

Bindura Municipal Council (Hairdresser's Shop) By-laws, 2012

ARRANGEMENT OF SECTIONS

*Section*

1. Title.
2. Interpretation.
3. Hairdresser's and barber's shop to be licensed.
4. Issue of licence.
5. Requirements for licensed hairdresser's and barber's shop.
6. Requirements of hairdressers.
7. Hairdressers and barbers to submit to medical examination.
8. Closure of hairdresser's and barber's shop which do not meet health requirements.
9. Offences and penalties.

SCHEDULE

IT is hereby notified that the Minister of Local Government, Urban and Rural Development has, in terms of section 229 of the Urban Councils Act [*Chapter 29:15*], approved the following by-laws made by the Municipality of Bindura.

*Title*

1. These by-laws may be cited as the Bindura Municipal Council (Hairdresser' shop) By-Laws, 2012.

*Interpretation*

2. In these by-laws—

“approved” means approved by the Director of Health and Environmental Services or Environmental Health Officer;

“class A licensee” means any hairdresser holding a hairdresser's skilled Worker Class One (Journeyman) certificate or its equivalent, issued by the Ministry responsible for Higher Education;

“class B licensee” means a hairdresser and or barber who is not qualified to be a class A licensee;

Bindura Municipal Council (Hairdresser's Shop) By-laws, 2012

"class C" means any person who does braiding and hair extensions only, from approved premises by Council;

"Council" means Bindura Municipality;

"Director of Health and Environmental Services" means the person appointed by the Council as the Director of Health and Environmental Services or her deputy;

"Environmental Health Officer" means the person appointed by the Council as an Environmental Health Officer and is registered as such by the Environment Health Practitioners Council;

"food" "article of food" means any substance, in any form, state or stage of preparation, which is intended or is ordinarily used, for human consumption and includes ice, but does not include a drug or water;

"form" means a form prescribed in the Schedule;

"hairdresser" means a hairdresser or barber who carries on the business of shaving, cutting or dressing of the hair of persons including braiding and chemical treatment;

"hairdresser chemical" means a perm lotion, tint, bleach, peroxide, setting lotion or any potential hazardous chemical or substance used in the dressing of hair;

"hairdresser's shop" means any premises on which the business of a barber or hairdresser is carried on;

"licence" means a licence referred to in section 4;

*Hairdresser's shop to be licensed*

3. (1) No person shall carry on the business of a hairdresser except in a licensed hairdresser's shop.

(2) An application for a licence shall be submitted to the Director of Health and Environmental Services in Form 1 and in the case of a previous unregistered hairdresser's shop shall be accompanied by a sketch plan, drawn to scale, showing the situation and dimensions of the proposed hairdresser's shop.

*Issue of a licence*

4. (1) A licence may be issued for any period not exceeding one year, and shall, notwithstanding the date of issue, expire on the 31st December of the year of issue.

2) Council shall issue a licence —

- (a) if the Director of Health and Environmental Services is satisfied that the hairdresser's shop conforms to the requirements of these by-laws; and
  - (b) upon payment of the appropriate licensing fee fixed by the Council from time to time.
- (3) The Council may—
- (a) refuse to issue a licence to an applicant who fails to comply with or has been convicted of any offence in terms of these by-laws; or
  - (b) cancel, in writing, any licence if a hairdresser or any employee of his fails to comply with or is convicted of any offence in terms of these by-laws; or
  - (c) cancel or refuse to issue a licence for any other reasons.
- (4) The Council shall give reasons in writing to issue or for cancelling a licence in terms of subsection (3).
- (5) Any hairdresser or barber aggrieved by the refusal to issue a licence or by the cancellation of his/her licence may apply to the Administrative Court for review.
- (6) A licence shall be issued in Form 2 and shall specify whether the holder is a class A or a class B licensee.
- (7) A licence shall not be transferred—
- (a) from the hairdresser's shop in respect of which it was issued to any other premises; or
  - (b) from a person to whom it was issued to any other person.
- (8) The current licence shall be fixed and maintained in a conspicuous place in the hairdresser's shop.

*Requirements for licensed hairdresser's shop*

5. In every licensed hairdresser's shop—

- (a) all rooms shall have a window or windows of an area not less than one tenth of the floor area, and a minimum of one half of such window or windows shall be capable of being opened and shall be so placed as to secure through or cross ventilation:

Provided that where natural lighting and ventilation cannot be provided, approved artificial lighting and approved mechanical means of ventilation must be provided; and

- (b) the floor and walls of any room shall be—
  - (i) of impermeable, non-absorbent and easily cleanable material; and
  - (ii) the ceiling of any such room shall be dustproof; and
  - (iii) the minimum height between the floor and ceiling shall be three metres;and
- (c) the wash basin or basins or other approved fittings, to which has been connected a piped hot water and cold water supply, shall be provided in the ratio of one wash basin or approved fitting to every two chairs, with a minimum one wash-hand basin or approved fitting; and
- (d) every shelf, fitting and table on which any hair cutting, hairdressing or shaving instruments or implements are placed shall be of glass, marble, slate enamel or similar material; and
- (e) no part of the premises shall be used as a dwelling place; and
- (f) operated by a class A licensee, there shall be available on the premises hairdressing electrical equipment such as dryers, blow dryers, clippers, tongs and hot brushes and facilities for storing hairdressing chemicals.

