

## **Public Health Act, Manitoba.**

### **Contributors**

Manitoba. Provincial Board of Health

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# PUBLIC HEALTH ACT MANITOBA





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# PUBLIC HEALTH ACT

MANITOBA

[1920?]



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# REGULATIONS

## OF THE

# PROVINCIAL BOARD OF HEALTH

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Regulation of the Provincial Board of Health Regarding the Occupation of Portions of Buildings Contained Below the Street Level.

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Whereas it is provided by "The Public Health Act" of the Province of Manitoba that the Provincial Board of Health may issue regulations respecting the natural and artificial lighting, the heating, plumbing, ventilation and general hygienic and sanitary conditions in cities, of portions of buildings contained below the street level, used, or designed to be used, for the purpose of conducting therein the business of a barber shop, restaurant, cafe, billiard and pool room, bowling alley, shooting gallery, or any other purpose of a public character, and the requiring in all such cases the approval of the Board, prior to the use or continuance of all such premises for any such purposes;

It is therefore provided that the following rules and regulations shall extend and apply to all such premises as above described:—

1. In cities no person, firm or corporation shall establish or continue to maintain any barber shop, restaurant, cafe, candy kitchen, hotel or restaurant kitchen, billiard or pool room, bowling alley, shooting gallery, or any business of a public character in any cellar or basement without the written permission of the Board.



2. Application for permission to establish or continue any such business in any cellar or basement shall be made in writing to the Secretary of the Board, and shall be accompanied by:

(a) A plan, drawn to scale, of the whole of the basement of the building, showing the dimensions of all rooms, windows, window areas, vacant spaces adjoining the basement, distance from the adjacent buildings, the height of rooms, and the proportion of all rooms contained below ground or street level.

(b) The name of the person, firm or corporation making such application; a statement as to the purpose for which it is intended to use the basement or cellar; the number of employees proposed to be employed and the sexes of the same; the probable number of persons likely to occupy or frequent the premises at any one time.

(c) A description of the premises shewing the construction, plumbing, methods of heating, lighting (both natural and artificial), and ventilating.

3. Permission of the Board shall not be given unless the premises comply with the following provisions:

(a) The walls shall be constructed of brick stone or concrete, and the floor of concrete at least six inches in thickness. There may be a wooden floor laid on top of the concrete floor, but in such cases and where there is a catch-basin in any of the rooms, the cement walls of the catch-basin shall be continued to the level of the wood floor in order that in the event of an overflow of sewage from such catch-basin the sewage may not overflow into the space between the floors.

(b) The cellar or basement shall be properly drained and free from any dampness.

(c) Natural light shall be provided by means of



windows opening to the outside air, and so constructed as to readily open. If storm sashes are provided, these shall be so constructed that the whole or a portion of the same, of an area of at least eighty (80) square inches may be opened. If window areas are constructed, the same shall be lined with white bricks or white glazed tiles, in order to refract the light, or they may be of brick or concrete painted white or limewashed; or light may be provided by the construction of areas underneath the sidewalks or vacant ground outside of the building, and lighted from the top by means of prismatic windows satisfactory to the Board. The walls of such areas shall be lined with white bricks or white glazed tiles, or if concrete or brick, shall be painted or limewashed. The walls and ceilings of the rooms shall be of a light color, in order to refract and intensify the available natural light.

(d) Adequate artificial light shall also be provided, and all lamps or lighting fixtures shall be so arranged as to provide sufficient light for the use of the persons working in or occupying the premises without injuring the eyesight of any such person by reason of too much exposure to strong light.

(e) An adequate system of ventilation satisfactory to the Board shall be provided and maintained. Where cross or through ventilation by means of windows on at least two sides of any of the rooms to be occupied is not possible, a mechanical system of ventilation shall be installed, or a combined system of heating and ventilation by means of electric fans capable of supplying at all times a sufficient quantity of fresh air to each room.

(f) There shall be provided an adequate and sufficient number of water-closets, sinks, and wash basins



satisfactory to the Board, and installed in the manner provided for by the by-laws of the city in which the basement or cellar is located.

4. All premises where it is intended that food shall be kept, sold or prepared for sale, shall, in addition to the foregoing requirements, comply with all provisions of "The Public Health Act" respecting premises where food is kept or prepared for sale.

5. No cellar as defined by "The Public Health Act," i.e., the basement of any house or building whatsoever, more than one half of the height of which under the ceiling is beneath the surface of the ground around the building, and whose light area is not equal to one-tenth of the surface of the floor, shall be approved or occupied as a dwelling or for sleeping purposes, laundry, bath-house, office, workshop where more than two persons are employed, store or factory.

6. Sub-basements and cellars where no natural light is available shall be occupied for storage only, except in the case of sub-basement or cellar constructed for, and occupied as an engine-room, and provided with artificial light and a mechanical system of ventilation as set forth in section 3, sub-section 2 hereof.

7. Every cellar or basement for which a permit to occupy has been granted by the Board, and all fixtures, plant and appliances contained therein, including the plumbing, lighting, heating and ventilating systems, shall be maintained and kept at all times in a good state of repair and in a cleanly condition. All windows and window areas shall be kept clean and free from any accumulation, deposit, obstruction or condition which may impair the light received through the same.



8. A record shall be kept by the Board of all basements or cellars for which permission to occupy has been given. In every such premises the permit given by the Board shall be at all times affixed to the inside wall of the cellar or basement near the entrance. Such permit shall state for what purpose the use of the cellar or basement has been authorized.

9. The Board may at any time revoke their consent and cancel any permit granted by them for the occupation of any cellar or basement if any of these regulations are being, or have been, violated or in cases where dilapidations, defective draining or plumbing, inadequate lighting or ventilation, the want of cleanliness therein, over-crowding, change in the manner of occupation, or any change in the proximity of adjoining buildings, have, in the opinion of the Board, rendered such basement or cellar unfit for further occupation.

10. Any person, firm or corporation who violates any of the foregoing provisions shall be liable, upon conviction thereof, to a penalty of not less than Five Dollars and not more than One Hundred Dollars.

Done and passed by the Provincial Board of Health, at a meeting held on the sixteenth day of November, A.D. 1916.

GORDON BELL, M.D.,  
Chairman, Provincial Board of Health.

E. M. WOOD,  
Secretary, Provincial Board of Health.

(Seal)



**Regulations of the Provincial Board of Health Prohibiting the Use of Common Towels  
in Public Places**

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No person, firm or corporation shall hang or place, or cause to be hung or placed, any towel or other material which could be used for the purposes of a towel, in any place in any department or other store, building, hotel, lodging or boarding house, restaurant, cafe, factory, workshop, railway station, public conveyance by land or water, public school, church, theatre, barber shop or other public place where more than one person could use the same for said purposes: Provided this regulation shall not apply to paper towels, which are to be discarded after use by one individual, or to towels of such size that they can properly be used but once, and if placed in sufficient quantity to accommodate all persons who may desire to make use of them.

