



## CITY OF DANBURY

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### **MEETING NOTICE**

**Who:** City Council – Ad Hoc Committee

**When:** **7P.M. – Monday, January 22, 2024**  
*\*or at the conclusion of the previous ad hoc*

**Where:** Caucus Room, 3<sup>rd</sup> Floor  
City Hall, 155 Deer Hill Avenue

**Purpose:** **New Ordinance:** Body Care Facilities

*\*Original Agenda Item and reports are on file in the Legislative Assistant's Office*

**Committee Members, Department Representatives & Petitioners:**

Andrea Gartner, Chair  
Benjamin Chianese, Council  
Elmer Palma, Council  
Corporation Counsel Representative  
Kara Prunty, Health Director

**Noticed:** Patrick Ridenhour, Police Chief

Mayor's Office

**Posted:** Town Clerk

Information Board

City Website Calendar

**MEETING NAME:** Body Care Facility Ordinance

**MEETING DATE:** May 15, 2019 – 6pm

Start Time: 6:10pm

**ATTENDANCE SHEET** – all present

**Members:** John Priola, Chair  
Michael Esposito, Councilman  
Ben Chianese, Councilman  
Eric Gottschalk, Corporation Counsel  
Lisa Morrissey, Health Director

**Also in Attendance:**

Joseph Cavo, Councilman  
Duane Perkins, Councilman

**NOTES OUTLINE**

Ms. Morrissey gave an overview of the proposed ordinance which stemmed from the state’s regulations that require local health depts to establish a system to regulate and inspect these establishments for the safety of customers and the public.

Mr. Gottschalk defined Body Care to include: barbering, hair dressing and cosmetology. Hospitals and medical facilities are excluded. Plans must be reviewed prior to operation beginning to evaluate the physical set-up, cleanliness, licensing and includes annual inspections.

Prohibits these facilities to be within homes and door to door operations.

Application process also includes reviews of services, products, equipment, etc.

Director of Health can adopt and enforce technical standards.

Violations can be enforced through penalties, suspension or revocation of licenses.

Application will require the listing of employees.

Fees will be adopted by the council.

Mr. Priola asked if existing establishments will need to comply.

- Mr. Gottschalk explained that no one is grandfathered in and there is an annual application requirement.

Mr. Esposito asked about the household clause and to clarify door to door services.

- Ms. Morrissey explained that the hospital has regulations in place for outside vendors. Door to door services must comply with sanitation requirements and will be subject to these regulations.

Mr. Chianese asked

A. if anyone would be exempt.

- Ms. Morrissey said that businesses would be able to apply for an exemption. Medical facilities are exempt.

B. Inspection results

- Ms. Morrissey stated that the inspection results will be required to be on display

Mr. Priola asked about a body care facility adding massages to its services.

- Ms. Morrissey explained that they would accommodate businesses as long as they follow regulations and apply for both licenses

Motion to adjourn by Esposito, 2<sup>nd</sup> by Chianese

Adjourned at 6:26pm

**AUDIO** Provided via Granicus video archive

## Body Care Facilities Ordinance Summary

The purpose of this ordinance, stated in Section 2, is to protect and preserve the health and well being of persons who patronize Body Care Facilities. The terms “Body Care Facility,” “Barbering,” “Hairdressing or Cosmetology,” “Massage therapy” and many others relevant to the task are defined in Section 3. Note: the regulation of massage therapy establishments is linked here, but provided for in a separate ordinance (see Section 8).

All Body Care Facilities (except for hospitals or other medical facilities operated under the laws of the State of Connecticut which are exempt in accordance with the provisions of Section 4) must:

- (1) Submit construction, remodeling and use-conversion plans, together with equipment specification sheets, to the Health Department for review and approval and submit to pre-operational inspection of the premises as described in Section 5;
- (2) Apply for and be licensed annually (expiring on December 31<sup>st</sup>) according to the requirements and restrictions of Sections 6, 7 and 8; and,
- (3) Submit to inspections at least annually as provided in Sections 6 and 9.

