Three-foot-wide aisles that are separate and discrete from work areas shall be maintained throughout the shop.
- (4) No hair dryers shall be placed in any waiting room or encroach on the required three-foot-wide aisle space.
- (5) Mobile stations must be designed to provide the same workspace and separating distances as fixed stations. For a mobile station, it is assumed that the dryer can be accommodated in the workspace designated for the operator.

(m) *Barbershop or hairdressing and or cosmetology shop in residence.*

- (1) A salon located in a residence must be confined to a separate room, separated with ceiling-high partitions and provided with a door to be closed at all times.
- (2) The area within a home operated as a barbershop, hairdressing and/or cosmetology shop must be equipped with the facilities and instruments required in all such establishments.

*(Sec. 30R-7-30(g) New, Effective July 1, 2013)*

**Sec. 30R-7-31. Maintenance and Operation**

(a) *General cleanliness (For Sanitization Guidance, Refer to Appendix C)*

- (1) The permit holder of every salon shall keep it in a clean and sanitary condition at all times.
- (2) No hair droppings shall be allowed to accumulate on floors. Hair droppings shall be removed frequently and as soon as possible, in such a manner as not to cause objectionable conditions.

(b) *Walls, ceilings and fixtures:*

- (1) Ceilings shall be kept in good repair, and cracks in walls, especially around baseboards shall be filled in so as to prevent the harboring and breeding of insects.
- (2) Cabinets, shelves, furniture, shampoo bowls and fixtures shall be kept clean and free of dust, dirt and hair droppings. Arms, seats and rests of chairs shall be wiped of hair droppings after serving each customer.

(c) *Sanitary services.*

- (1) No person affected with any infectious disease shall be attended.
- (2) A towel shall not be used for more than one person without being properly laundered before each use.
- (3) A sanitary paper strip or clean towel shall be placed completely around the neck of each customer before an apron or any other protective device is fastened around the neck.

- (4) Clean towels shall be delivered in a closed container and kept in a clean, closed cabinet or closet. A commercial linen service shall be used for laundering if not done on the premises.
- (5) A sanitizing agent shall be used when washing towels and linens on the premises.
- (d) *Sanitation of equipment and implements.*
  - (1) Cleaned and sanitized implements shall be stored in a sanitary-covered container which
    - a. shall contain a disinfectant.
  - (2) Hair brushes, combs and all other implements used on a customer shall be kept clean and
    - a. sanitary at all times and shall undergo thorough cleansing and sanitizing after serving
    - b. each customer or single-service disposable implements.
  - (3) After handling a customer affected with an eruption or whose skin is broken out or is inflamed or contains pus, the instruments shall be effectively cleaned, washed with soap or a detergent and water, then rinsed with water having a temperature of at least 170 degrees Fahrenheit or allowed to remain for five minutes in alcohol (70 to 80 percent) or some other approved disinfectant or sanitizing process.
  - (4) Shaker-top containers must be provided for dispensing lotions and powders.
  - (5) Single-service towels, papers and other material shall be disposed of in the proper receptacle immediately after use and shall not be used again
  - (6) All disposable materials that come into contact with blood and/or body fluids shall be disposed of in sealable plastic bags prior to placing in the waste receptacle.
  - (7) All articles that come into direct contact with the customer's skin, nails, or hair that cannot be effectively cleaned and sanitized shall be disposed of in a covered waste receptacle immediately after use.
- (e) *Shaving brushes, mugs, credo blades and finger bowls.* The use of shaving brushes, shaving mugs and credo blades is prohibited. The use of finger bowls for manicuring purposes is allowed, but the finger bowl must be properly cleaned and sanitized after each customer. Disposable, single-use finger bowls may be used.
- (f) *Alum and other astringents.* Alum or other material used to stop the flow of blood shall be applied in powdered or liquid form only.
- (g) *Neck dusters, powder puffs, makeup brushes and sponges.* The use of brush neck dusters, powder puffs, makeup brushes and sponges is prohibited unless they are single-use disposable implements.
- (h) *Foods and beverages.* Foods and beverages shall not be prepared, stored or sold in the permitted premises, except with a valid food permit from the local director of health. Coffee and tea may be prepared and kept for the convenience of employees and patrons, but no charge is to be made to patrons who are served. Food and nonalcoholic beverages may, however, be brought into the permitted premises, from an approved source, for immediate consumption and also may be dispensed by means of automatic vending machines on the premises.
- (i) *Animals, pets or live birds.* No animals, pets or live birds shall be kept in any barbershop or hairdressing and/or cosmetology shop. This prohibition does not apply to trained guide dogs (or dogs in training) for the disabled, sightless or hearing impaired.

