



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

July 23, 2024

Codes

Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Codes

Barber Shops

Private Acts of 1971 Chapter 168

SECTION 1. That the Memphis & Shelby County Health Department be and they are hereby authorized to establish sanitary standards for barber shops in accordance with the provisions of this Act outside the corporate limits of all municipalities within said county.

SECTION 2. That for the purpose of this Act, anyone or any combination of the following practices, when done for payment, directly or indirectly, or without payment for the public generally, shall constitute the practices of barbering: Shaving or trimming the beard or cutting the hair; giving facials and scalp massages or treatments with oils, creams, lotions, or other preparations, either by hand or mechanical appliances; singeing or shampooing or dyeing the hair or applying tonics, manicuring or any other grooming practices as determined by the health officer. The word "barber" means any person who practices such barbering. The word "manager and/or owner" as used in this Act means any person having, for the time being, control of the premises and of persons working or employed in a barber shop.

SECTION 3. That is [sic] shall be unlawful for a manager or owner of a barber shop to operate a place of business who does not have a permit from the Memphis and Shelby County Health Department. Only those barber shops that meet the requirements of this Act shall be eligible to receive and retain such a permit. Every barber shop shall pay to the Memphis and Shelby County Health Department an annual permit fee of \$10.00. This fee shall be due on January 1st of each year and must be paid by January 31st. All new barber shops shall secure a permit before they open for business and all barber shops that change ownership or change managers shall secure a permit. Permits will not be transferrable from one manager or owner to another.

SECTION 4. That barber shops shall be equipped with adequate hot and cold running water, and be provided with one lavatory for each chair. At shops where both men and women will be on the premises two toilets shall be required. Toilet facilities shall be conveniently located. All appliances, tools, furnishings and material as may be necessary shall be furnished to enable persons employed in and about the barber shop to comply with the requirements of this Act and the regulations of the health department. The water supply shall be adequate, of a safe, sanitary quality and from an approved source. All sewage shall be disposed of in a public sewage system, or in absence thereof, in a manner approved by the health department.

SECTION 5. That the managers of every barber shop shall keep such shops and all furniture, tools, appliances and other equipment used therein at all times in a clean and sanitary condition.

SECTION 6. That all items of equipment used on patrons at a barber shop shall be thoroughly cleaned and disinfected by a method approved by the Health Department immediately after use on each patron. No barber shall use for the service of a customer any towel or wash cloth that has not been boiled and laundered since last used.

SECTION 7. That no owner or manager of a barber shop shall knowingly permit any person suffering from a communicable disease to act as a barber in such shop. No person who, to his or her knowledge, is suffering from a communicable disease shall act as a barber. Such tests of proof may be required by the health officer.

SECTION 8. That every barber shall cleanse their hands thoroughly immediately before serving a customer.

SECTION 9. That the health department shall make such rules and regulations as may be necessary in its judgment to meet the requirements of adequate barber shop sanitation and to preserve the safety and health of barber shop patrons.

SECTION 10. That the administration of this Act shall be divided as follows:

(1) All matters and details concerning the barber registration and payment of proper fees, together with prosecutions for illegal and improper barbering practices, shall be under the direction of the division of barber shop inspection provided that health department permit and health department permit fee shall be administered by the health department.

(2) All matters and details concerning the inspection of barber shops as to their operation regarding cleanliness and all sanitary conditions shall be under the direction and control of the health officer and such inspections and prosecutions concerning same shall be handled by the health department.

SECTION 11. That the following persons are exempt from the provisions of this Act while in the proper discharge of their professional duties:

- (1) Persons authorized by the laws of this state to practice medicine and surgery.
- (2) Commissioned medical or surgical officers of the United States Army, Navy, Air Force, or Marine Hospital Service.
- (3) Registered nurses.
- (4) Persons engaged in the practice of beauty culture, including a ladies' beauty parlor.

SECTION 12. That if any part or parts of this Act shall be declared unconstitutional, it shall not affect the validity or any other part of this Act.

