

## No. 7

**MONTANA STATE BOARD OF BARBER EXAMINERS—  
BARBERS—LICENSES—FEES**

**Held:** Barber owning barber shop who pays inspection fee of \$15.00, then moves his shop to different location, where it is established, must pay another inspection fee of \$15.00. Chapter 150, Laws of 1939.

January 23, 1941.

Mr. John D. Stafford  
County Attorney  
Cascade County  
Great Falls, Montana

Dear Mr. Stafford:

You have submitted the question: A barber owning his barber shop has heretofore paid his initial inspection fee of \$15.00 thereon. Thereafter he moved his shop to another part of the same city where he is now

established. Is this barber now required to pay the inspection license fee of \$15.00?

The law applicable to this question is Chapter 150 of the Laws of 1939, and specifically Subsection E of Section 6, thereof, which is as follows:

"E. In addition to the fees and charges now provided by existing law, all barber shops heretofore established, and which have been under the inspection of the board of barber examiners, shall pay an annual license fee of one (\$1.00) dollar. Barber shops hereafter established shall pay an initial inspection license fee of fifteen (\$15.00) dollars for the first year or portion thereof, and shall pay an annual license fee of one (\$1.00) dollar for each calendar year thereafter."

There appears to be but one interpretation to place on the foregoing language, when it is read in connection with the rest of the said chapter, as the granting of a license is based on the inspection and approval by the Board of Barber Examiners as provided in Subsection F, G, and H of Section 1 thereof.

The barber had his former established place of business inspected and passed, and now he has established his barber shop in a different place. The Board of Barber Examiners, in performing the duties prescribed by this chapter, must make an inspection of this newly established barber shop to see that it complies with all of the requirements set forth in the act. This inspection is for the protection of the barber owner as well as the public.

Words are to be given their accustomed meaning. Webster's International Dictionary defines the word "establish (ed)" as "to fix immovably or firmly; to set up in business; to set (a thing) in a place and make it stable there." The policy of the Montana State Board of Barber Examiners is in line with the foregoing and in my opinion is correct.

It is therefore my opinion that, under the provisions of Chapter 150 of the Laws of 1939, a barber who owns his barber shop, has been inspected, has paid the \$15.00 fee, then moves his barber shop and re-establishes it in a different location is subject to an inspection and the payment of the inspection fee of \$15.00.

Very truly yours,

JOHN W. BONNER  
Attorney General