**Sec. 30R-7-32. Hygiene of operators.**

- (a) *Cleanliness of operators.* The hands of the operator shall be thoroughly washed with soap and warm water before serving each customer and immediately after using the toilet, or after eating.
- (b) *Health of operators.* No person known to be infected with any communicable disease in an infectious stage shall engage in barbering, hairdressing or cosmetology, and no person so infected shall be employed as a barber, hairdresser or cosmetician.
- (c) *Eating and drinking prohibited.* Operators shall not eat or drink while providing services to a customer.

**Sec. 30R-7-33. Smoking prohibited.**

No operator shall smoke while providing services to a customer.

**Sec. 30R-7-34. Massage Therapy Establishments – Operating Standards and Health Requirements**

- (a) Every portion of a massage establishment, including appliances and apparatus shall be clean and at all times properly maintained and operated in a sanitary condition.
- (b) All employees shall be clean and wear clean outer garments whose use is restricted to the massage establishment.
- (c) Handwashing facilities shall be provided in each massage room and each practitioner of massage shall thoroughly cleanse his or her hands by washing immediately before serving any patron.
- (d) All massage establishments shall provide separate clean laundered sheets and towels in sufficient quantity and they shall be properly laundered after each such use thereof and stored in an approved sanitary manner.
- (e) Appropriate single service disposal items may be utilized in lieu of sheets and towels.
- (f) All personnel, wet and dry heat rooms, shower compartments, table or bench facilities and toilet rooms shall be kept clean and so maintained each day the business is in operation. All bathtubs shall be thoroughly cleaned after each use.
- (g) An adequate supply of hot and cold running water must be available constantly during hours of operation.
- (h) Individual soap and towels must be available for each person's use.
- (i) Mechanical apparatus such as heat lamps, tanning lights, sun lamps, hot and cold packs, tubs, special showers, cabinet baths, redwood baths, steam or dry heat baths, and the like, shall be utilized only by and under the constant direct personal supervision of a licensed masseur or masseuse.
- (j) All equipment and materials utilized by a licensed masseur or masseuse shall be in safe and sanitary order and so maintained and operated as to preclude any danger or hazard to patron or practitioner.
- (k) No part of a percussor, vibrator, or other device (mechanical or otherwise) which cannot be appropriately sterilized or sanitized shall be applied directly to the skin of a patron, but the part of the body administered to shall be covered with clean towel or napkin or else the device shall be covered in a similar manner.
- (l) Adverse reactions and accidents must be carefully watched for and appropriate action taken immediately for relief therefrom. Chronicles of such incidents shall be kept in the daily registry and be open for review.
- (m) No patron who may be deemed to be possibly suffering from an infectious, contagious, or

communicable disease particularly of the body surfaces shall be provided with any service unless such patron shall have furnished a certificate from a licensed physician to the effect that the disease or condition is not transmissible or communicable.

- (n) Notice shall be given to the Director of Health by telephone and confirmed within forty-eight (48) hours in writing by the permit holder of a massage establishment of any infectious, contagious or communicable disease occurring amongst any masseurs, masseuses or employees. No masseur, masseuse or employee considered affected by such a disease shall continue in work until approved by the local Director of Health and/or the Connecticut State Department of Public Health. Each person so reported shall at the discretion of the Director of Health submit to a medical examination by a licensed physician and supply such specimens of body fluids or discharge for examination as may be required.
- (o) Masseurs or masseuses shall not diagnose or treat classified diseases or practice spinal or other joint manipulation nor prescribe any medication or drugs.
- (p) Temperatures of water baths of any type shall not exceed 105° F and patrons shall not be subjected to exposure of more than thirty (30) minutes.
- (q) Steam cabinet or room bath temperatures shall not exceed 110° F and patrons shall not be subjected to exposures exceeding thirty (30) minutes.
- (r) Dry heat cabinet or room bath temperatures shall not exceed 165° F and patrons shall not be exposed to exposures exceeding thirty (30) minutes.
- (s) No person shall use for housing, sheltering or harboring of employees, other persons or animals, any massage establishment, or cause or permit same or any area directly connected thereto to be used as living or sleeping quarters by any owners, managers, employees, clients or other individuals.

