

No. 70

## AN ACT

To amend section two thousand one hundred and twenty-three of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (Pamphlet Laws, five hundred nineteen), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," amplifying contractual rights as to joint sewers.

## Boroughs.

Section 2123, act  
of May 4, 1927  
(P. L. 519),  
amended.

Section 1. Be it enacted, &c., That section two thousand one hundred and twenty-three of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (Pamphlet Laws, five hundred nineteen), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," is hereby amended to read as follows:

Section 2123. Applications to Court.—Whenever any borough shall desire to connect with the existing sewer of any adjacent municipality, and no agreement, *either upon the basis of a rental payment for the use of an existing sewer or a division of the cost of the construction or maintenance thereof*, has been reached between such borough and the adjacent municipality, an application shall be made by council to the court of quarter sessions of the county, setting forth that fact.

APPROVED—The 9th day of May, A. D. 1935.

GEORGE H. EARLE

No. 71

## AN ACT

To amend sections three, five, seven, eight, ten, twelve, and thirteen of, and to add section fifteen A to the act, approved the nineteenth day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, five hundred eighty-nine), entitled "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops, barber schools and barber colleges, and apprentices and students therein; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," further regulating barber shops, barber schools, and persons desiring licenses under the provisions of the act.

## Barbers.

Sections 3, 5, 7,  
8, 10, 12, and 13,  
act of June 19,  
1931 (P. L. 589),  
amended.

Section 1. Be it enacted, &c., That sections three, five, seven, eight, ten, twelve, and thirteen of the act, approved the nineteenth day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, five hundred eighty-nine), entitled "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops, barber schools

and barber colleges, and apprentices and students therein; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," are hereby amended to read as follows:

Section 3. Any person not holding a certificate of registration under the provisions of the preceding section, and desiring to obtain a license under this act, shall make application under oath or affirmation, in such form as the department shall prescribe. Such application shall be accompanied by an affidavit, which shall be made by a practicing physician, and shall set forth that the applicant was examined and is free from all contagious and infectious disease. The applicant, at the time of filing such application and affidavit, shall pay to the department an examination fee of five dollars or such other fee as may be fixed by the department, and shall present himself or herself at the next examination of applicants as hereinafter provided. The department shall thereupon proceed to examine such person, *after [if] being satisfied that he or she is above the age of sixteen years, free from contagious and infectious disease, [and] has completed the work of the elementary school, and has either (a) studied the occupation for a period of two years as a registered apprentice under a qualified and practicing barber as hereinafter provided, or (b) studied the occupation and trained as a registered student in a registered and properly appointed and conducted barber school under the instruction of a [competent barber] registered teacher for a period of at least two years, and served at least six months as an apprentice with a registered barber, or (c) practiced the occupation [in another State] for a period of at least [two years and] twenty-four months within the five years next preceding the effective date of this act. If the department is satisfied as a result of the examination the applicant is possessed of requisite skill in said occupation to properly perform all the duties thereof, including his or her knowledge and ability in the antiseptic preparation of tools, shaving, hair cutting, and all the duties and services incident thereto, and is possessed of sufficient knowledge concerning the common diseases of the face and skin to avoid the aggravation and spreading thereof in the practice of said occupation, [the department] it shall enter his or her name in the register hereinafter provided for, and shall issue a certificate of registration to him or her authorizing him or her to practice such occupation, or to teach in registered barber schools as the case may be.*

*For any person to be registered as a teacher in a barber school or college, he must be at least twenty-one years of age, a graduate from an approved high school or its equivalent, and have had either (a) at least five years' experience as a barber in a barber shop, or (b) training in a registered barber school of at least fifteen hundred*

Applicants for license.

Application and affidavit.

Fee.

Examination qualifications.

Certificate.

Qualifications in order to be registered as a teacher.