*Requirements for hairdressers*

5. (1) Every hairdresser shall—
- (a) keep every part of his/her shop in good order and repair and in a thoroughly clean condition; and
  - (b) when attending to a customer, wear an approved clean overall jacket, safari or both jacket and safari or any clothing of white or light coloured washable material without pockets;
  - (c) cause all hair falling on the floor to be swept up immediately and placed in the container provided; and

- (d) after attending to a customer wash his/her hands thoroughly before attending to a subsequent customer; and
  - (e) apply anti-septic liquids only as a spray or powder with pneumatic dispenser, pneumatic duster or on a clean unused piece of cotton wool; and
  - (f) cause all combs, razors, scissors, clippers, brushes, shaving brushes, towels and other instruments, appliances or implements, after being used on any one person to be cleaned and sterilized by the following methods—
    - (i) in the case of metal instruments such as clippers, razors, scissors and bowls or receivers, by flaming, boiling or disinfection with an approved preparation or by any other approved method; or
    - (ii) in the case of plastic or bakelite instruments such as curlers and combs, or rubber instruments such as curlers and ear pads or hair and shaving brushes, by disinfection with an approved preparation or by another approved method; or
    - (iii) in the case of towels, face and neck-cloths by soaking in a disinfectant followed by washing with soap and hot water and thorough rinsing; or
    - (iv) trolleys, tables, shelves, hairdryers, wash basins, neck rests and other fittings are to be washed thoroughly with soap and water daily, wiped periodically after each use with a clean cloth soaked in approved disinfectant solution.
- (2) No hairdresser shall—
- (a) use a hairdressing chemical unless he/she is a class A licensee holder;
  - (b) permit any person who appears to him/her to be suffering from any disease of the skin or hair or from any infectious, contagious or communicable disease to be attended to in his/her shop;
  - (c) permit any person referred to in paragraph (b) to be employed in the shop.

7. (1) Every person employed on or in connection with the business of a hairdresser and or barber shall consent to examination by a registered medical practitioner at Council whenever required to do so by the Director of Health and Environmental Services or Environmental Health Officer.

(2) Every such persons who, on examination by a registered medical practitioner, may be found to be suffering from any infectious, contagious or communicable disease or who refuses or fails to submit himself/herself to examination by the medical practitioner within three days of his/her being required to do so by the Director of Health and Environmental Services, or fails to produce to the Director of Health and Environmental Services within three days such examination a certificate from the medical practitioner who has examined him/her certifying that he/she is free from any infectious, contagious or communicable disease, shall not be employed in or about the business of a hairdresser until such time as he/she shall have been so medically examined and found to be free from any infectious, contagious or communicable disease.

*Closure of hairdresser's shop which does not meet health requirements*

8. (1) Where the Director of Health and Environmental Services believes on reasonable grounds that the condition or operations of any hairdresser's and or barber's shop are a danger or pose a danger to public health and safety, he/she may recommend to Council the closure of such premises until conditions or operations have improved to his/her satisfaction:

Provided that if in the Director of Health and Environmental Services' view, the continued operation of such premises poses imminent danger to public health the Director of Health and Environmental Services shall order such premises to be closed forthwith. The owner of the closed business, if so aggrieved, may apply to the Administrative Court for a review of the order to close.

*Offences and penalties*

9. (1) Any person who—

- (a) deposits, throws or places, or causes or suffers to be deposited, thrown or placed upon any street, sidewalk,

- open land, space or down the drain, any human or artificial hair; or
- (b) performs any hairdressing or haircutting in any street or public place; or
- (c) being a hairdresser, uses his/her hairdresser's shop for any other purpose other than hairdressing without the approval of Council; or
- (d) being a class B licensee uses any hairdressing chemicals; or
- (e) otherwise fails to comply with any provision of these by-laws with which it is his/her duty to comply;

shall be guilty of an offence.

(2) Any person found guilty of an offence under subsection (1) shall be liable to a fine not exceeding level 3 or to imprisonment for a period not exceeding two months or to both such fine and such imprisonment.

SCHEDULE  
FORMS

Form 1

APPLICATION FOR A LICENCE FOR THE YEAR ENDING ON 31ST  
DECEMBER,

The Town Clerk,  
Municipality of Bindura,  
P.O. Box 15,  
Bindura.

I/We, the undersigned hereby apply for a licence for the purpose of carrying on the business of .....  
and undertake to conform with all by-laws and regulations made by the Municipality of Bindura.

I/We agree that the acceptance of the licence fee shall not constitute an undertaking by Council to grant the licence, but that in the event of this not being granted, the fees will be refunded

Name of applicant: .....

Address: .....

.....

Bindura Municipal Council (Hairdresser's Shop) By-laws, 2012

Type of licence applied for: .....

Trading as: .....

Name of manager or person in charge: .....

Street address of premises:..... Stand No.: .....

Remarks; sketch plan(s) has/have not been submitted.  
(Delete inapplicable)

Date: .....

*Signature of applicant*

Form 2

MUNICIPALITY OF BINDURA HAIRDRESSER'S LICENCE

Licensee: .....

Type of licence:.....

Other details:.....

Address of hairdresser's shop:.....

Approved reference and date: .....

Valid to 31st December, 20: ..... unless previously cancelled.

This is to certify that the Municipality of Bindura has approved the issue of this licence.

Date:.....

*DIRECTOR OF HEALTH AND ENVIRONMENTAL SERVICES*

Date:.....

*ISSUING OFFICER*