Note that Section 6 prohibits the operation of a Body Care Facility within a residential household as well as operating a door-to-door service operation.

Among other things, Section 7 also requires that as part of the application process the applicant must outline all services, procedures, protocols and literature offered or employed by the Facility and provide a list of products, equipment and supplies used. The application must also contain information regarding the applicable medical histories of all employees rendering services at a Body Care Facility.

In addition to the above, Section 9 also authorizes the Director of Health to adopt and enforce technical standards, policies and inspection procedures to assure proper sanitary maintenance and safe operation of all Body Care Facilities.

Section 10 establishes procedures associated with license suspension and revocation as well as appeals from those. Section 11 provides a method for license reinstatement or for the issuance of a new license after revocation of a previous license.

Section 12 provides that licenses issued under the ordinance are generally not transferable.

Section 13 provides for the establishment of fees associated with licensure (see also Sections 6 and 7), inspection and re-inspection (see also Section 6), filing and plan review (see also Section 5), as well as for repeated violations of the terms of the ordinance. These fees are to be established in the Health Department Fee Schedule as approved by the City Council.

Section 14 establishes penalties of up to \$250 per violation, per day.

# **CITY COUNCIL MEETING**

## **April 2, 2019**

The meeting will be called to order at 7:30 P.M.

*PLEDGE OF ALLEGIANCE & PRAYER*

### **ROLL CALL**

Curran, Bennett, M. Esposito, Levy, Stanley, Taborsak, Wetmore,  
Fox, Priola, DiGilio, Cavo, Rotello, Visconti, Palma, Arconti,  
J. Esposito, Perkins, Chianese, Santos, Cammisa and Scozzafava

\_\_\_\_\_ **PRESENT** \_\_\_\_\_ **ABSENT**

### **PUBLIC SPEAKING**

### **BUDGET ADDRESS**

**MINUTES** - Minutes of the Council Meeting held March 5, 2019

### **CONSENT CALENDAR**

### **AGENDA**

1. **ORDINANCE & - RESOLUTION** - An Ordinance Making Appropriations for the Fiscal Year Beginning July 1, 2019 and ending June 30, 2020 and a Resolution Levying the Property Tax for the Fiscal Year beginning July 1, 2019 and ending June 30, 2020
2. **ORDINANCE** - An Ordinance Appropriating \$3,000,000 for Public Improvements in The 2019-2020 Capital Budget and Authorizing the Issuance of \$3,000,000 Bonds of the City to Meet Said Appropriations And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose
3. **ORDINANCE** - Sewer Rates as of July 1, 2019
4. **ORDINANCE** - Transfer Unexpended Bond Proceeds
5. **ORDINANCE** - Senior Tax Freeze
6. **RESOLUTION** - Downtown Special Services District - Tax Levy
7. **COMMUNICATION** - Appointment - Deputy Fire Marshal
8. **COMMUNICATION** - Body Piercing and Tattoo Establishment Ordinance
9. **COMMUNICATION** - Body Care Facility Ordinance
10. **COMMUNICATION** - Disposition of City Land, Liberty Street Surface Parking Lot

7. COMMUNICATION - Appointment – Deputy Fire Marshal

*A motion was made by Councilman Mike Esposito, seconded by Councilman Visconti, to accept the correspondence and confirm the promotional appointment of Firefighter Timothy Smith to the position to the Deputy Fire Marshal in the Danbury Fire Department.* The motion carried unanimously.

8. COMMUNICATION - Body Piercing and Tattoo Establishment Ordinance

*A motion was made by Councilman Curran, to receive the communication and refer to an Ad Hoc Committee consisting of Corporation Counsel and a representative of the Health Department.* Hearing no objections, Mayor Boughton ordered the Ad Hoc Committee with the following Councilmembers - Priola as Chair, Mike Esposito, and Chianese.

