

**ARTICLE 32-03  
SALONS**

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SALONS**

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**32-03-01-01. Salon applications.**

All individuals, firms, associations, corporations, partnerships, and other entities desiring to operate a salon shall make application to the board for a license prior to commencing business. The application shall be made on a form provided by the board and shall be accompanied by the fee of eighty dollars. All renewal applications of salons shall be made to the board before December thirty-first in each year. Renewal applications shall be accompanied by the fee of thirty dollars. Prior to any change of ownership, name, location, or address, a salon shall apply for a new license with the board.

**History:** Amended effective July 1, 1988; January 1, 2002; December 1, 2005; January 1, 2017; April 1, 2022.

**General Authority:** NDCC 43-11-05

**Law Implemented:** NDCC 43-11-13, 43-11-15, 43-11-17, 43-11-28

**32-03-01-02. Floor plan.**

Every application for a license shall be accompanied by a detailed floor plan of the proposed salon premises. The floor plan shall show entrances, exits, locations of equipment, reception area, supply area, toilet facilities, hallways, and facilities to maintain sanitary conditions. A revised floor plan shall be filed with the board in the event of any change of location or major changes in the salon premises.

**History:** Amended effective July 1, 1988; July 1, 1990; March 1, 1998; December 1, 2005; April 1, 2022.

**General Authority:** NDCC 43-11-05

**Law Implemented:** NDCC 43-11-11

**32-03-01-03. Zoning.**

Repealed effective July 1, 1988.

**32-03-01-03.1. Salon transfer.**

Purchasers of existing salons shall meet the requirements of a new salon.

**History:** Effective July 1, 1988.

**General Authority:** NDCC 43-11-05

**Law Implemented:** NDCC 43-11-11

**32-03-01-04. License displayed.**

Every salon shall display its licenses in clear view to the public in the immediate work area of the salon where services are being provided.

**History:** Amended effective January 1, 2017; April 1, 2022.

**General Authority:** NDCC 43-11-05

**Law Implemented:** NDCC 43-11-14

**32-03-01-05. Separate establishments.**

Salons shall be located separately from cosmetology schools.

**History:** Amended effective January 1, 2017.

**General Authority:** NDCC 43-11-05

**Law Implemented:** NDCC 43-11-11, 43-11-16

**32-03-01-06. Changes in operators or manager-operators.**

Repealed effective March 1, 1998.

**32-03-01-07. Salon management.**

1. Every salon shall be supervised by a master licensee as defined in North Dakota Century Code chapter 43-11 who shall be responsible for the management of the licensees. A master licensee shall be present on the salon premises during business hours. A salon only providing manicuring services must have a master cosmetologist or master manicurist who is responsible for the operation, conduct, and management of the salon. A salon providing only skin care shall have a master cosmetologist or master esthetician who is responsible for the operation, conduct, and management of the salon. The master cosmetologist, master manicurist, or master esthetician shall be present on the salon premises during business hours, except the individual may take breaks or leave to perform other responsibilities for periods of time that do not exceed one hour and the individual need not be present if services are not being performed.
2. Each salon owner or master cosmetologist, master manicurist, or master esthetician shall provide the board office with an accurate schedule of the days and hours the salon is open for business.
3. Every salon, upon request, must provide documented hours for master license applications. A salon or supervisor may not decline to provide documentation for master cosmetologist, manicurist, or esthetician licensure. Salons must keep documented hour records for at least two years after any separation of employment.

**History:** Amended effective July 1, 1988; March 1, 1998; July 1, 2000; January 1, 2017; April 1, 2022.

**General Authority:** NDCC 43-11-05

**Law Implemented:** NDCC 43-11-15

### **32-03-01-08. Tools and supplies.**

Each salon shall maintain tools, supplies, instruments, capes, and equipment adequate for the number of cosmetologists, manicurists, and estheticians employed and adequate to serve the public in cosmetology.

**History:** Amended effective January 1, 2012; January 1, 2017.

**General Authority:** NDCC 43-11-05

**Law Implemented:** NDCC 43-11-11

### **32-03-01-09. Signs.**

Every salon shall display and maintain a sign that is clearly visible to anyone approaching the entrance to the salon. The sign shall designate the establishment as a salon and give the name of the salon.

**History:** Amended effective July 1, 1988; March 1, 1998; January 1, 2017.

**General Authority:** NDCC 43-11-05

**Law Implemented:** NDCC 43-11-11, 43-11-13

### **32-03-01-10. Independent licensee-salon.**

In the event any salon premises are divided into independent licensee-salons to be leased to others, each individual, firm, association, partnership, corporation, or other entity whose name appears on the application as the independent licensee shall be responsible for the properly cleaning and disinfecting the space. Independent licensee-salons are subject to inspections during the operation whether or not an independent licensee is available. The owner of the salon shall be responsible for keeping the entire salon open for inspection by the board or inspectors employed by the board, and the board shall examine and inspect the entire salon premises regardless of any independent licensee-salons.

Each independent licensee-salon shall be licensed as a separate salon and each independent licensee-salon shall be operated only by a master cosmetologist, master manicurist, or master esthetician, as applicable to the independent licensee salon.

1. **Compliance as salon.** Each independent licensee-salon must have adequate workspace. The independent licensee-salon premises must meet all of the requirements of a salon contained in North Dakota Century Code chapter 43-11 and this article, except that there may be common reception areas, common toilet facilities, common product dispensing area, and common entrances and exits.
2. **License displayed.** The license for each independent licensee-salon shall be displayed in clear view in the immediate work area of the independent licensee-salon.
3. **Premises used.** Each master cosmetologist, master manicurist, or master esthetician operating an independent licensee-salons shall be responsible for all professional services performed and for all of the premises used.

**History:** Amended effective February 1, 1996; March 1, 1998; December 1, 2005; January 1, 2017; April 1, 2022.

**General Authority:** NDCC 43-11-05

**Law Implemented:** NDCC 43-11-11, 43-11-13, 43-11-15, 43-11-17

### **32-03-01-11. Salon discontinuance.**

Each salon intending to discontinue its operation shall notify the office in writing prior to the final date of operation.

**History:** Amended effective July 1, 1988; March 1, 1998; January 1, 2017.

**General Authority:** NDCC 43-11-05

**Law Implemented:** NDCC 43-11-13, 43-11-15

**32-03-01-12. Application for license to practice cosmetology for the homebound.**

Repealed effective April 1, 2022.

**32-03-01-13. Brush rollers.**

Repealed effective April 1, 2022.

**32-03-01-14. Practice outside of salon.**

A licensee desiring to provide cosmetology services outside of a salon shall meet the following requirements:

1. The licensee is a master cosmetologist, master manicurist, or master esthetician;
2. The master cosmetologist, master manicurist, or master esthetician follows all applicable rules of cleaning and disinfecting adopted in chapter 32-02-01;
3. The master cosmetologist, master manicurist, or master esthetician notifies the board if licensees will be practicing outside the salon; and
4. The master cosmetologist, master manicurist, or master esthetician shall possess a kit. The kit must contain the following:
  - a. Adequate tools and supplies;
  - b. License;
  - c. Copy of rules of cleaning and disinfecting;
  - d. First-aid kit in compliance with this section; and
  - e. Separate labeled, enclosed containers for soiled and clean supplies.

**History:** Effective July 1, 2000; amended effective December 1, 2005; January 1, 2017; April 1, 2022.

**General Authority:** NDCC 43-11-05, 43-11-11

**Law Implemented:** NDCC 43-11-11