Done and passed by the Board this twenty-seventh day of April, A.D. 1917.

GORDON BELL, M.D.,  
Chairman, Provincial Board of Health.

E. M. WOOD,  
Secretary, Provincial Board of Health.

(Seal)

## Regulations of the Provincial Board of Health Prohibiting the Use of Common Drinking Cups

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The use of the common drinking cup, or common receptacle for drinking water, in any public institution, hotel, theatre, factory, departmental or other store, public hall, office building, railway station, public conveyance by land and water, or other place where people congregate, or the furnishing of such common drinking cup or common receptacle for use of any such place as herein mentioned, is hereby prohibited.

Done and passed by the Board this twenty-seventh day of April, A.D. 1917.

GORDON BELL, M.D.,  
Chairman, Provincial Board of Health.

E. M. WOOD,  
Secretary, Provincial Board of Health.

(Seal)



## Regulations of Provincial Board of Health Respecting Hygiene in Barber Shops and Hair-Dressing Parlors

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Whereas, it is provided by "The Public Health Act," that the Provincial Board of Health may issue regulations for preventing or mitigating infectious or contagious diseases:

And Whereas, as syphilis and certain parasitic skin diseases may be propagated by the instruments and hands of Barbers and Hair-dressers, the said Board deem it wise to issue certain regulations respecting all and singular the premises.

It is therefore provided as follows:

Customers, where possible, should have their own razors, soap and brushes.

All razors, scissors and clippers in general use shall be sterilised by immersion in a fresh solution of carbolic acid or lysol before and after using.

Hair brushes in general use shall, at frequent intervals, be immersed in a fresh solution of corrosive sublimate contained in an earthenware jardiniere or enamelled dish, and afterwards rinsed in clear water and dried with a towel or by heat.

Shaving Brushes in common use shall be subjected too the same treatment of immersion and afterwards rinsed in very hot water.

The use of shaving soap, applied from a cup in general use shall be entirely discontinued, and an anti-septic soap powder used to produce lather. Boiling



water shall be allowed to run on the lather brush, and then the soap powder sprinkled on it before application to the face.

Powder shall only be applied by a blower or an absorbent cotton.

Combs in use shall be of aluminum and be frequently immersed in boiling water, and thoroughly cleaned.

Before passing from one customer to another, the barber or hair-dresser shall wash the hands, using soap, preferably carbolic, and a nail brush.

The use of the alum stick, frequently used to stop the flow of blood, shall be discontinued, and replaced by calcined alum, a powder which can be applied on cotton wool, which shall be thrown away immediately afterwards.

The use in common of the same vaseline pot is abolished. Vaseline shall only be used from a squeeze tube.

Sponges shall not be used.

Razor strops shall only be used for razors which have previously been disinfected.

The hair-cutting wrapper, so commonly used in barber shops, shall be placed only around the shoulders of customers and fastened with a safety pin or other device at the back, and clean towels shall be used about the neck to prevent hair falling down.

All barbers and hair-dressers shall wear a coat and apron of a washable white material. The sleeves of the coat shall be comparatively short.

Spitting on the floor shall not be allowed.

Where the steaming towel is used, a fresh one shall be provided for each customer.



For sterilization purposes separate vessels shall be provided for brushes and towels.

At frequent intervals the floor shall be sprinkled with wet saw-dust and swept. The sweepings shall be placed in a covered receptacle and the contents shall be burned every evening.

All bath-tubs, after use, shall be thoroughly rinsed or swished out with very hot water, and then thoroughly wiped with a fresh towel.

A printed copy of the foregoing shall be conspicuously displayed in every barber shop and hair-dressing establishment in the Province.

E. M. WOOD,  
Secretary.

(Seal)



## Regulation Prohibiting the Use of Hydrocyanic Acid as an Insecticide

---

The use of hydrocyanic (or prussic acid) in or upon any premises, as an insecticide, is absolutely prohibited. Any person using the same for said purpose shall be guilty of a violation of this regulation.

Done and passed by the Board this twenty-seventh day of April, A.D. 1917.

GORDON BELL, M.D.,  
Chairman, Provincial Board of Health.

E. M. WOOD,  
Secretary, Provincial Board of Health.

(Seal)



**Regulations of the Provincial Board of Health Requir-  
ing the Sterilization of Wiping Rags and Other  
Materials Prior to the Sale Thereof or the  
Offering the Same for Sale**

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1. Wiping rags within the meaning of these regulations embrace and include all cloths and rags used for wiping and cleaning the surfaces of machinery, machines, tools, locomotives, engines, motor vehicles, cars, carriages, windows, and furniture, and the surfaces of articles, appliances, and engines in factories, shops, steamboats, and generally used for cleaning purposes in industrial employments, and also used by mechanics and workmen for wiping from their hands and bodies soil incident to their employment.

2. Every person or corporation who supplies or furnishes to his or its employees wiping rags, composed of any soiled wearing apparel, underclothing, bedding, or parts of soiled or used underclothing, wearing apparel, bed-clothes, bedding, or soiled rags and clothes, unless the same shall have been first sterilized by a process of boiling for forty minutes in a solution containing 5 per cent. of caustic or washing soda, and unless before such boiling, the sleeves, legs and bodies of garments are ripped and made into flat pieces, shall be guilty of a violation of the provisions of this section.

3. Any person or corporation who shall wash, cleanse, or launder soiled rags or soiled cloth material for wiping rags, in the same building or by the same machinery or appliances, in or by which clothing and articles for personal wear or for household use are laundered, shall be guilty of a violation of the provisions of this section.



4. Every health officer, peace officer, or health inspector, upon proper demand and notice of his authority, shall be permitted, during business hours, to enter all premises and places where wiping rags are used, or are kept for sale, or offered for sale, and inspect such wiping rags; and it shall be unlawful for any person, firm, company or corporation to refuse such inspection, or impede or obstruct such officer during such inspection.

5. Every parcel or package of wiping rags shall before being sold or offered for sale, be plainly marked "Sterilized Wiping Rags," with the name and location of the laundry in which the rags contained in such parcel or package were laundered and sterilized, and the date thereof. Any person, firm, company or corporation violating the provisions of this section, or falsely marking any parcel or package of wiping rags as above provided, shall be guilty of a violation of these regulations.

Done and passed by the Board this twenty-seventh day of April, A.D. 1917.

GORDON BELL, M.D.,

Chairman, Provincial Board of Health.

E. M. WOOD,

Secretary, Provincial Board of Health.

(Seal)



Regulations of the Provincial Board of Health Respecting the Notification of Infectious and Contagious Diseases.