9. COMMUNICATION - Body Care Facility Ordinance

*A motion was made by Councilman Fox, receive the communication and to refer to an Ad Hoc Committee consisting of Corporation Counsel and the Director of Health.* Hearing no objections, Mayor Boughton ordered the Ad Hoc Committee with the following Councilmembers - Priola as Chair, Mike Esposito, and Chianese.

10. COMMUNICATION - Disposition of City Land, Liberty Street Surface Parking Lot

*A motion was made by Councilman Scozzafava, to refer to an Ad Hoc Committee consisting of the Parking Authority, Corporation Counsel, Planning Director, and Business Advocate, and a report from Planning Commission.* Hearing no objections, Mayor Boughton ordered the Ad Hoc Committee with the following Councilmembers - Fox as Chair, Levy, and Perkins.

11. COMMUNICATION – Certification of Funds – Historic Document Reserve

Director of Finance St. Hilaire responded to Commission questions, and did Town Clerk Giegler.

*A motion was made by Councilman Levy, and was seconded by Councilwoman Stanley, to receive the communication and approve the transfer of \$130,920 in accordance with the attached Director of Finance Certification.* The motion carried unanimously.

12. COMMUNICATION – Application for Federal Highway Administration Grant

Councilman Perkins cited reasons he is requesting Deer Hill Avenue be included in the application. Mayor Boughton noted this grant is related to handicap accessibility, but that issues on Deer Hill Avenue could be worked on and he will ask Public Works Director Iadarola if that street could be included in this grant.

*A motion was made by Councilman DiGilio, and was seconded by Councilman Wetmore, to receive the communication and authorize the Mayor to execute the application to solicit a \$1.4 million grant from the Federal Highway Administration Program known as the Transportation Alternative through the Western Connecticut Council of Government and the State of Connecticut Department of Transportation. The requested grant would cover 80% of the engineering, design, and construction costs, with 20% of the cost being borne by the City of Danbury through funds provided in the Danbury Road Bond 2020 Program.* The motion carried unanimously.

13. COMMUNICATION – Donation – Police Department

**CITY OF DANBURY  
HEALTH & HUMAN SERVICES DEPARTMENT**



**155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810  
Tel (203) 797-4625 Fax (203)796-1596**

**Mayor  
Honorable Mark D. Boughton**

**Director of Health  
Lisa Michelle Morrissey, MPH**

**TO:** Honorable Mayor Mark D. Boughton  
Honorable Members of the City Council

**FROM:** Lisa Michelle Morrissey  
Director of Health and Human Services

**DATE:** March 18, 2019

**RE:** Body Care Facility Ordinance

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The Department of Health and Human Services is formally requesting that an Ad Hoc Committee be formed to review a proposed ordinance concerning body care facilities. In conjunction with the Massage Ordinance and the Body Piercing and Tattoo Establishment Ordinance, the Body Care Facility Ordinance will address public health concerns that may jeopardize our community's health. The purpose of this ordinance is to protect and preserve the health and well-being of persons who patronize Body Care Facilities in Danbury through a system of application, licensing, regulation, and inspection.

Respectfully,

Lisa Michelle Morrissey, MPH  
Director of Health and Human Services





# ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

CITY COUNCIL

\_\_\_\_\_ A.D. 2019

Be it ordained by the City Council of the City of Danbury:

That the Code of Ordinances of Danbury, Connecticut is hereby amended by adding an Article consisting of fourteen new sections, which said sections read as follows:

**Section 1. Short Title.**

The provisions of this Article shall be known and may be cited as the "Body Care Facilities ordinance."

**Section 2. - Purpose.**

The purpose of this Article is to protect and preserve the health and well being of persons who patronize Body Care Facilities in Danbury through a system of application, licensing, regulation and inspection.