SECTION 13. That all laws and parts of laws in conflict with the provisions of this Act, be and they are hereby repealed.

SECTION 14. That this Act shall have no effect unless approved by a two-thirds ($\frac{2}{3}$) vote of the Quarterly County Court of any County to which this Act may apply not more than one hundred twenty (120) days subsequent to its approval by the Chief Executive of this State or after its otherwise effective date. Its approval or non-approval shall be proclaimed by the presiding officer of the Quarterly County Court and shall be certified by him to the Secretary of State.

SECTION 15. That this Act shall be effective from and after its passage, the public welfare requiring it, but the provisions thereof shall not become operative until validated as provided in Section 14 herein and as otherwise provided in this Act.

Passed: May 20, 1971.

Swimming Pools

Private Acts of 1971 Chapter 169

SECTION 1. That there is hereby adopted a sanitary code for the control and operation of public or semi-public swimming pools and/or swimming areas within Shelby County, Tennessee. The Memphis and Shelby County Health Department is hereby authorized to enforce the provisions of this code and to issue permits and collect the fees as provided for herein.

SECTION 2. That the following definitions shall be applicable in the enforcement of the provisions of this Act.

The term "public swimming pool", as used in this Act, shall mean any body of water used for public or semi-public swimming or recreative bathing, which is artificial or semi-artificial construction, including all appurtenances concerning its use, whether operated for the public in general or for a portion of the public, as members of clubs, associations or other organizations. Other terms used in this Act shall have the meanings usually accorded to them by the health department of this and other cities regulating swimming pools.

SECTION 3. That no person shall operate or maintain a public swimming pool until a permit therefor has been issued by the Memphis and Shelby County Health Department, which permit shall not be valid for longer than one year. A new permit shall be secured at the first of each year or season of operation. All permits shall be in writing and shall state the conditions under which operation shall be maintained and the term for which the permit is allowed. Any permit granted by the Health Department under the provisions of this section may be revoked by the health department, acting through the health officer, for failure to comply with any of the provisions of this Act, or whenever, in the opinion of the health officer, the further operation under such permit becomes a menace to the health and safety of bathers; provided, that the holder of any permit which has been revoked, feeling aggrieved at the action of the health officer, shall have the right to appeal to the Commissioner of Health and have tried before him the question of the legality or reasonableness of the action of the health officer. No such appeal shall entitle the continued operation of the pool pending the action of the Commissioner of Health.

Before a permit is issued by the health department, an annual permit fee of \$100.00 shall be paid to the Memphis and Shelby County Health Department. Said fee shall be due on January 1 of each calendar year and shall be paid by January 31.

SECTION 4. That no person shall begin construction of a public swimming pool or reconstruct any such swimming pool, unless plans and specifications therefor have been submitted to and approved by the health department. Such plans and specifications shall be accompanied by supporting data, such as shop drawings of equipment, fittings, skimmers, filters, disinfectant feeders, pump rating curves, disposal of

waste or other information as required by the health department. The plans shall be prepared by an architect or engineer licensed to practice in the State of Tennessee.

SECTION 5. That each public swimming pool area shall be designed in such a manner as to permit the installation of all equipment necessary for the proper operation of same and so as to give the proper routing and segregation of bathers and spectators.

SECTION 6. That no natural or artificial body of water which does not meet all requirements of the ordinance shall be approved as a public swimming pool. Every public swimming pool shall be provided with a sufficient quality of fresh water which meets the drinking water standards of the health department as to physical, bacteriological and chemical quality. The water shall show an adequate PH and disinfectant residual at all times when the pool is in use. Frequent tests shall be made to determine whether or not a sufficient disinfectant and PH balance is being maintained. At all times when the pool is in use, the water shall be sufficiently clear to permit the entire bottom of the pool to be clearly visible from the walkways. An approved test kit shall be provided by the owner to test for disinfectant residuals and for the PH of the water. The complete recirculating system equipment must be approved by the health department.