---

Whereas it is provided by section 223 of "The Public Health Act," that whenever any physician knows, or has reason to believe, that any person whom he is called upon to visit, or who comes or is brought to him for examination, is infected with any infectious or contagious disease, or any other disease dangerous to the public health he shall, within twenty-four hours, give notice thereof to the health officer of the municipality in which the sick person is.

And Whereas in order that the Provincial Board of Health may, from time to time, and at all times, be fully informed as to the extent and prevalence of infectious and contagious diseases throughout the Province, and the nature thereof, with the view to their mitigation and suppression, as far as possible, it is deemed advisable in the public interest to require all health officers to promptly report all cases of infectious and contagious disease occurring within their respective jurisdiction and reported to them, as required by the Public Health Act, as aforesaid:

Thee Provincial Board of Health, therefore, by regulation, provides the following respecting the premises:—

1. It shall be the duty of every physician throughout the Province to observe the requirements of section 223 of "The Public Health Act," hereinbefore recited, and to furnish the required information upon post cards to be supplied by the Board for the purpose; and it shall be the duty of every health officer within their respec-



tive jurisdiction, to require strict observance of the provisions of said section 223 by all physicians, and to prosecute any of whom who shall fail or neglect to furnish within the time limited the information therein provided.

2. Every health officer of a municipality shall keep an accurate record in writing of all cases of infectious and contagious disease reported to him by physicians, and of all other of such cases otherwise reported to him, or of which he has knowledge; and it shall be the duty of every such health officer to transmit by post, addressed to the Epidemiologist of the Board at the City of Winnipeg, every infectious and contagious notification postcard received by him from a physician, and also full information respecting all other of such cases within the municipality of which he may be aware, within twenty-four hours after the receipt thereof by him.

3. The information required to be given by physicians to health officers, as provided by section 1 hereof, shall be in such form as may from time to time be determined by the Board.

Done and passed by the Board this twenty-seventh day of April, A.D. 1917.

GORDON BELL, M.D.,  
Chairman, Provincial Board of Health.

E. M. WOOD,  
Secretary, Provincial Board of Health.

(Seal)



Regulations of the Provincial Board of Health Respecting the Prevention of Venereal Diseases and Covering the Establishment of Dispensaries for the Treatment Thereof

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Whereas, it is provided by an Act passed at the 1919 session of the Legislative Assembly of Manitoba, chaptered 109, and intituled "An Act for the Prevention of Venereal Diseases," that the Provincial Board of Health, subject to the approval of the Lieutenant-Governor-in-Council, may make regulations with a view to preventing the spread of venereal disease, and respecting the establishment, management and control of Dispensaries for the examination and treatment of persons infected with such disease.

Therefore, the Provincial Board of Health hereby adopts the following regulations concerning all and singular the premises,

1. In these regulations:—

- (a) "Board" shall mean the Provincial Board of Health of Manitoba.
- (b) "Venereal Disease" shall mean and include Syphilis, Chancroid and Gonococcic infections.
- (c) "Chairman of the Board" shall mean the Chairman of the Provincial Board of Health of the Province of Manitoba.

2. There is hereby established in the City of Winnipeg a Dispensary for the treatment of Venereal Disease, and the Board may from time to time adopt standards respecting the administration and management thereof.



Other like Dispensaries may be established and maintained by the Board in other parts of the Province.

3. For the purposes of these regulations:—

- (a) Cases of gonococcic infection are to be regarded as infectious until all discharge has ceased, or at least two successive smears taken not less than forty-eight hours apart fail to show gonococci.
- (b) Cases of syphilis shall be regarded as infectious until all lesions of the skin or mucous membranes are completely healed.

4. The Chairman may require the submission of specimens from cases of venereal infection, or cases suspected of being cases of venereal infection, for the purpose of examination. It shall be the duty of every physician attending a case of venereal infection, or a case suspected of being one of venereal infection, to secure specimens for examination when required to do so by the Chairman.

5. All persons infected with a venereal disease coming for treatment to a Dispensary established by the Board, or to any institution, hospital or physician, shall continue under treatment until no longer able to transmit the infection. In case of gonococcus infection, this shall be for a period of not less than six weeks from the date of the infection and until two successive smears taken not less than forty-eight hours apart fail to show gonococci. In the case of syphilis, it shall be until all clinical symptoms have disappeared and until two successive Wassermans or other approved tests not less than three months apart have been found negative.

6. In order to render infectious cases of syphilis non-



infectious in the shortest possible time, any Venereal Dispensary established by the Board under the provisions of these regulations, shall issue salvarsan or equivalents, without cost, to hospitals for administration to infectious cases, excluding private patients paying physician's fees. The salvarsan shall be issued without cost also to patients who are under official isolation for syphilis and under treatment at public expense. Applications for salvarsan or substitutes shall be made on appropriate forms obtained from the Board.

7. No person other than a physician shall attend upon or prescribe, or supply or offer to supply, any drug, medicine, appliance or treatment to any person suffering from venereal disease, for the purpose of curing, alleviating or treating such disease; provided, however, that this section shall not apply to a registered pharmaceutical chemist or druggist who dispenses to a patient of a legally qualified physician the prescription of such physician, or who sells to any person any patent or proprietary or other medicine, drug or appliance approved of in writing by the Chairman for the cure or alleviation of venereal disease.

8. Every physician who shall treat, administer to, or prescribe for any person suffering from venereal disease, or any person suspected of suffering from such disease, shall report such case within twenty-four hours to the Chairman of the Board. All reports must be on forms furnished by the Board. Cases may be reported by serial number, and when reported, the physician treating the case shall keep a record thereof whereby the person indicated by such initials or number may be identified if necessary; provided, however, that all information and reports concerning persons infected with



venereal disease shall be strictly confidential and shall be inaccessible to the public, excepting insofar as publicity may attend the performance of duty imposed upon the physician reporting to the Chairman of the Board.

9. Whenever any person has been committed to a gaol or other place of detention upon conviction for an offence under the Criminal Code of Canada, or under any Act of the Province of Manitoba, and whenever any person is under arrest or in custody charged with an offence under the Criminal Code of Canada, if the Chairman of the Board believes, or is informed upon oath, that such person is, or may be, or has been, infected with or exposed to infection from venereal disease, the Chairman of the Board may physically examine, or cause to be examined by a qualified physician, such person, in order to ascertain whether such person is infected with venereal disease. In all such cases the method and extent of the examination shall be such as to be effectual in the opinion of the Chairman of the Board.

(2) If upon examination it is found that the person examined is so infected, the Chairman shall give such directions for the treatment of the patient, and, if necessary, for his detention and isolation, and the prevention of infection from him, as may be deemed proper, and he is hereby empowered to do and authorize any act necessary to effect the carrying out of such treatment, detention, isolation and prevention, and it shall be the duty of every such patient to carry out such directions as to treatment, and of every constable, gaoler or other officer having the care and custody of an infected person in any place of detention or in any hospital, to see that the directions of the Chairman are duly carried out.