**Section 3. - Definitions.**

For the purpose of this Article, the following definitions shall apply:

(a) *Barbering* means those practices when performed upon the head, face, scalp or neck for cosmetic purposes only and are recognized as practicing the occupation of barber, including, but not limited to:

- (1) The cutting, trimming or shaving, of the hair or beard;
- (2) Singeing, shampooing, dyeing or styling of the hair;
- (3) The application of cosmetic preparations, hair tonics, antiseptics, powders, oils, clays, creams or lotions;
- (4) Giving facial and scalp massage or the application of oils, creams, lotions or other preparations either by hand or mechanical appliances; or
- (5) Styling or cutting hairpieces and wigs.

(b) *Body Care Facility* means an establishment offering patron services and procedures in areas including, but not limited to, barbering, hairdressing, cosmetology, skin care, skin treatment or nail care for a fee, charge or for hire.

(c) *Department* means the Health Department of the City of Danbury.

(d) *Director* means the Director of Health of the City of Danbury or the authorized agent of the Director.

(e) *Employee* means any person who renders any service or performs any procedure in connection with the operation of a Body Care Facility.

(f) *Equipment* means all mechanical, non-mechanical, stationary or portable machinery used in rendering services or performing procedures in a Body Care Facility.

(g) *Hairdressing* or *Cosmetology* mean those practices when performed upon the head, face, scalp, neck, ankles, feet, nails and hands that are for cosmetic purposes only, including, but not limited to:

- (1) Dressing, arranging, curling, waving, weaving, cutting, singeing, bleaching, and coloring of the hair;



- (2) Massaging, cleansing, exercising, stimulating or manipulating, with the hands or mechanical appliances, the scalp, face, neck, head, ankles, feet, hands or nails;
- (3) Application of cosmetic preparations, antiseptics, tonics, lotions, creams, powders, oils or clays to the scalp, face or neck;
- (4) Manicuring fingernails of the hand; or
- (5) Trimming, filing or painting healthy toenails for cosmetic purposes only, excluding cutting nail beds, corns and calluses or other medical treatment involving the foot or ankle, of any person for compensation.

(h) *Health Care Professional* means an individual who is certified or licensed by the state and who can demonstrate to the Director that he or she has been trained extensively by a physician, approved medical facility or school to render a service, perform a procedure or use a product or piece of equipment in a Body Care Facility. All health care professionals shall maintain a valid certificate or license that is issued by the Connecticut Department of Public Health.

(i) *License* means a document issued to the Body Care Facility by the Department authorizing the licensee to render specific services and perform specific procedures.

(j) *Licensee* means the person or persons who are issued a license to operate a Body Care Facility, to render services and perform procedures therein, by the Director under the provisions of this Article. The licensee may or may not render services to or perform procedures on patrons.

(k) *Massage therapy* shall have the same meaning as described in Section 11-10.2 of the Danbury Code of Ordinances.

(l) *Massage Therapist* mean any person who for compensation or hire engages in the practice of massage under the provisions of Chapter 384a, Section 20-206a et seq. of the Connecticut General Statutes, as amended.

(m) *Massage Therapy Establishment* shall have the same meaning as described in Section 11-10.2 of the Danbury Code of Ordinances.

(n) *Patron* means any person who is provided access to a Body Care Facility in exchange for a fee or other compensation or any person who, in exchange for a fee or other compensation, is afforded use of a Body Care Facility as a condition or benefit of membership or access.

(o) *Person In Charge* means the person who is responsible for the day-to-day operation of the Body Care Facility. This person may or may not render services to or perform procedures on a patron and may or may not be the licensee.

(p) *Physician* means an individual who is licensed in accordance with Chapter 370, Section 20-8 et seq. of the Connecticut General Statutes. In addition, each physician must be able to demonstrate to the Director that they have had training with all equipment, products, services and procedures that they are administering or supervising. Each physician must be actively practicing medicine in the State of Connecticut.