SECTION 7. That an automatic system of disinfecting the water in a public swimming pool shall be used which provides a residual of a disinfecting agent in the pool water as required by the health department.

SECTION 8. That where gaseous chlorine equipment is provided in a filter room at a public swimming pool, or in any part of a building which provides housing, the mechanical proportioning and cylinders of chlorine shall be housed in a corrosion-resistant enclosure and mechanically vented.

SECTION 9. That all public swimming pools shall be provided with dressing rooms as required by the health department which shall be so constructed as to be easily cleanable and maintained in a sanitary condition at all times. The buildings and grounds shall be kept free from garbage, trash and other refuse.

SECTION 10. That all public swimming pools shall be provided with a sanitary method of excreta disposal, including one or more separate toilets for each sex, and their number and location will be determined by the health department.

SECTION 11. That a complete system of artificial lighting shall be provided for all indoor public swimming pools and for all public swimming pools which are to be used at night.

SECTION 12. That drinking water furnished at any public swimming pool shall be of a quality approved by the health department and shall be made available by means of sanitary drinking fountains. The use of common drinking cups is forbidden.

SECTION 13. That all reasonable precautions shall be taken at public swimming pools to protect the bathers from injury or accident. Convenient means of ingress and egress shall be provided. The depth of the water and any irregularities of the bottom shall be clearly indicated. Safety appliances such as life buoys, life hooks, bamboo poles or ropes, and equipment, including first aid kits, shall be provided and be readily accessible.

SECTION 14. That where required by the health department a sufficient number of attendants shall be on duty when a public swimming pool is in use. Such attendants shall be capable swimmers competent in life saving methods and trained in methods of artificial resuscitation.

SECTION 15. That no person having any skin eruptions or abrasions, sore or infected eyes, cold, nasal or ear discharge, or communicable disease shall be permitted to use any public swimming pool. Spitting of water, or blowing the nose in the pool shall be strictly prohibited. Suitable placards embodying such personal regulations and instructions shall be conspicuously posted.

SECTION 16. That suits and towels for common use at a public swimming pool shall be thoroughly laundered and dried after each usage in such manner as to meet the requirements of the health department.

SECTION 17. That such records and reports concerning the operation of a public swimming pool shall be kept as may be required by the health department.

SECTION 18. That the health department shall make such rules and regulations as may be necessary in its judgment not inconsistent with the ordinance to meet the requirements of public swimming pool sanitation and to preserve the safety and health of the bathers. Such rules and regulations, when adopted by the health department may be printed and made available to all operators of public swimming pools and to such other persons as may request the same. Such rules shall constitute a part of this Act. For any violation of such rules and regulations or any failure to comply therewith, any permit to operate may be revoked by the health officer under the provision of section 3.

SECTION 19. That if any part or parts of this Act shall be declared unconstitutional, it shall not affect the validity or any other part of this Act.

SECTION 20. That all laws and part of laws in conflict with the provisions of this Act, be and they are hereby repealed.

SECTION 21. That this Act shall have no effect unless approved by a two-thirds ($\frac{2}{3}$) vote of the Quarterly County Court of any County to which this Act may apply not more than one hundred twenty (120) days subsequent to its approval by the Chief Executive of this State or after its otherwise effective date. Its approval or non-approval shall be proclaimed by the presiding officer of the Quarterly County Court and shall be certified by him to the Secretary of State.

SECTION 22. That this Act shall be effective from and after its passage, the public welfare requiring it, but the provisions thereof shall not become operative until validated as provided in Section 21 herein and as otherwise provided in this Act.

Passed: May 20, 1971.

Trailers

Private Acts of 1973 Chapter 78

SECTION 1. That Shelby County, Tennessee, is hereby authorized to adopt a sanitary code for trailers, trailer courts, and trailer parks.

SECTION 2. The Shelby County Quarterly Court is authorized to provide for the enforcement and inspections of this code by the Memphis and Shelby County Health Department.

SECTION 3. The Shelby County Quarterly Court is authorized to amend or expand the sanitary code for trailers, trailer courts and trailer parks at any regular session.