#### **Sec 30R-7-35. Tanning Facilities**

- (a) It is the responsibility of the tanning salon operator to assure that the applicable Food and Drug Administration (FDA) & Federal Trade Commission (FTC) regulations are adhered to.
- (b) Signage with warning/danger statements regarding sprays, ultraviolet light exposure, protective eyewear and substances that may increase photosensitivity to ultraviolet radiation must be displayed.
- (c) Pursuant to G.S. 19a-232“Signed parental or legal guardian consent is required for those under the age as established by State law.”
- (d) Manufacturer’s label (describing production date, serial & model #), factory installed timer and electrical testing label must be permanently affixed to tanning bed. Owner’s manual must also be on the premise.
- (e) Single user protective eyewear must be worn when exposure to UV will occur.
- (f) Tanning bed must be cleaned after each use. Cleaning solution must be readily available for patron use.
- (g) In spray tanning facilities, disposable protective goggles must be available. Inhalation of spray is to be avoided by patrons and staff.

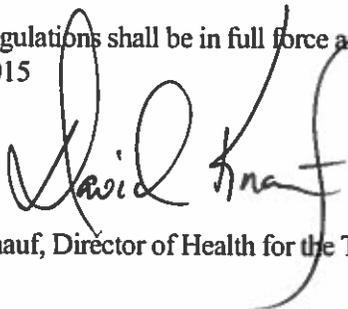
#### **Sec. 30R-7-36. Tattooing & Body Art Facilities *Statutory reference 19a-92a***

- (a) Disposable medical gloves shall be used in the tattoo and body piercing operations.
- (b) Hand washing shall be performed before, during and after service to each customer

- (c) Ultrasonic Cleaning Unit and Autoclave: The installation and use of this equipment must be approved by the Local Health Director, or their designee, be commercial grade and shall be operated according to the manufacturer's guidelines and/or specifications. Cleaning procedures shall be made available. A complete set of procedures outlining the use of the equipment and disinfecting/sanitizing procedures are to be posted. All equipment must be kept clean and in good repair at all times. Any autoclave area must be at least 36 inches from any Ultrasonic cleaning unit.
- (d) Instruments: All instruments shall be kept clean, in good repair, and capable of being disinfected and/or sanitized. Disposable instruments shall be used when available. Non-disposable instruments used for tattooing or body piercing should be cleaned, processed in an ultrasonic unit, packed individually in sterilized packs and sterilized by steam autoclave. A written procedure for decontamination and sterilization of equipment and surfaces shall be developed and followed.
- (e) Procedure Rooms: All procedure rooms shall have a door, partition or curtain to provide privacy. A sharps container must be available for each work station. All work surfaces shall be smooth, durable and easy to clean and sanitize. Hand sinks with hot/cold water under pressure must be easily accessible. Anti-bacterial soap in a dispenser and disposable paper towels in dispenser must be provided at each handwashing sink.
- (f) Licensure: Each practitioner or technician employed by a body care facility shall submit to the Director of Health a current State of Connecticut license that allows the individual to render the service, or any other service the facility offers that require certificates or licensure. Any such license shall be posted in a prominent place visible to patrons within the facility.
- (g) Physician Inspection: Prior to supervising all those who render services on the premises and at least annually thereafter, a Connecticut licensed physician or osteopathic physician shall perform and document an on-site inspection of the licensed establishment to ensure proper sanitary procedures are in place. The physician or osteopathic physician shall not delegate this responsibility. The physician or osteopathic physician shall make this inspection while all those who render services are on site. The inspection shall be recorded on the form provided by the Director of Health and shall be made available upon request.
- (h) Record Keeping: All facilities must maintain a record of patrons served. The record keeping system shall include the name, phone number, and the date and time of the appointment. The age of a patron receiving a tattoo shall be included in the record along with the information noted above. No person under the age of 18 shall receive a tattoo without the written permission of a parent or legal guardian. Documentation of the aforementioned requirements shall be made available to the Director of Health upon request.