(q) *Practicing Medicine* means a person who can append to his or her name the letters "M.D.," "Doctor," "Professor," "Specialist," "Physician" or any other title, letters or designation, which represents that such person is a physician licensed by the state to diagnose, treat, correct, change, relieve or prevent disease, deformity, defect, injury or other physical or mental condition; including the prescription or administration of any drug, medicine, biologic, apparatus, application, anesthetic or other therapeutic or diagnostic substance or technique on any human.

(r) *Procedure or Service* means any technique, treatment or method that is applied or administered to a patron in a Body Care Facility. Procedures are classified as either medical or non-medical. Medical procedures may be administered by a physician as outlined in this Article or by a health care professional when applicable under the direct supervision of a physician. The Director shall have discretion over what procedure is deemed a medical procedure, unless the laws of the State of Connecticut provide otherwise.



(s) *Supplies* means general, medical or non-medical items that are used in providing services or performing procedures in a Body Care Facility.

(t) *Technical Standards* means a document which has been designed by the Department to outline requirements necessary to operate and maintain a Body Care Facility.

#### **Section 4. - Exceptions.**

This Article shall not apply to any hospital or medical facility operating in accordance with the laws of the State of Connecticut.

#### **Section 5. - Plan Review and Preoperational Inspection Procedure for a Body Care Facility.**

Each licensee shall file an application with the Director on a form proscribed by the Department. A non-refundable filing and plan review fee shall be paid. Whenever a Body Care Facility having a permanent location is constructed, remodeled, or substantially altered, and whenever an existing structure is converted to use as a Body Care Facility, properly prepared plans and specifications for such construction, remodeling or alteration shall be submitted to the Director and other required City agencies for review and approval before construction, remodeling or alteration is begun. Each plan must be accompanied by specifics outlining the operation of the Body Care Facility.

The following requirements also shall apply:

(1) Prepared plans drawn to a scale of not less than 1/4":1' with specifications that shall include, but not be limited to, the proposed layout, construction materials of work areas, the type or model of proposed fixed and portable equipment. Equipment specification sheets must accompany the plan.

(2) The plan shall be labeled with specific areas identified, including, but not limited to, procedure and non-procedure rooms, laundry areas, refuse storage, coloring rooms, bath and showering areas, staff lounges, offices, medical and non-medical storage areas.

(3) The Director shall approve the plans and specifications if they meet the requirements of this Article and all applicable statutes and regulations of the State of Connecticut. The Director reserves the right to consider all recommendations made by the state prior to approving plans and specifications. Plans shall be approved in conjunction with other requirements described in this Article.

(4) Prior to the opening of a Body Care Facility, the Director shall conduct preoperational inspections to determine compliance of the approved plans and specifications with the requirements of state and local laws and regulations.

#### **Section 6. - Licensure.**

Each licensee will be required to obtain a license from the Director to maintain or operate a Body Care Facility used by patrons. Application for a license shall be made on forms furnished by the Department. The license shall be valid for up to one year, expiring on December 31<sup>st</sup> and shall be renewable annually.

The following provisions shall also apply:

(1) Each licensee who applies for a license to operate a Body Care Facility shall pay a non-refundable annual fee to the City of Danbury along with required inspection and reinspection fees, as required.

(2) No license shall be issued or renewed until a completed application has been submitted, the fee has been paid, the plan has been approved and the Body Care Facility has been inspected. All requirements set forth in this Article and all other applicable state and local laws and regulations must be met.

(3) Each license issued pursuant to this Article shall be displayed in a conspicuous location in the Body Care Facility. The license shall be issued for only those services and procedures listed on the application and approved by the Director.

(4) No license shall be issued or renewed for a facility operating within a residential household, or for a door-to-door service operation in the City of Danbury.



**Section 7. - Application procedure for a Body Care Facility License.**

Each applicant for a license to operate a Body Care Facility shall file an application with the Director on a form furnished by the Department. Each licensee shall pay a non-refundable filing fee.

