

## 240 Mass. Reg. 3.02

### Section 3.02 - Operation of Salons

**(1) Premises.**

**(a)** All new salons must have their electrical and plumbing installations approved by an inspector of wires and a plumbing inspector prior to being inspected by the Board.

**(b)** After the floor plan for the salon has been approved by the Board and all required equipment has been installed and permits obtained, an applicant for a salon license shall notify the Board that the premises are ready for inspection by the Board.

**(c)** All salons shall display a sign at their entrance, or a sign sufficiently large to be clearly visible from the street.

**(d)** Every salon shall be equipped with proper and adequate lighting and ventilation and kept in clean, orderly and sanitary condition.

**(e) Home Salons.**

**1.** No branch of cosmetology shall be practiced in any room or rooms of living quarters other than the room or rooms designated and licensed as a cosmetology salon, except for sick or infirm persons in homes or hospitals.

**2.** In every salon maintained in a home, a separate room or rooms shall be provided and licensed for the performance of cosmetology services. Every salon maintained in a home shall provide a separate entrance to such salon which shall lead directly from the front or immediate side of the home to the salon and shall be clearly visible from the street. A hard surface walk shall lead from the street to the salon entrance. Interior doors leading to a salon from an adjacent room or any part of the home other than the entrance of the building shall be securely locked and not used.

**3.** Every salon maintained in a home must be equipped with proper toilet and hand-washing facilities which are separate from the facilities used by the residents of the premises adjacent to the salon and must be accessible by patrons without passing through any part of the living quarters.

**4.** The provisions of 240 CMR 3.02(1)(e)1. through 3. do not apply to Mobile Services pursuant to a Policy issued by the Board regarding Mobile Services.

**(f)** All floor coverings, walls, ceilings, woodwork, furniture, fixtures, curtains and draperies in a salon shall be maintained in a clean and sanitary condition. All equipment installed must meet with the requirements of public safety regulations.

**(g)** Every salon shall be equipped with proper toilet and hand-washing facilities which shall be easily accessible and kept in a sanitary condition, and located in the salon or conveniently adjacent thereto.

**(h)** Every salon shall be equipped with a suitable and adequate supply of hot and cold water. The source of this water must be approved by the local board of health where no public water supply is available.

**(i)** No animals, except service animals authorized by law to be in places of public accommodation, shall be present on the salon premises.

**(2) Conduct of Operations.**

**(a)** Whenever an inspection of a salon is made by an investigator or other agent of the Board, the owner or representative of the salon must sign the inspection slip.

**(b)** No salon shall be operated or maintained in any room or place where food is prepared, sold or offered for sale. No dishes shall be washed in any shampoo sink or sinks located with the toilet facilities.

**(c)** Narcotics, alcohol, marijuana and tobacco are prohibited in all cosmetology salons.

**(d)** Other than the services specified in a Policy issued by the Board regarding Mobile Services, all "Cosmetology" services, as defined in M.G.L. c. 112, § 87T, including those rendered in connection with the arrangement of any wig or hair piece upon the head of any patron, must be performed in a licensed salon by licensed personnel only.

**(e) Dual Use of Room for Cosmetology or Barbering and Licensed Massage Therapy Services.**

**1.** Individuals licensed by the Board of Registration of Massage Therapy pursuant to M.G.L. c. 13, § 98 may provide services within the scope of their massage license in the same space as cosmetology and barbering services so long as they meet the requirements of 240 CMR 3.02(2).

**2.** The area in which the massage service is to be performed must be issued an establishment license from the Board of Registration of Massage Therapy. This license must be issued to the same person or entity that was issued the license to operate a Cosmetology Salon or Barber Shop.

**3.** All massage services must be identified on a Board-approved floor plan that is posted in a conspicuous place in the Salon. Any changes to this floor plan must be approved by the Board.

**4.** When providing massage services within a Cosmetology Salon or Barber Shop, all massage practitioners must hold the appropriate level individual license from the Board of Registration of Massage Therapy and may not delegate massage services to unlicensed individuals.

**5.** Notwithstanding the scope of practice of the massage license, all services performed in a Cosmetology Salon or Barber Shop shall remain subject to the safety and sanitary provisions of 240 CMR 3.00.

**6.** The holder of the Cosmetology Salon license or Barber Shop license shall remain responsible for all services provided in the Salon or Shop, whether or not those services are cosmetology or barbering, and must cooperate fully with Board inspectors, who may inspect any service being provided in the Salon or Shop.

*240 CMR 3.02*

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