10. No report or certificate of any physician made and given for the purpose of these regulations, bona fide and without negligence, that any person is suffering from venereal disease shall render him liable to an action not to be admissible in evidence in any proceedings, civil or criminal, against such physician, or be made the ground of any prosecution, action or suit against him.

11. No person shall knowingly infect any other person with a venereal disease or knowingly do or suffer any act likely to lead to the infection of any other person with such disease.

(2) Any person violating the provisions of this section shall incur a penalty of not less than one hundred dollars nor more than five hundred dollars, and in default of immediate payment shall be imprisoned for a period not exceeding six months.

12. Every person suffering from a venereal disease who has consulted and placed himself under treatment by a physician, shall, until he is declared cured, personally attend or cause himself to be attended by a physician for the purpose of treatment and advice at least once in every two weeks, and shall follow as far as possible the advice given by any such physician.

13. If any such person shall at any time decide to change his physician, or if the physician of any such person shall die, or for any reason be unable or unwilling to attend him further, then such person shall forthwith consult and place himself under the treatment of another physician, and immediately after doing so, his new physician shall inform the Chairman of the name and address of the last previous physician of such person, and the Chairman so informed shall thereupon send a notification in the prescribed form of the



change made by the patient to such previous physician, if such physician be living and in the province.

14. If any patient who has been attended or treated by a physician for venereal disease in an infectious stage shall fail to consult or attend such physician for a period of one month, and physician shall not within that period have received from another physician a notice that the patient has changed his physician, then such first mentioned physician shall send to the Chairman of the Board in the prescribed form a notice of the facts stating the name and address of the patient.

15. Every physician who attends or advises any patient for or in respect of a venereal disease in an infectious stage from which the patient is suffering, shall direct such patient's attention to the contagious character of the disease, and to the legal consequences of infecting others, and shall warn the patient against contracting any marriage until he is cured.

16. No physician shall at any time give a written certificate of cure to anyone suffering from venereal disease.

17. The Chairman of the Board shall cause to be conducted, free of charge, bacteriological or other examination which is required by any physician who had notified the Chairman that he is attending or treating a person suffering from venereal disease.

18. Whenever the Chairman is informed on oath that any person suffering from venereal disease, and whenever the Chairman has reason to believe that such person is suffering from such disease, he may give notification in writing to such person, requiring him to consult a physician and to produce to his satisfaction, within a time to be specified in the notice, a certificate



of such medical practitioner that such person is or is not suffering from the disease, and if such certificate is not produced within the time stated in such notice, or if the Chairman is not satisfied with such certificate, he may, by warrant under his hand, authorize any provincial health officer, or any two physicians, to examine such person to ascertain whether such person is suffering from such disease, and the said officer or physician shall have power to examine the person accordingly and shall report the nature of his or their examination to the Chairman; provided that where the person to be examined is a female, and the examination is to be by two physicians, one of such physicians shall, if so desired by the person to be examined, be a female physician, if able and willing to act.

19. If the report aforesaid discloses that the person is suffering from a venereal disease in an infectious stage, and is in the opinion of the Chairman likely, unless detained, to infect other persons, the Chairman may, by warrant under his hand and the seal of the Board, and directed to the prescribed persons, order the person to be apprehended or to be detained for a period not exceeding two weeks in any dispensary, hospital or other place, and the Chairman may, by such warrant, if thought desirable, order any bacteriological and other examinations and investigations to be made of and in respect of such person.

(2) If after such detention it shall appear to the Chairman that the person is suffering from a venereal disease in an infectious condition, and that further detention is necessary in the interests of the public, he may issue his warrant in the prescribed form and directed to such persons as he shall see fit, authorizing and requiring the apprehension of such person and the detention of such person in such place and for such time



as he may think fit, and may direct that such person shall be subject to any treatment and examination which he thinks necessary in the circumstances.

20. Every warrant issued under the provisions of the last two preceding sections may authorize the use of such force as may be necessary to carry it into complete effect, and shall have effect according to its tenor, and all police constables shall assist in its execution insofar as they may be required so to do by any person to whom the warrant is directed.

21. Any person who contravenes any of the provisions of the three last preceding sections or obstructs the carrying into effect of any warrant or order issued thereunder, or refuses to do or submit to anything which such person is required to do or submit to, shall be guilty of an offence against these regulations.

22. The Chairman, or a qualified physician appointed by him in writing for that purpose, may enter into and upon any house, outhouse or premises situated within a municipality, for the purpose of making enquiry and examination with respect to the state of health of any person therein, and may cause any person found therein who is infected with a venereal disease, to be removed to a dispensary, hospital or some other proper place, or may give such directions as may prevent others being infected in the said house, outhouse and premises.

23. Every hospital receiving aid under the provisions of "The Charity Aid Act" shall provide accommodation for such persons suffering from venereal disease which may be assigned to it, and in case of default the whole or any part of such aid that would otherwise be payable, may be withheld. Persons having venereal



disease must be accepted by hospitals under the same conditions as other patients.

24. In all cases requiring hospital treatment, where a person is examined or treated by a physician for a venereal disease and is unable to pay for such treatment, the Chairman may direct the Board to pay for the same a rate to be determined, and the said amounts shall be so paid by the Board and be charged to, payable by, and collected from the Municipality in which the treatment was afforded.

25. No person inflicted with venereal infection shall be employed in the preparation, manufacture or handling of milk, milk products or other foodstuffs, nor shall any such person be engaged in the care of nursing of children or of the sick, nor any such person engage in any occupation the nature of which is such that their infection may be borne to others.

26. All city and other medical health officers are, for the purpose of the control and suppression of venereal diseases, hereby designated and appointed inspectors, without salary.

EVERY person who:

- (a) Publishes or causes, or allows to be published, in a newspaper or magazine or other periodical publication, any notice, advertisement, statement, testimonial, letter or other matter;
- (b) Issues or publishes or causes to be issued or published, any book, almanac, pamphlet, fly-sheet, document or other matter;
- (c) Posts up or exhibits in any place so as to be visible to persons being in or passing along any street, highway, railway or public place,



any notice, statement, advertisement, testimonial letter, or other matter;

- (d) Distributes, circulates or delivers or sends by post to any person any pamphlet, circular, notice, statement, advertisement, testimonial, letter or other matter, intended to recommend or suggest the purchase of or to promote the sale of any article as a drug, medicine, appliance or instrument, or as part of any treatment for the alleviation or cure of any venereal disease or of any contagious infection of the genito urinary organs, or intended to convey an offer to give or prescribe any form of treatment for any of the aforesaid diseases,

shall incur a penalty of not more than \$500.00, and in default of immediate payment thereof shall be imprisoned for a period not exceeding twelve months, providing, however, that this section shall not apply to any such article which has been approved by regulations of the Board, nor to books, documents and papers or other matter published in good faith for the advancement of medical or surgical science, and providing further, that before any proceedings shall be taken under this section against any newspaper proprietor, printer or publisher, for printing or publishing any statement in a newspaper, the Chairman shall notify the proprietor, printer or publisher of such a paper that the publication of the matter complained of is a violation of these regulations; and such proprietor, printer and publisher shall not be liable to prosecution for an offence against this section except in respect of an offence of the same or a similar nature after such notification.