The following provisions also shall apply:

(1) The application for a license to operate a Body Care Facility shall include the following information: the exact nature of the business; hours of operation; the proposed location of the facility; the name, address and telephone number of the licensee; the names and addresses of all employees; copies of all required licenses, certificates and documents of training for individuals, including, but not limited to, physicians and health care professionals who are employed by the licensee to render an offered service or procedure. Authorization shall be given to the Director to verify employee information at the time of application.

(2) If the licensee is a corporation, the name of the corporation and of all current directors and officers shall be provided. If the directors and officers of a corporation change, the licensee shall promptly notify the Director in writing.

(3) The application shall contain a detailed outline of all services and procedures offered, a list of products, equipment and supplies used by the Body Care Facility, written policies and protocols as they relate to the operation of the Body Care Facility, literature on services and procedures, including, but not limited to, literature that outlines the risks associated with each service and procedure and forms that are designed by the facility that may be used for various purposes, such as the medical assessment of patrons seeking to receive such services or procedures.

(4) The application shall contain, for all employees who render a service or procedure, a medical history of all communicable diseases, a current state of health, a description of all disabilities that may interfere with the safety and health of patrons, as well as any other documentation requested by the Director. Information regarding new employees shall be furnished to the Department in writing at the time of hire.

**Section 8. - Issuance of a Body Care Facility License.**

(a) The issued license shall describe the entire operation of the facility. In the case where massage therapy is offered, the license shall indicate this service as part of the total operation, however a separate Massage therapy establishment license must be obtained from the Department pursuant to Section 11-10.4 of the Danbury Code of Ordinances.

(b) Any Body Care Facility currently in operation must comply with the provisions of this Article.

(c) The Director shall not issue a license after final construction is completed for the Body Care Facility or upon renewal of a license if:

(1) The operation, as proposed by the licensee, if licensed, would not have complied with all applicable laws of the State of Connecticut and the City of Danbury, including, but not limited to, ordinances and regulations applicable to the Building, Planning, Zoning and Fire Departments.

(2) The licensee has not complied in full with the requirements set forth in this Article.

(3) The licensee or any employee who is directly or indirectly engaged in the management, operation of, or servicing of the Body Care Facility has violated the criminal laws of any state.

(4) The Department is denied access to the premises for the purposes of inspection or is not provided with the required documentation requested by the Director in accordance with the requirements of this Article.

**Section 9. - Procedure for Inspection.**

(a) The Director or any duly designated city official, after proper identification, shall be permitted to enter any portion of any Body Care Facility during normal business hours for the purpose of making inspections to determine compliance with this Article. No person shall hinder any official from carrying out an inspection under this Article.



(b) Periodically the Director shall inspect each Body Care Facility and shall make as many additional inspections and re-inspections as are necessary for the enforcement of this Article.

The following provisions also shall apply:

(1) The Director shall have supervision over all matters pertaining to the administration of this Article.

(2) The Director shall have the authority to adopt technical standards, policies and inspection procedures to assure proper sanitary maintenance and safe operation of all Body Care Facilities. Such standards, policies and inspection procedures shall conform to the purpose of this Article and may be amended or revised as deemed necessary by the Director. Failure of a Body Care Facility to comply with the requirements as outlined in this Article, the technical standards, policies and inspection procedures shall be considered a violation of this Article.

### **Section 10. - License Suspension and Revocation.**

Failure to comply with the provisions of this Article and any applicable state and local laws or regulations shall be grounds for revocation or suspension of any license issued to a licensee under the provisions of this Article, in addition to any other penalty properly imposed.

The following provisions shall also apply:

(1) If the Director finds unsanitary or other conditions in the operation of a Body Care Facility which, in the judgment of the Director, constitute an immediate and substantial hazard to the public, the Director may immediately issue a written notice to the licensee, or person in charge, citing such conditions, specifying the corrective action to be taken and time frame within which action shall be taken. If correction is not made within the allotted time, the license may be revoked or suspended.