SECTION 4. For the purpose of this chapter, the following definitions shall apply: Service building. A building maintained by trailer court management to provide toilet facilities for male and female, laundry facilities, and to provide shower facilities for use by occupants of trailers without such facilities.

Trailer or trailer coach. Any vehicle used, or so constructed as to permit its being used, as a conveyance upon the public streets or highways and duly licensable as such, and constructed in such a manner as will permit occupancy thereof as a dwelling or sleeping place for one (1) or more persons, provided that this definition shall not include transport trucks or vans equipped with sleeping space for a driver or drivers.

Trailer court. Any plot of ground within the county upon which two (2) or more trailer coaches, occupied for dwelling or sleeping purposes are located, and has been designated as a trailer court by the Memphis and Shelby County Health Department.

SECTION 5. Immediately upon arrival within the county limits, the owner and occupants of any trailer shall be subject to all the laws, ordinances, rules and regulations of the county and any violation thereof shall constitute a misdemeanor.

SECTION 6. The parking or storage of trailer coaches shall not be permitted on any premises within the county not operating as a trailer court under a valid permit. This section shall not apply to the owner of such vehicle if he is bona fide resident of the county and possesses sufficient space on his premises to park or store the unoccupied trailer coach; and if such parking or storage is approved in writing by the health department and is not in violation of any county ordinance.

SECTION 7. The Health Department is hereby empowered to formulate from time to time and to enforce any rules and regulations that such department may deem advisable governing the operation of trailers and trailer courts, bearing on any matters of sanitation or housing.

SECTION 8. Any person who violates the provisions of this chapter or the rules and regulations adopted pursuant thereto, or fails to perform the reasonable requirements of the health department or health officer after receipt of written notice of such requirements shall be fined not less than five dollars (\$5.00) and not more than fifty dollars (\$50.00) for each offense and each day of continued violation after conviction shall constitute a separate offense.

SECTION 9. No trailer court shall be established or maintained by any person within the county without a valid current permit from the Health Department issued in the name of the current manager/or owner. The department is authorized to issue and to suspend or revoke permits upon written notice for reasonable cause to secure abatement of unsanitary conditions and compliance with health rules and regulations. Before a permit is issued an annual permit fee shall be paid to the Memphis and Shelby County Health Department. Said fee shall be based on the number of spaces available in the trailer court, whether or not there is a trailer located on each space. The fee shall be two dollars (\$2.00) for each space and the permit shall designate the number of spaces approved; provided that the minimum fee shall be

twenty-five dollars (\$25.00) and the maximum fee shall be two hundred dollars (\$200.00). This fee shall be due on July of each fiscal year and will be for twelve (12) month period. It must be paid by July 31 or a permit will not be issued.

SECTION 10. The Health Department is hereby authorized and directed to make inspections of trailer courts and trailers; and to enter at reasonable times upon the trailer court property to investigate compliance with health rules and regulations.

SECTION 11. The active manager or owner of a trailer court shall be capable and responsible for the proper sanitation of the premises and shall provide full time competent employees to maintain and operate the establishment in a satisfactory condition at all times.

SECTION 12. The owner or occupant of a trailer shall promptly register with the owner or manager of the trailer court when the vehicle is parked therein. The owner shall enter upon such register his date of arrival, name in full and the individual names of the persons in his party, license number of the vehicle and the state in which such vehicle was licensed, and the last permanent address of the owner of such vehicle and, upon leaving, he shall enter the date of his departure.

SECTION 13. Each trailer court that accepts a dependent trailer coach for parking shall be provided with one or more service buildings.

SECTION 14. An accessible, adequate, safe and potable supply of water shall be provided to each trailer space, capable of furnishing a minimum of one hundred twenty-five (125) gallons per day per trailer coach space. Where a public supply of water of such quality is available, connection shall be made thereto and its supply shall be used exclusively. The development of an independent water supply to serve the trailer court shall be made only after express approval has been granted by the health department.