These Regulations shall be in full force and effect on:  
July 1, 2015

By:



David Knauf, Director of Health for the Town of Darien

**Appendix A**  
**Violations considered to be Critical Items**

- Non-licensed personnel providing services for which licenses are required.
- Re-use of single use equipment and utensils.
- Not sanitizing equipment and utensils between clients
- Staff not washing hands between clients
- Use of prohibited utensils and equipment
- Inadequate hot water
- Inadequate ventilation
- Inadequate laundry and sanitation practices
- Cross-connections observed

**Appendix B**  
**Violations considered to pose an Imminent Health Risk**

- Lack of potable water supply
- Non-functioning sewer system
- Personnel with communicable disease or illness.
- Providing unapproved services

**Appendix C-**  
**Sanitization**

(1) Recommended Sanitizers

(a) The following chemical methods constitute satisfactory sanitization of implements. No method is considered effective without prior thorough cleaning with detergent (soap, trisodium phosphate, etc.).

<i>Disinfectant</i>	<i>Type of Use</i>	<i>Comments</i>
Quaternary ammonium Compounds	1:1000 dilution for 30 seconds	One of the most recent developments because they are odorless, non-toxic, highly stable and noncorrosive.
Boiling Water	5 minutes	The addition of 1% sodium carbonate will pre-

		vent rusting.
Lysol (or compounds cresol) Solution or phenolic compound	5% solution for 3 minutes  2% solution for 3 minutes	For use on colored gowns or towels.
Commercial formalin	10% solution for 1 minute	May be irritating; deteriorates on standing.
Alcohol (70% ethyl alcohol or 99% isopropyl alcohol)	3 minutes	
Lubricant sanitizer	Combination	Recommended for electric clippers.
Other EPA-registered Disinfectants		Use according to the manufacturer's instructions.

(b) Chemicals suitable for low temperature washing (less than or equal to 158 degrees Fahrenheit) of towels and linens shall be used. Lysol or household bleach (sodium hypochlorite) shall be used according to manufacturers' specifications. Color safe bleach may not be used.

(c) Nonchemical methods of sanitizing must be approved in writing by the director of health. Equipment specifications shall accompany requests for approval.

**(2) Electric clipper sanitizing techniques.**

The following are recommended sanitizing techniques for electric clippers:

**(1) Detachable head-type (sanitary design):**

- a. Detach blades.
- b. Clean thoroughly.
- c. Immerse in effective sanitizer for required time.

**(2) Nondetachable head-type:**

- a. Place covered shallow glass jar at work shelf opposite every barber chair.
- b. After use, brush out excess hair and grease; wipe cutting blades clean.
- c. Immerse blade in combination lubricant-sanitizer, run clipper while immersed for ten seconds.
- d. Remove clipper and allow blades to drain for ten minutes on a clean towel or tissue, preferable in a cabinet reserved for tools already sanitized and ready for use. Wipe blades clean with a fresh disposable tissue.



# Town of Darien

Date Complaint Received: 5/19/2015

Complainant: Rick Tymon Phone: \_\_\_\_\_

Address: 2 RENSHAW DARIEN, CT 06820

Against: owner Phone: \_\_\_\_\_

Complaint Address: 1981 POST RD DARIEN, CT 06820

Complaint Assigned To: Mindy Chambrelli

Type of Complaint:	Food
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Description of complaint: Complainant was in restaurant and observed cook putting raw pasta in sink, filling it with hot water. Left it there until it was cooked.

Investigation Date: \_\_\_\_\_ Investigator: \_\_\_\_\_

Investigation Findings:

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