(2) If the Director finds the conditions or practices of the Body Care Facility to be deleterious to the public health and well-being, the Director may suspend or revoke a license, without warning, prior to notice or hearing if:

(a) An outbreak of an infectious, pathogenic or toxic agent is capable of being transmitted to patrons;

(b) There is an absence of potable water, supplied under pressure, in a quantity that the Director finds necessary for meeting the needs of the facility;

(c) There is a sewage backup into the facility;

(d) One or more unlicensed, untrained, uncertified or unsupervised individuals including, but not limited to, massage therapists, physicians or health care professionals are performing services or procedures requiring licensure, training or certification by the State of Connecticut or any other state or federal agency;

(e) The Body Care Facility offers services or procedures that are not approved by the Director;

(f) The operation of the Body Care Facility constitutes an imminent hazard to the public health for any reason; or

(g) Any employee of the Body Care Facility is found to be rendering services or performing procedures of any kind requiring licensure, training or certification by the State of Connecticut or any other state or federal agency during any period when his or her license or certificate has been revoked, suspended or found to be invalid.

(3) A written notice to the licensee citing such conditions or violations, shall be issued within 24 hours of closure. The facility will remain closed to the public until the violations are corrected and the Director finds that the conditions of the Body Care Facility comply with the provisions of state and local laws and regulations.

(4) Suspension or revocation is effective upon service of notice by the Director to the licensee or person in charge. Any notice provided for in this Article is properly served when it is hand delivered or when it is sent by registered or certified mail, return receipt requested, to the licensee at the last known address of the licensee, or to the person in charge at the Body Care Facility. A copy of any notice shall be filed in the records of the Department. When a license is suspended or revoked all operations shall immediately cease.

(5) Whenever a license is suspended or revoked, the licensee may, within fifteen (15) days, file a written appeal to the Director. If no appeal is filed within the fifteen (15) day period, the suspension or revocation shall become final. If an appeal is filed, the Director shall, as soon as reasonably practicable, examine the merits of such suspension or revocation and may



vacate or affirm such action. The Director shall serve written notice of the decision and the reason or reasons therefore.

**Section 11. - Reapplication and License Reinstatement.**

(a) Whenever a Body Care Facility license has been revoked or suspended, the licensee may make a written request for reinstatement of the license. Within ten (10) days following receipt of a written request, including a statement signed by the licensee that the conditions causing the suspension or revocation have been corrected, the Director shall examine the request and re-inspect the Body Care Facility. If, in the opinion of the Director, the licensee has complied with the requirements of this Article and any other applicable state and local laws and regulations, the license shall be reinstated. A request for reinstatement of the license shall stay the time for the licensee to appeal and the time to appeal shall run from the date of denial of license reinstatement.

(b) After a period of sixty (60) days from the date of revocation or refusal to renew, a written application may be made for the issuance of a new license. This application will be treated as a new application requiring the submission of all application materials and fees as well as satisfactory completion of all plan reviews and inspections.

**Section 12. - Transferability of License.**

No license shall be transferable to another person, except that upon the death of the licensee the Body Care Facility may continue to operate for a reasonable period of time, if approved by the Director. No license shall be transferable from one facility location to another without the written approval of the Director.

**Section 13. - Fees.**

On an annual basis the Department may charge a non-refundable licensing fee associated with the operation of the Body Care Facility. In addition, a fee may be charged for repeated violations during a licensing year. The Danbury City Council shall adopt an annual schedule of all fees provided for in this Article.

**Section 14. - Penalties.**

(a) Unless otherwise provided, any licensee who violates any provision of this Article shall be fined not more than two hundred and fifty dollars (\$250.00) for each violation.

(b) It shall be the responsibility of the licensee to abate any violation as ordered by the Director. Every day that a violation continues shall be deemed a separate offense.