27. It is specifically provided that every person employed in the administration of these regulations shall preserve secrecy with regard to all matters that may come to his knowledge in the course of such employment, and shall not communicate any such matter to any other person except in the performance of his duties under these regulations.

28. The following shall be deemed to be lawful and proper methods and remedies for the treatment, alleviation and care of venereal disease, viz.:

1. Gonorrhoea:

- (a) The treatment of Gonorrhoea shall be essentially local in character.
- (b) The treatment of the complications of Gonorrhoea should be both local and systematic.
- (c) The following remedies are approved, viz.: Silver, iodine, mercury, potassium, zinc, lead, and other mild astringents in their various forms.
- (d) Essential oils, alkalies, balsams.
- (e) Vaccines.

2. Syphilis (Early Stage):

Diagnosis—Any suspicious sore upon the genitals or elsewhere should be diagnosed as early as possible and assumed to be syphilitic until this is disproved. It is said on expert authority that fifty per cent. of cases of primary syphilis may be aborted if undertaken before the Wassermans is positive.

The successful treatment of syphilis depends upon the early and vigorous treatment of the disease.

1. The following remedies are approved, viz.:

- (a) Mercury in its various forms administered orally, intramuscularly and by inunction.



- (b) The arseno-benzol derivatives administered intravenously.
- (c) The iodides—administered orally.
- (d) Suggested methods of treatment are set forth in Appendix 1.

3. Chancroid:

- (1) Carbolic acid and alcohol.
- (2) Silver salts.
- (3) Antiseptic dressings.
- (4) Caustic.

29. Any person who contravenes any provision or provisions of these regulations shall, where no other penalty or proceedings are prescribed or authorized, incur a penalty of not less than ten and not more than one hundred dollars, and in default of immediate payment shall be imprisoned for a period not exceeding three months.

All proceedings for the recovery of penalties under these regulations shall be conducted in camera and no report of any such proceedings shall be published.

Adopted by the Board, this nineteenth day of June, A.D. 1919:

GORDON BELL, M.D.,  
Chairman of the Board.

E. M. WOOD,  
Secretary.

Certified a true copy of the original.

E. M. WOOD,  
Secretary.



## Regulations of the Provincial Board of Health Respecting Slaughterhouses

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Pursuant to authority contained in "The Public Health Act," the Provincial Board of Health provides, orders and regulates as follows:—

1. (1) Whenever in these regulations the word "slaughterhouse" is used, the same, except the context otherwise requires, shall mean and include any place where cattle, sheep or swine are killed for subsequent use as food for human consumption, and shall include abattoirs.

(2) Whenever the expression "Inspector" is used, it shall include any person or persons appointed by the Board to act in that capacity.

2. Every person, firm or corporation operating or conducting or desirous of operating or conducting a place where animals are to be slaughtered for sale for human food, shall make application to the Provincial Board of Health for a license to operate a slaughterhouse, abattoir, or other place where animals are slaughtered for sale for human food, as the case may be. Such application shall be in writing, upon forms furnished by the Board, and shall be signed by the person or manager of the firm or corporation making the application.

3. Upon receipt of an application for a license under the preceding clause, together with such other information as the Board may require, the Board shall cause an inspection to be made of the premises designated. If it appears as a result of such inspection that the buildings and surroundings are so located and constructed



that the business of slaughtering and dressing animals can and will be there conducted in a cleanly manner and without creating a nuisance, and in compliance with these regulations, a license may be issued by the Board. Such license shall be posted or hung in some conspicuous part of the premises of the licensee. Every such license, unless sooner cancelled by the Board, shall be valid for the calendar year or remaining portion thereof of the date on which it is issued. All licenses shall be renewed annually. The following fees shall be paid annually at the office of the Board for licenses under this section:—

For every abattoir, wherever located, the sum of \$25.00	
For every slaughterhouse serving a city.....	10.00
For every slaughterhouse serving a town.....	5.00
For every slaughterhouse serving a village.....	2.00
For every slaughterhouse serving a rural municipality .....	1.00

4. The person, firm or corporation in whose name a license to operate a slaughterhouse is issued, shall be responsible for any violation of law or rules of the Board, notwithstanding that such violation is the act of another.

5. (1) A slaughterhouse license shall not be transferable. Should a licensee desire to erect, rent or occupy a new building, operate in a different place, or sell his business to another, application for a new license shall be made.

(2) The Provincial Epidemiologist, acting on behalf of the Board, may at any time revoke any license, or permit issued by him, if upon investigation, it is found that the condition of the slaughterhouse, where meat is slaughtered, be in violation of any of the provisions of these regulations, or detrimental to the public health.



6. No person, firm or corporation shall erect, maintain, operate, conduct or have any slaughterhouse upon the bank of any river, running stream or creek; or throw or deposit therein any dead animal or part thereof, or any of the carcass or offal therefrom; or throw or deposit the same into or upon the banks of any river, stream or creek, or erect, maintain, operate, conduct or use any building as a slaughterhouse at any place within one-fourth of a mile of any premises or building occupied as a dwelling house or place of business, unless such location shall be approved by the Board.

7. (1) When a building is to be erected for use as or converted into a slaughterhouse, the proposed site shall be approved by the health officer of the district. Such approval shall be in writing and a copy thereof transmitted by the health officer to the Board.

(2) No building shall be erected or converted into or used as a slaughterhouse until the plans and specifications thereof have been duly submitted to and approved by the Board in writing.

8. All places where animals are slaughtered, the meat of which is intended for human consumption, shall be subject to inspection by the health officer, or any person authorized by him or by the Board, and shall conform to the following conditions, namely: They shall be used solely for that purpose, shall have floors and walls of such construction and materials as shall be impervious to soakage, and able to be thoroughly washed and cleaned after being used; tanks or receptacles shall be provided to receive the blood and the water used after slaughter, which receptacles shall be kept so that no access can be had to them by anyone outside, and so that they shall not cause or create any



nuisance; be so constructed that no nuisance can arise during the process of killing or dressing, and shall have separate lairs or resting places for animals previous to slaughter.

