

File No. 100429

February 27, 1959

Mr. Richard A. Grossman
Zoning Enforcement Officer
Bureau of Building Inspection
Municipal Office Building

Dear Mr. Grossman:

This is in response to the recent inquiry of Mr. Franklin W. Aschemeier, Jr., Acting Zoning Enforcement Officer, as to whether an electrologist is a professional person within the meaning of the term as used in Section 11 (b) of Article 40 of the Baltimore City Code of 1950, as amended by Ordinance No. 711, approved May 21, 1953.

Electrolysis, according to the pamphlet released by the State Board of Hairdressers and Beauty Culturists in 1949, is the removal of surplus hair by means of especially designed electric needles. The practice of electrolysis is licensed by the State Board of Hairdressers and Beauty Culturists; and certain requirements, including the passing of an examination, have to be met in order for a license to be granted. There are no minimum age stipulations or high school diploma requirements; however, a six- to eight-week course in an approved electrology school is given.

In the opinion of this office the special skill required for the practice of electrolysis does not warrant the conclusion that an electrologist is a professional person. Although certain instruction is given in the fundamentals of skin care, it would appear that electrology is regarded as part of the practice of cosmetology and is so regulated.

In view of the Henry J. Windesheim v. Mayor and City Council of Baltimore case (Baltimore City Court Petition Docket 16, Folio 197), where the Baltimore City Court affirmed the action of the Board of Municipal and Zoning Appeals in refusing a request to use the rear quarter of a residence to do accounting work, this request would also have to be denied.

In the instant case there is a further violation in that the permit allowed the use of "two rear rooms on second floor