SECTION 15. Trailer courts shall be served by a public sewer system if available, or by a private disposal system which has the approval of the health department, each trailer coach space shall be provided with an approved, rigid, airtight sewer connection. All sewage disposal apparatus, including appurtenances thereto, shall be provided, maintained, and operated so as not to create a nuisance or health hazard.

SECTION 16. All refuse shall be stored in standard metal containers, constructed of noncorrosive materials, equipped with tight-fitting lids and with handles. Such containers shall have a capacity of not less than 20 gallons nor more than 30 gallons, except that the maximum size limitation shall not apply where facilities are available for handling containers mechanically. Each trailer coach shall be provided with a sufficient number of containers of adequate capacity to prevent overflow. The containers shall be stored above the ground level and so fastened or supported as not to be easily overturned. Centralized refuse storage facilities may be utilized provided that the maximum distance from any trailer coach served does not exceed 150 feet. Garbage and refuse shall be collected and/or disposed of in a manner and at intervals approved by the Health Department.

SECTION 17. Insect and rodent control measures to safeguard public health, as recommended by the commissioner or health officer, shall be applied in the trailer court. The trailer court shall be kept free of rubbish, and shall be maintained in a satisfactory condition at all times. All harborage places for rodents or hosts of insect vectors shall be eliminated. All breeding places for flies and mosquitoes shall be eliminated or effectively treated.

SECTION 18. Trailer coach spaces in trailer courts shall be clearly defined and coaches parked so that there will be at least fifteen (15) feet of clear space between coaches or any attachment such as a garage or porch; fifteen (15) feet between coaches and any building or structure; at least five (5) feet between any coach and trailer court property line. No trailer coach shall be located closer than fifteen (15) feet to any public street or highway.

The individual plot sizes for trailer coach spaces shall be determined as follows:

- (1) Minimum width shall be equal to the width of the trailer plus twenty (20) feet.
- (2) Minimum depth with end parking of automobile shall be equal to the length of the trailer plus thirty (30) feet.
- (3) Minimum depth with side or street parking shall be equal to the length of the trailer plus twenty (20) feet.

In no case shall the minimum width be less than twenty-eight feet and the minimum depth less than fifty-five (55) feet and such spaces shall be used only for parking trailer coaches no larger than eight (8) feet wide and thirty-five (35) feet long.

SECTION 19. It shall be the duty of the owner or manager of a trailer court to promptly report to the Health Department all cases of suspected cases of communicable disease occurring within the court.

SECTION 20. Trailers may be occupied as living quarters, other than in designated trailer courts, if approval from the Shelby County Board of Adjustment is secured and the water supply and sewage disposal system and satisfactory sanitary fixtures are provided; as required by the Memphis and Shelby County Health Department.

SECTION 21. Any person violating any of the provisions of this code or failing, neglecting, or refusing to comply with any regulations of the department promulgated pursuant to the provisions of this code, shall be guilty of a misdemeanor and, upon conviction, shall be liable to a fine of not less than ten dollars (\$10.00), nor more than one hundred dollars (\$100.00) for each offense. Each day of continued violation after conviction shall constitute a separate offense, and may be prosecuted in accordance with Section 53-303 Tennessee Code Annotated.

SECTION 22. If any part or parts of this Act shall be declared unconstitutional it shall not affect the validity of any other part of this Act.

SECTION 23. All laws and parts of laws in conflict with the provisions of this Act, be and they are hereby repealed.

SECTION 24. This Act shall have no effect unless approved by a two-thirds ($\frac{2}{3}$) vote of the Quarterly County Court of any County to which this act may apply not more than one hundred twenty (120) days subsequent to its approval by the Chief Executive of this state or after its otherwise effective date. Its approval or non-approval shall be proclaimed by the presiding officer of the Quarterly County Court and shall be certified by him to the secretary of state.

SECTION 25. This Act shall be effective from and after its passage, the public welfare requiring it, but the provisions thereof shall not become operative until validated as provided in Section 24 herein and as otherwise provided in this Act.

Passed: April 23, 1973.

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