9. All floors of premises where any meat, refuse, offal, fertilizer, or any other materials derived, directly or indirectly from slaughtering animals, are treated or handled, if the Board so order, shall be made of concrete and faced with cement and in all cases made watertight, properly drained, and the walls of the killing, meat dressing and cooling rooms shall be covered to a height of six feet above the floor with some non-absorbent material, and all windows and doors shall be screened sufficiently to exclude flies.

10. All floors in slaughterhouses shall be thoroughly washed off each day after the slaughtering is completed, and all walls and exposed surfaces on the interior of slaughterhouses shall be cleansed by washing or scraping at least once in each month.

11. All woodwork of such premises, except doors and counters, must be painted or whitewashed, and all inside walls and exposed surfaces, if they are not painted, shall be calcimined or whitewashed at least once in each month.

12. All cooling and other rooms used for storage of meat shall be adequately ventilated.

13. No water closet, urinal or receptacle, place or thing for receiving human faeces or urine, shall be constructed, placed, maintained or used in any room or portion of any slaughterhouse, packing house, butcher's shop or building used for the purpose of killing or slaughtering animals or dressing, cleaning, treating, rendering.



14. There shall be no direct communication between any slaughterhouse and any privy or cesspool.

15. All slaughterhouses shall have an abundant supply of water from a well, or other source of supply which is not contaminated from the slaughterhouse or surroundings pens or enclosures or other part of the premises.

16. (1) The yards of such premises, other than where cattle are kept, shall be cemented, paved or floored so as not to absorb liquid filth, and be so graded as to permit the same to flow into any sewer opening, and all pens and enclosures connected with any slaughterhouse, shall at all times be kept in a proper sanitary condition.

(2) All animals kept in yards attached to slaughterhouses shall be treated in a humane manner, and if kept there over twelve hours, shall be fed and watered.

17. No owner of any abattoir or slaughterhouse, or his agent or employee shall purchase, for the purpose of slaughter, any injured, crippled or diseased meat-animal (cattle, sheep or swine) or slaughter or dress for hire any injured, crippled or diseased meat-animal (cattle, sheep or swine) except by the permission of the Board in writing.

18. No person shall purchase or render any dead animal, nor, within the limits of any municipality, establish, engage in, carry on, or maintain the business of fat rendering, bone boiling, or the manufacture of fertilizers, or any business of any kind in which blood, offal, skins, paraffin, tallow or soap are worked up, or that may likely be offensive or detrimental to the public health, without having first received a license from the Board so to do.



19. (1) No person, firm or corporation shall slaughter for sale any young calf less than four weeks old, pigs less than five weeks old, or lamb or kid less than eight weeks of age; or any foetal meat from an unborn or stillborn animal, or any animal which has died from any disease or injury or poison of any kind whatsoever; or any animal ill with parturient fever or diseased or overheated or in an exhausted condition.

(2) All such diseased animals, and the place where found, and the nature of the disease shall be at once reported to the health officer of the municipality.

20. When hides are stored in slaughterhouses, such storage shall be in separate rooms thereof, and entirely apart from any cooling or other room or rooms for the storage of meat.

21. No person, firm or corporation shall use any packing or slaughterhouse, or any place which is occupied for the purpose of slaughtering or rendering cattle, sheep or hogs, or dressing, cleaning, canning, treating or preparing for shipment, meats and other foodstuffs, by hand or machinery, for housing, sheltering or harboring its employees or other persons, or cause or permit same to be used as sleeping quarters or living apartments by such employees or other persons. Any such house or place so used or occupied for sleeping or living purposes is hereby declared to be a nuisance.

22. The health officer or inspector may prohibit the bringing within the limits of any municipality over which he has jurisdiction, of any meat from any slaughterhouse situated outside the limits of such municipality, whose owner, lessee or occupant be a licensee under said regulations.

23. All blood, manure, offal or other filth created in the slaughtering of animals, unless disposed of on the



premises at which slaughtering is done by such process as shall render such blood, manure, offal or other filth innocuous to the public health, shall be removed in covered tanks, receptacles or wagons to a place designated by the health officer, to be there buried or destroyed, and under no circumstances shall any such material be permitted to accumulate for more than one day in the summer or two days in the winter. In no case shall such material be permitted to accumulate in, under or around any slaughterhouse, or be permitted to be devoured by hogs or other animals.

24. All offensive odors from the handling of meat and treating of and caring for offal, blood or any other material stored or manufactured, must be suppressed by destruction or condensation, and shall not be allowed to escape into the outside air.

25. Persons afflicted with tuberculosis or other communicable diseases, shall not be employed in or permitted to enter any part of a slaughterhouse where animals are slaughtered, dressed, or where the meat of the same is stored or handled. The owner, manager or person in charge of every slaughterhouse, who has reason to believe that any employee is so afflicted, shall immediately report in writing the facts upon which such belief is based, together with the name and address of the person believed to be affected.

26. No slaughtering shall be done in the open or in any building other than a slaughterhouse in respect of which a license has been obtained, except in the case of:—

- (a) A farmer or other person desiring to slaughter for his own use.
- (b) A farmer or other person desiring to slaughter for sale as food, animals raised by



himself, in which case application, shall be made to the local health officer, who may recommend to the Board that a permit to so slaughter be issued. The permit of the Board shall be in writing, and shall have force only from the first day of December in any year to the first day of March following.

27. No hogs shall be kept alive in or in the immediate vicinity of slaughterhouses for a longer period than twenty-four hours.

28. The regulations of the Board respecting slaughterhouses, passed the second day of October, A.D. 1917, are hereby revoked.

29. During the period these regulations are in force, the provisions contained in sections 196 to 217 inclusive of "The Public Health Act," are superseded and declared to be inoperative and of no effect.

Done and passed by the Provincial Board of Health, this fifth day of May, A.D. 1920.

GORDON BELL, M.D.,

Chairman, Provincial Board of Health.

E. M. WOOD,

Secretary, Provincial Board of Health.



## Regulations Governing Bottling Plants

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Pursuant to the powers contained in "The Public Health Act," the Provincial Board of Health promulgate the following rules regarding all places within the Province of Manitoba where beverages intended for the food or drink of man are prepared and which are derived wholly or in part from cereals or dried or fresh fruits, carbonated or non-carbonated beverages, artificial mineral waters, soft drinks; or essences or powders for the manufacture of beverages or syrups, hereinafter referred to as "Bottling Plants":—

1. No person, firm or corporation shall establish or continue to maintain any bottling plant in the Province of Manitoba without having first obtained a permit from the Board so to do.

