MEMORANDUM

City of Philadelphia
Date: 12/3/13

TO: Shelley Smith, City Solicitor
FROM: Jeanne Reedy, Administrative Services Director, Records Dept.
SUBJECT: Adoption of State Barber and Beauty Shop Laws and Regulations

The above Regulations promulgated by the City of Philadelphia Department of Public Health were received in the Department of Records on 10/31/13 for filing and advertising.
Inasmuch as there were no requests for hearings, these Regulations became effective midnight 12/2/13.

CC: Dr. Donald Schwarz, Commissioner, Department of Public Health
    Nan Feyler, Chief of Staff
    Giridhar Mallya, Director of Policy and Planning
    Palak Raval-Nelson, Environmental Health Services Director
    Raymond Leung, Public Policy Attorney Department of Public Health
    Lewis Rosman, Senior Attorney Law Department
Memorandum

To: Dr. Donald Schwarz, Commissioner, Department of Public Health
From: Jeanne Reedy, Administrative Services Director, Records Dept.
Subject: Adoption of State Barber and Beauty Shop Laws and Regulations

City of Philadelphia
Date: 10/31/13

The above Regulations promulgated by the City of Philadelphia Department of Public Health were received in the Department of Records on 10/31/13 for filing and advertising. If there are no requests for hearings these Regulations will become effective midnight 12/2/13.

CC: Nan Feyler, Chief of Staff
    Giridhar Mallya, Director of Policy and Planning
    Palak Raval-Nelson, Environmental Health Services Director
    Raymond Leung, Public Policy Attorney Department of Public Health
    Lewis Rosman, Senior Attorney Law Department
The attached forms provide an exact copy of the subject for insertion in the three Philadelphia newspapers with the largest paid circulation as required under Section 8-407 of the Philadelphia Home Rule Charter.

We request that the insertion appear as soon as possible.

It will be necessary to inform the three newspapers to furnish us with a notarized original affidavit of proof of this publication within a week after it has been published.

Please acknowledge receipt of this advertisement by signing the enclosed copy of this memorandum and returning it to us.

Thank you.

Received In Procurement By: June Mechlin  Date: 11-1-13
NOTICE IS HEREBY GIVEN, under Philadelphia Home Rule Charter Section Number 8-407 and 7-400 that on October 31, 2013 Adoption of State Barber and Beauty Shop Laws and Regulations.

promulgated by the City of Philadelphia Department of Public Health were filed with the Department of Records, Room 158, City Hall. Anyone affected thereby may file written request for hearing with the Department of Records within thirty (30) days from the above date.

Joan T. Decker
Commissioner of Records

Cc: THE INQUIRER
THE DAILY NEWS
THE LEGAL INTELLIGENCER
MEMORANDUM

To: Joan T. Decker, Commissioner
   Department of Records

Cc: Nan Feyler, Chief of Staff
    Giridhar Mallya, Director of Policy and Planning
    Palak Raval-Nelson, Environmental Health Services Director
    Raymond Leung, Public Policy Attorney
    Department of Public Health

    Lewis Rosman, Senior Attorney
    Law Department

From: Donald F. Schwarz, Health Commissioner
      Department of Public Health

Date: October 29, 2013

Re: Adoption of State Barber and Beauty Shop Laws and Regulations

In accordance with § 8-407(a) of the Philadelphia Home Rule Charter, enclosed herewith please find (1): Adoption of State Barber and Beauty Shop Laws and Regulations, which has been approved by the Board of Health; and (2) the Law Department approval for this regulation.

The following procedural actions have been taken:

Regulation approved by the Board of Health          October 10, 2013
Regulation approved by the Law Department          October 22, 2013

It is requested that the attached Adoption of State Barber and Beauty Shop Laws and Regulations be filed for final action by the Department of Records.

Attachments:
Law Department approval memorandum
Regulation
Memorandum

TO: Dr. Donald F. Schwarz, Health Commissioner
FROM: Lewis Rosman, Senior Attorney
DATE: October 22, 2013
SUBJECT: Adoption of State Barber and Beauty Shop Laws and Regulations

I have reviewed the attached "Adoption of State Barber and Beauty Shop Laws and Regulations" that were submitted to the Law Department and find the amendments to be legal and in proper form. In accordance with Section 8-407(a) of The Philadelphia Home Rule Charter, this regulation having been approved by the Board of Health, you may forward these amendments to the Department of Records where they will be made available for public inspection.

Lewis Rosman
Senior Attorney

Attachment
CITY OF PHILADELPHIA  
DEPARTMENT OF PUBLIC HEALTH  
BOARD OF HEALTH  

Adoption of State Barber and Beauty Shop Laws and Regulations

SECTION 1. Adoption.

(A) Any violation, by any person subject to § 6-402(3) of The Philadelphia Code, of the Act of June 19, 1931, P.L. 589, No. 202 (63 P.S. § 566 et seq.) (pertaining to Barbers), or the Act of May 3, 1933, P.L. 242, No. 86 (63 P.S. § 507 et seq.) (relating to Beauty Culture), or of any regulation under Chapters 3 or 7 of Title 49 of the Pennsylvania Code (regulations issued by the State Board of Barber Examiners and State Board of Cosmetology, respectively), shall be a violation of this Regulation.

