

## Chapter BC 3

### ESTABLISHMENTS AND INSPECTIONS

BC 3.01 Establishment requirements  
 BC 3.02 Establishments for specialty services  
 BC 3.03 Booth rental and dual licensure

BC 3.04 Establishment applications  
 BC 3.05 Inspections

**BC 3.01 Establishment requirements.** (1) Barbering and cosmetology, aesthetics, electrology, and manicuring shall not be practiced outside the confines of a licensed establishment except as provided in s. BC 2.03 (6). Establishments, including floors, walls, ceilings, furniture, equipment, tools, utensils and instruments, shall at all times be in good repair and maintained in an orderly and sanitary condition.

(2) No barbering or cosmetology establishment may operate without a licensed manager appointed by the owner who, together with the owner, shall have direct responsibility to ensure compliance with ch. 454, Stats., and rules of the board in the operation of the establishment. The manager is required to work full time. The manager is not required to be in an establishment at all times when an establishment is open for business.

(3) If public drinking facilities are provided, disposable drinking cups or a drinking fountain shall be available.

(4) All floor coverings in an establishment shall be kept in a clean, orderly and safe condition. Loose hair shall be removed regularly and placed in a closed container.

(5) Public toilet facilities for the establishment shall be provided within the building. Toilet facilities shall be kept clean, sanitary and in working order at all times. Soap, disposable towels and a wash basin with hot and cold running water shall be provided. The toilet room shall not be used as a dispensary or for the providing of services. Items stored in the toilet rooms shall be in closed cabinets. Poisonous substances stored in the toilet room shall be locked in a cabinet or closet.

(6) Establishments shall provide areas designated for storing, cleaning and disinfecting equipment.

(7) Plastic or metal containers of adequate size shall be provided to store all soiled linen. All soiled linen shall be properly cleaned or disposed of after use.

(8) Establishments where apprentices are trained shall provide equipment, supplies and products for all barbering and cosmetology services.

(9) No smoking shall be allowed in areas of an establishment where flammable products or materials are being used or stored.

(10) Pets shall not be kept in an establishment during business hours.

(11) Where an establishment is located in the same building as a residence, the business and living quarters shall be separate.

(12) Establishments shall provide a basin appropriate for services offered by the establishment which has hot and cold running water, and a chair which is designed for the service to be provided. Establishments shall provide the equipment and supplies necessary to perform services offered. Basins may be shared with other establishments located on the same premises.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. (2) and (4), cr. (12), Register, December, 1990, No. 420, eff. 1-1-91; emerg. am. (12), eff. 8-8-91; am. (12), Register, February, 1992, No. 434, eff. 3-1-92; am. (2), (5) and (11), Register, May, 1993, No. 449, eff. 6-1-93.

**BC 3.02 Establishments for specialty services.** Establishments for aesthetics, electrology or manicuring services shall comply with s. BC 3.01(1) and (3) to (11) and ch. BC 4.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89.

**BC 3.03 Booth rental and dual licensure.** (1) A licensed establishment may consist of less than all of the work stations located in any one premises, but such an establishment shall be a separate establishment from all others in the premises. If more than one licensed establishment is located within the same premises, a basin, hair dryer, common waiting room and toilet facilities may be shared. Each establishment shall comply with all requirements of chs. BC 1 to 4 and ch. 454, Stats.

(2) A person who is licensed as a manager may be employed as the manager for any number of establishments so long as the license for all of the establishments are held by the same person.

(3) A person may be employed as the manager for 2 or more establishments when the licenses for the establishments are held by different persons only if the manager works for each establishment full time.

(4) Any licensed establishment which offers electrology shall be licensed as an electrology establishment.

(5) The rental of a chair or booth from a licensed establishment creates a separate establishment, and a separate establishment license is required for the leased area.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. (1), Register, December, 1990, No. 420, eff. 1-1-91; am. (1), renum. (2) to be (4), cr. (2) and (3), Register, May, 1993, No. 449, eff. 6-1-93; cr. (5), Register, October, 1996, No. 490, eff. 11-1-96.

**BC 3.04 Establishment applications.** (1) Before a person may open a new establishment, or relocate or change the ownership of an existing establishment, the person shall submit an application to the board on a form specified by the board, and secure the board's approval of the application.

(2) The application shall be notarized, and the board may require identification of the owner, business address, manager, type of business, and a copy of the floor plan showing dimensions and required equipment, in addition to other information which may be needed to approve the issuance of a license.

(3) Upon approval of the application and posting of the license in the establishment, the establishment may open for business.

(4) Falsification of any information on the application may be grounds for denial, suspension or revocation of the establishment license and subject the applicant to penalties as indicated in s. 454.16, Stats.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. (2), Register, May, 1993, No. 449, eff. 6-1-93.

**BC 3.05 Inspections.** (1) Inspections by field representatives or agents of the board may be conducted to assure compliance with ch. 454, Stats., and chs. BC 1 to 6.

(2) Upon notification of violation, licensees shall respond within 5 days either by notifying the board of correction of the violation or presenting a proposed plan of correction for board approval.

(3) Failure to respond to a notice of violation, or to comply with a plan of correction approved by the board, is unprofessional conduct.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; r. (1), renum. (2) to (4) to be (1) to (3), Register, May, 1993, No. 449, eff. 6-1-93.