2. Before the Board shall give permission to establish or maintain any bottling plant he shall be satisfied that the premises and all plant and equipment in the same are suitable and satisfactory for the purpose intended. In addition to any provisions contained in the Public Health Act and any regulation already existing respecting places where any articles whether solid or liquid intended for the food of man are manufactured, kept, or prepared for sale, the following conditions shall at all times prevail in all bottling plants:—

(a) Adequate bottle washing machinery shall be established including soak tubs, wash-tubs, washing brushes and a constant supply of both hot and cold running water shall be provided. The floors of all rooms where bottle washing is done, shall be of concrete with smooth cement finish and properly graded



from all parts thereof to a floor trap connected with a sewer.\* The ceilings of such rooms shall be at least nine feet in height and adequate means shall be provided for removing steam from such rooms.

(b) All bottles shall be efficiently washed with brushes and warm water, and sterilized either by soaking in water and cleaning solution for thirty minutes at a temperature of not less than 140 degrees Fahrenheit, or by exposing the same to boiling water or steam for ten minutes.

(c) All materials and equipment used in such plants shall be kept under sanitary conditions and handled in such a way as to avoid contaminating the same.

(d) No material or equipment used in such plants shall be composed of or made either wholly or in part of metallic substances that are or may be affected by the liquids used therein in such a manner that dangerous or deleterious compounds may be formed therein or thereby.

(e) When required by the Board samples of the water or any other constituents of the products manufactured shall be furnished to him for chemical or bacteriological examination..

(f) All caps and corks shall be kept in such a way as to remain clean when the fingers are used in placing caps in machinery. The hands of the workers shall be kept scrupulously clean.

(g) On every bottle there shall be a crown or label bearing the name and address of the manufacturer.

(h) In all cases where preservatives or coloring matter are used the regulations of the Dominion Government respecting the use of preservatives shall be complied with. If any acid other than citric, tartaric, phosphoric lactic, malic or acetic acid is used the name



of such acid shall be stated on the label. No poisonous or harmful materials shall be added to the substances of the drink or incorporated in the bottle or cap.

(i) No person shall bring in or cause to be brought into the Province of Manitoba any beverages which are harmful, unclean or unwholesome, or which have been manufactured under unclean or insanitary conditions.

If any beverages are brought into the Province which do not comply with the standards set forth in subsection (h) hereof, the ingredients of the same shall be printed on the label.

(j) The Health Officer of the Municipality or an Inspector of the Board at his discretion, may place a tag on any beverage, equipment, material or substances used for, about or in the manufacture of beverages that he may have reason to believe harmful, contaminated, dirty, rusty, unwholesome or unfit for human consumption, or in violation of these regulations. Such tag shall be marked "Held for examination." No person shall remove any such tag from any article, material or substances without the permission of the Health Officer.

(k) The presence of apparatus or any substance for the manufacture of such beverages on any premises shall be prima facie evidence of its intended use.

Passed by Board 4th May, 1921.

GORDON BELL, M.D.,

Chairman, Provincial Board of Health.

E. M. WOOD,

Secretary, Provincial Board of Health.



## Regulations Governing all Places Where Food is Sold to be Consumed on the Premises

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Pursuant to the powers contained in "The Public Health Act," the Provincial Board of Health hereby make and promulgate the following rules regarding all places within the Province of Manitoba where any article, whether solid or liquid, and intended for the food of man is sold to be consumed on the premises:

1. The owners, occupiers, proprietors or managers of all hotels, restaurants, eating houses or other places where food is sold to be consumed on the premises shall thoroughly cleanse all cups, saucers, plates, glasses, knives, forks, spoons, or other utensils from which or with which food is eaten on the premises, in boiling water or other cleansing solution satisfactory to the Municipal Health Officer, and no such utensil shall be used a second time until it has been again cleansed in the manner above provided.

The use of cold water or of dirty water for washing such utensils is prohibited.

2. The use of cracked dishes, plates, cups, saucers, or utensils so badly worn that they cannot be properly cleansed is prohibited.

3. All foods purchased in sealed tin containers shall be removed from such cans or containers immediately after the tins or cans have been opened.

4. The owners, occupiers, proprietors or managers of all such places set forth in Section 2 hereof shall at all times permit the Health Officer or any person



authorized by him to obtain and carry away for bacterial or other examination, samples of dish-washing water or solutions used in such establishments.

**5. Restaurants.**—In all restaurants in addition to the observance of the requirements as set forth above, there shall be provided at all times, in the kitchen thereof, a constant supply of both hot and cold running water. For the purpose of these regulations a “restaurant” is hereby declared to mean a hotel, or eating house where food is prepared and cooked and meals served to the public to be consumed on the premises. And no person shall conduct or operate a restaurant without having first received permission in writing from the Health Officer so to do.

GORDON BELL, M.D.,

Chairman, Provincial Board of Health.

(Seal)

E. M. WOOD,

Secretary, Provincial Board of Health.

Dated 4th May, 1921.



# *The* Public Health Act

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His Majesty, by and with the advice and consent of the Legislative Assembly of Manitoba, enacts as follows:

## PRELIMINARY

### Short Title

1. This Act may be cited as "The Public Health Act."

### Interpretation

2. In this Act, unless the context otherwise requires, the expression,

(a) "Provincial Board of Health" or "board" means the Board of Health of the Province of Manitoba;

(b) "Municipality" means any city, town, village or rural municipality in the Province, whether incorporated by Legislative enactment or by special charter of incorporation;

(c) "Health district" means a district of the Province which has been constituted a health district under the provisions of this Act;

(d) "Inspector" means a provincial health inspector appointed under the provisions of this Act;

(e) "Medical health officer" or "health officer" means and includes the medical health officer appointed or continued under this Act and having jurisdiction in a municipality;

(f) "Minister" means the Municipal Commissioner



for Manitoba or any member of the Executive Council of the Province acting for the said Municipal Commissioner during his illness or absence;

(g) "Street" means and includes every highway, road, road allowance, square, lane, court, alley and passage, whether a thoroughfare or not;

(h) "House" means any house, and includes a school, factory or other building, or a hut or tent for human habitation, whether such use is permanent or temporary, and whether the same are stationary or movable, and outhouses used for any purpose;

(i) "Owner" means and includes the person for the time being receiving the rent of land or premises on his own account, or as an agent or trustee for any other person, or who would so receive the same if such lands or premises were let;

(j) "Householder" means the person for the time being the occupant in charge of any premises, whether as owner, tenant, agent or otherwise howsoever;

(k) "Contagious or infectious disease" means and includes smallpox, chicken pox, scarlatina, scarlet fever, measles, typhoid fever, typhus fever, puerperal fever, cancer, diphtheria, cholera, plague, whooping cough, mumps, glanders, tuberculosis in all its forms, anterior poliomyelitis (called infantile paralysis), erysipelas, scabies, hydrophobia, tetanus, anthrax, ophthalmia neonatorum, pellagra, pneumonia, cerebro-spinal meningitis and leprosy, and any other disease which the board may at any time declare to be contagious or infectious;

(l) "Infected" means that condition of a person or thing which is the effect of exposure to any contagious or infectious disease or contact with anything which has been so exposed under circumstances



which make it impossible that such disease may be spread because of such exposure or contact;

(m) "Infectious" means communicable in any manner whatsoever, even at a distance;

(n) "Contagious" means communicable in any manner whatsoever, by close contact or inoculation;

(o) "County Court Judge" means a judge of a County Court having jurisdiction in any part of a municipality in which property in question is situated, or acts are required to be performed in pursuance of this Act;

(p) For the purpose of sections 165 to 191 the word "milk" shall include cream, butter, cheese, ice cream and all other milk products, unless the context shall otherwise require.