(B) Any person who violates subsection (A) shall be subject to a fine of not less than one hundred fifty (150) dollars and not more than three hundred (300) dollars. Where the Department of Public Health finds that any continuing violation of subsection (A) constitutes a public nuisance pursuant to Code § 6-402(9), it may order abatement of such nuisance, and seek any remedy provided under Code § 6-103(5).

SECTION 2. Repeal. The regulation titled “Regulations Governing Operations and Conduct of Barber and Beauty Shops, and Schools and Colleges for the Training of Barbers and Beauty Culture Operators,” submitted to the Department of Records on June 12, 1956, is hereby rescinded.
CITY OF PHILADELPHIA
DEPARTMENT OF PUBLIC HEALTH
BOARD OF HEALTH

Adoption of State Barber and Beauty Shop Laws and Regulations

SECTION 1. Adoption.

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NOTICE IS HEREBY GIVEN, under Philadelphia Home Rule Charter Section 8-407 and 7-400 that on October 31, 2013 Adoption of State Barber and Beauty Shop Law and Regulations promulgated by the City of Philadelphia Department of Public Health were filed with the Department of Records, Room 158, City Hall. Anyone affected thereby may file written request for hearing with the Department of Records within thirty (30) days from the above date.

JOAN T. DECKER
Commissioner of Records
11-5-1*
Proof of Publication in The Philadelphia Inquirer
Under Act No 160, P.L. 877, July 9, 1976

STATE OF PENNSYLVANIA
COUNTY OF PHILADELPHIA

Florence Devlin being duly sworn, deposes and says that The Philadelphia Inquirer is a daily newspaper published at 8th and Market Street, Philadelphia, Pennsylvania, which was established in the year 1829, since which date said daily newspaper has been regularly published and distributed in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of said daily newspaper on the following dates:

November 5, 2013

Affiant further deposes and says that she is an employee of the publisher of said newspaper and has been authorized to verify the foregoing statement and that she is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

Sworn to and subscribed before me this 5th day of November, 2013.

Mary Anne Logan
Notary Public

My Commission Expires: [Notarized seal]
Proof of Publication in The Philadelphia Daily News
Under Act. No 587, Approved May 16, 1929

STATE OF PENNSYLVANIA
COUNTY OF PHILADELPHIA

Florence Devlin being duly sworn, deposes and says that The Philadelphia Daily News is a newspaper published daily, except Sunday, at Philadelphia, Pennsylvania, and was established in said city in 1925, since which date said newspaper has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said newspaper on the following dates:

November 5, 2013

Affiant further deposes and says that she is an employee of the publisher of said newspaper and has been authorized to verify the foregoing statement and that she is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

________________________________________
Ann Devlin

Sworn to and subscribed before me this 5th day of November, 2013.

________________________________________
Notary Public

My Commission Expires:

[Notarial Seal]
PROOF OF PUBLICATION OF NOTICE IN THE LEGAL INTELLIGENCER
Under Act of May 16, 1929, P.L. 1784, as amended

Commonwealth of Pennsylvania,
County of Philadelphia

STEPHANIE MURRAY, being duly sworn, deposes and says that The Legal Intelligencer is a daily newspaper published at One Penn Center at Suburban Station, 1617 John F. Kennedy, Philadelphia, Pennsylvania 19103, and was established in said city in 1843, since which date said legal newspaper has been regularly issued in said county, that it has been issued daily since September 4, 1933, and that it was entered at the Philadelphia Post Office under the Postal Laws and Regulations as second class matter in the United States mails on July 19, 1879; that The Legal Intelligencer is a daily legal newspaper complying in all respects with the Newspaper Advertising Act of May 16, 1929, P.L. 1784, its amendments and supplements; and that a copy of the printed notice or publication is attached hereto exactly as the same was printed or published in the regular editions and issues of the said legal newspaper on the following date, viz.:

NOVEMBER 05, 2013

Affiant further deposes and says that she is an employee of the publisher of said legal newspaper and has been authorized to verify the foregoing statement and that she is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

Copy of Notice or Publication

NOTICE IS HEREBY GIVEN, under Philadelphia Home Rule Charter Section 8-407 and 7-400 that on October 31, 2013 Adoption of State Barber and Beauty Shop Law and Regulations promulgated by the City of Philadelphia Department of Public Health were filed with the Department of Records, Room 158, City Hall. Anyone affected thereby may file written request for hearing with the Department of Records within thirty (30) days from the above date.

JOAN T. DECKER
Commissioner of Records
11-5-1*

Sworn to and subscribed before me this 05th day of
NOVEMBER , 2013

LAURETTE LEBLANC, Notary Public

Philadelphia, Philadelphia, County

Office:
One Penn Center at Suburban Station
17th Floor
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103

Phila. Co. Notary
Great Seal of The Commonwealth of Pennsylvania

Notarial Seal
LAURETTE LEBLANC, Notary Public
City of Philadelphia, Phila. County
My Commission Expires July 23.