



December 21, 2024

Private Acts of 1971 Chapter 168

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,

The University of Tennessee
County Technical Assistance Service
226 Anne Dallas Dudley Boulevard, Suite 400
Nashville, Tennessee 37219
615.532.3555 phone
615.532.3699 fax
www.ctas.tennessee.edu

Table of Contents

Private Acts of 1971 Chapter 168 3
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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.

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