*hours, and in addition thereto two years' experience as a registered barber. The examination for a teacher's certificate shall differ from the examination for a barber's certificate in that it shall be of a more exacting nature and require higher standards of knowledge of the practice and theories of barbering, including ability to teach properly the various practices and theories of barbering. The registration fee for teachers shall be five dollars, and the annual renewal fee shall be five dollars.*

**Apprentices and students.**

**Proviso.**

**Permit.**

**Fee.**

**Display of permit.**

**Term of apprenticeship.**

**Examination.**

**Temporary permits.**

**Certificate.**

Section 5. Nothing in this act shall prohibit any person from serving as an apprentice in such occupation under a registered barber of this Commonwealth, or from serving as a student in any barber school for the training of students in said occupation under the training of a duly registered barber authorized to practice such occupation in this Commonwealth: Provided, That such apprentice or student shall apply to the department to have his or her name registered with the department, in a book which shall be kept by the department for the registering of apprentices or students, and secure a permit, upon the payment of a fee of one dollar, to practice as an apprentice or student under a duly registered barber—such permit to be displayed in front of his or her working chair. [After having practiced the occupation for two years under a registered barber, such apprentice or student shall be eligible to become a registered barber, and shall present himself or herself at the next examination of applicants and pay the fee as provided for in section three of this act.] *Students, upon graduation from a registered barber school or barber college and having served six months' apprenticeship in a barber shop, and apprentices, upon completion of two years' apprenticeship in a barber shop, shall make application for examination at the next regular period specified in this act. Temporary permits to practice barbering may be issued at the discretion of the department to persons filing application for examination, and submitting proof of two years' practice as a journeyman barber within the five years immediately preceding the date of the application. Upon receipt of the application with the proper fee, the department shall issue a temporary permit which shall be valid until the results of the subsequent examination are determined. In case the applicant fails to pass such examination, he or she shall secure a new student or apprentice permit upon the payment of a fee of one dollar, which shall be valid for a period of one year, during which time the applicant shall present himself or herself for reexamination and pay the proper examination fee.*

Section 7. The department shall furnish to each person to whom a certificate of registration is issued a certificate, stating that the holder thereof is entitled to practice the occupation of barber, or to teach in regis-

*tered schools or colleges of barbering.* The holder of such certificate shall display the same in a conspicuous place in front of his or her working chair where it may be readily seen by all persons whom he or she may serve. Display.

Section 8. The certificate shall be renewed on or before the first day of January in each year, and the holders of said certificates of registration shall pay to the department the sum of two dollars or such other sum as may be fixed by the department for a renewal card. [Upon the failure of any] *Any* holder of a certificate of registration, *who shall fail* to apply for a renewal of his or her certificate on or before the first day of January in each year, [his or her certificate of registration shall be revoked by the department, and a new certificate of registration shall not be issued to such person until he or she shall again comply with all the provisions of this act in the same manner as if he or she had never been registered] *and who continues the practice of barbering or any of its branches, shall, on conviction thereof before any magistrate, alderman, or justice of the peace, be subject to a fine of not more than ten dollars, to be collected by summary conviction as like fines are collected by law, or in case of non-payment of the fine to undergo an imprisonment for a period not exceeding ten days. Any such person shall have the right of appeal, as in other cases of summary conviction.* Fee.

Section 10. The department may adopt reasonable rules and regulations prescribing the sanitary requirements of each barber shop, barber school or barber college, in cooperation with the Department of Health, and shall cause the rules and regulations so approved to be printed in a suitable form and may transmit a copy thereof to the proprietor or person operating such barber shop, school, or barber college, which shall at all times be kept conspicuously displayed in such shop, school or college. *It shall be unlawful for any person to sleep, or for any owner or manager to permit any person to sleep in or use for residential purposes, any room used as a barber shop or a school of barbering. All rooms used for such purposes shall be used for barbering and beauty purposes exclusively.* Any officer or duly authorized agent of the department may enter and make reasonable examination of any barber shop, barber school or barber college, during the business hours, for the purpose of ascertaining the sanitary conditions thereof. Any barber shop, barber school, barber college, or tools, appliances, and furnishings in use therein, kept in an unclean and unsanitary condition as to be a danger to health *or to the creation and spreading of infectious and contagious diseases,* is hereby declared to be a public nuisance, and the department may suspend or revoke the certificate of the proprietor thereof or any person operating such barber shop, school or barber college, or the Penalty for practice of barbering without renewing license.

Rules and regulations for shops, etc.

Inspection.

Unsanitary.

Public nuisance.

Suspension or revocation of registration or permit.

permit hereinafter required for such shop, school or college, or both the certificate and permit.

Number of apprentices.

Section 12. In no barber shop shall there be more than one apprentice [to two barbers] *who must be at all times under the supervision of a barber* authorized under this act to practice such occupation. [All barber shops having but one chair shall be entitled to at least one apprentice.] All barber schools or barber colleges shall keep prominently displayed a sign, reading "Barber College" or "Barber School."

Display of sign.

Any co-partnership, corporation, or person, desiring to operate or conduct a barber shop or barber college, shall first secure from the department a permit or registration certificate to do so, and shall keep the same prominently displayed. *The fee for registration of each barber school or college shall be fifty dollars, and the annual renewal fee therefor shall be twenty-five dollars.* The department may pass upon the qualifications, appointments, and course of study in said college, which shall be not less than two years.

Permit for shop or college.

Fee for registration and renewal.

All barber schools or barber colleges shall have not less than one registered teacher or instructor for every twelve students, and in no case less than two such teachers, *who shall be in attendance at all times during the hours the school is open for instruction.*

Course of study.

Rules and regulations applicable to schools.

*No school of barbering shall be granted a certificate of registration unless it shall attach to its staff, as a consultant, a person licensed by the Commonwealth to practice medicine, and employ and maintain a sufficient number of competent teachers, registered as such, and shall possess apparatus and equipment sufficient for the proper and full teaching of all subjects of its curriculum; shall keep a daily record of the attendance of each student; shall maintain regular class and instruction hours, which shall not be less than seven per day, each day the school is open for instruction; shall establish grades and hold examination before issuance of diplomas; and shall be required to maintain a course of study requiring not less than one thousand hours for completion in not less than six months; and shall comprise all or a majority of the practices of barbering as provided by this act; and shall include practical demonstrations and theoretical studies and study in sanitation, sterilization and the use of antiseptics, cosmetics, and electrical appliances, consistent with the practical and theoretical requirements as applicable to barbering or any practice thereof.*

*No school of barbering shall permit its students to practice barbering on the public under any circumstances, except by way of clinical work upon persons willing to submit themselves to such practice, after first being properly informed that the operator is a student. No school of barbering shall directly or indirectly charge any money whatsoever for treatment by its students, or for materials used in such treatments.*

Section 13. To shave or trim the beard or regular hair cutting, to give facial and scalp massaging, facial and scalp treatment, with any preparations made for this purpose, either by hand or by mechanical appliances, to singe and shampoo the hair or apply any makes of hair tonics, and to dye the hair of any person, for hire by the person performing such service, shall be construed as practicing the occupation of barber within the meaning of this act. *No person shall practice barbering for pay, directly or indirectly, in any place other than a registered barber shop or where the barber is a registered barber, except that any registered barber may furnish barber services to persons at their place of residence or in institutions in cases of appointment:* Provided, however, That nothing contained in this act shall be construed to include so called beauty shops or hair-dressing parlors or schools of beauty culture patronized by women, except that it shall be unlawful and a violation of this act for any person to employ or to accept employment, in any such shops, parlors or schools, who has been refused a certificate by the department.

Occupation of barber defined.

Proviso.

Section 2. That said act is here amended by adding thereto the following section.

*Section 15-A. Nothing contained in this act, or the act to which this is an amendment, shall be construed as prohibiting any municipality from adopting appropriate ordinances, not inconsistent with the provisions of this act or the rules and regulations adopted thereunder, as may be deemed necessary to promote the public health and regulate the conduct of barber shops, schools, and colleges.*

Right of municipality to regulate.

APPROVED—The 9th day of May, A. D. 1935.

GEORGE H. EARLE

No. 72

AN ACT

To amend sections one, seven, and eleven of the act, approved the seventh day of February, one thousand nine hundred and six (Pamphlet Laws, seven), entitled "An act to enable cities that are now, or may hereafter be, contiguous or in close proximity, to be united, with any intervening land other than boroughs, in one municipality; providing for the consequences of such consolidation, the temporary government of the consolidated city, payment of the indebtedness of each of the united territories, and the enforcement of debts and claims due to or from each," by requiring a majority vote in each city and in the intervening land voting on the question of consolidation, and extending the provisions of said act to pending proceedings.

Section 1. Be it enacted, &c., That sections one, seven, and eleven of the act, approved the seventh day of February, one thousand nine hundred and six (Pamphlet

Sections 1, 7, and 11, act of February 7, 1906 (P. L. 7), amended.