## PROVINCIAL BOARD OF HEALTH

### Organization

3. (1) The Provincial Board of Health shall consist of the provincial bacteriologist, the assistant provincial bacteriologist, the provincial epidemiologist, and eight other persons, all of whom shall be appointed by the Lieutenant-Governor-in-Council. The Municipal Commissioner shall *ex officio* be a member of the Board.

(2) The members of the board so appointed shall hold office for three years from the date of their appointment, and shall be eligible for re-appointment.

(3) The Lieutenant-Governor-in-Council shall designate which one of the salaried members of the Board shall be chairman thereof and the chief officer of health for the Province.

(4) The chief officer of health of the Province shall be the executive member of the board, and in the in-



terval between meetings of the board shall perform such duties and shall have such powers as are imposed or conferred upon by this Act vested in the board.

4. The Lieutenant-Governor-in-Council shall appoint competent persons to be, respectively, provincial bacteriologist, assistant provincial bacteriologist and provincial epidemiologist, and fix their annual salaries; and such persons so appointed shall perform such duties as may be prescribed by the Board from time to time.

5. The Lieutenant-Governor-in-Council shall also appoint a secretary of the board and fix his annual salary, and whose duty shall be to attend all meetings of the board and keep a full record of the transactions thereof; and assist in preparing the annual report of the board for submission to the Legislature, and perform such other duties as may from time to time be prescribed by the Lieutenant-Governor-in-Council.

6. The Lieutenant-Governor-in-Council shall also appoint such number of clerks, stenographers and nursing assistants as may be necessary for the proper administration of the provisions of this Act, and fix their salaries, and such persons respectively shall perform such duties as may be prescribed by the board from time to time.

7. (1) The Lieutenant-Governor-in-Council may also appoint a provincial sanitary engineer and fix his remuneration, and he shall perform such duties as are required by this Act or any regulations passed or that may be passed thereunder.

(2) The provincial sanitary engineer, when appointed shall also be a member of the board of the Provincial Board of Health.

8. The members of the board, other than salaried



officers, shall receive an allowance of ten dollars for every board meeting attended by them, together with their actual travelling and other necessary expenses incurred.

9. The board shall meet at least four times in every year, and a majority of the members shall be a quorum at all meetings.

10. All salaries and expenses of the board and its officers and employees shall be paid by the Municipal Commissioner on a certificate of the chairman, and, after deducting all amounts that may have been appropriated by the Legislature towards such salaries and expenses, shall be levied for by the Municipal Commissioner against all the municipalities in the Province, apportioned rateably on the basis of the equalized assessments of such municipalities from time to time made pursuant to the provisions of "The Municipal Commissioner's Act."

10a. The board may make rules regulating the transaction of its business, and may provide therein for the appointment of committees to whom it may delegate authority and power for the work committed to them.

### **Acquiring Land**

11. The board may issue regulations for taking possession of any land or any unoccupied building for any purpose contemplated by this Act.

12. In case of actual or apprehended emergency, such possession may be taken without a prior agreement with the owner of the land or building and without his consent, and may be retained for such period as may appear to the board or officer who took possession thereof to be necessary.



13. Written notice containing a reasonable description of the land shall, within five days after the taking or obtaining possession, be given by the board or officer so taking possession thereof to the clerk of the municipality wherein the land is situate; such notice shall be given whether possession is taken or obtained with the consent of the owner or otherwise.

14. Where possession is taken without the consent of the owner, the board or health officer or inspector, by whom or under whose direction or authority possession is taken, shall, within five days thereafter, give notice thereof to the owner..

15. In the event of any owner not being known, or not being a resident in the Province, or his residence therein being unknown to the board or officer required to give notice, such board or officer shall cause the notice to be published twice in some newspaper having a circulation within the municipality wherein the property is situate, and shall mail to the last known address, if any, of the owner, a copy of the notice in a registered letter prepaid, and such publication shall be a sufficient notice to the owner.

16. The owner of any land or building shall be entitled to compensation for the use and occupation thereof, including any damage arising from such use and occupation, such compensation to be determined in the manner hereinafter provided in this Act.

17. Where, under this Act or regulations made hereunder, any land or building is taken for the use of any municipality in any health district, the owner of such land or building shall be entitled to compensation from such municipality for the use or occupation thereof, including any damages arising from such use



or occupation; such compensation shall be agreed upon between the council of such municipality and the owner, and, if they do not agree, the amount of compensation shall be determined by proceedings as far as possible similar to those provided to be taken under "The Manitoba Expropriation Act." When the land or building taken is not within the limits of any municipality in any health district, and is not taken for the use of any such municipality, the compensation shall be paid by the Province, and, in case of a disagreement as to the amount of the compensation, the matter shall be determined by proceedings to be taken under said Act, the parties to such arbitration being the board and the owner of the land or building so taken.

18. When any resistance or forcible opposition is offered or apprehended to possession being taken of any land or building under this Act, or under any regulation made by virtue hereof, the judge of the County Court of the judicial division within which such land or building is situated may, without notice to any person, issue his warrant to the sheriff of the district or to any provincial constable requiring him to put the board or health officer, as the case may be, their or his servants or agents, in possession, and to put down such resistance or opposition, and the sheriff or other person, taking with him sufficient assistance, shall accordingly do so.

### Duties

19. The board shall have supervision of all matters relating to the preservation of the life and health of the people. They shall make careful inquiry as to the cause of any diseases, especially when contagious, infectious, epidemic or endemic, and take prompt action



to control and suppress it ; they shall make sanitary investigations and inquiries respecting the causes of mortality and the effects of localities, employments, conditions, habits and other circumstances upon the health of the people; they shall make such suggestions and take such steps as to the prevention and suppression of contagious and infectious diseases as they shall deem most effective and proper and as will prevent and limit as far as possible the rise and spread of disease; they shall inquire into the measures which are being taken by health officers and inspectors for the limitation of any dangerous contagious or infectious disease or the performance of any duty through powers conferred upon such health officers or provincial health inspectors by this or any other Act, and should it appear that no efficient measures are being taken, or that the said powers or duties are not being exercised, it shall be the duty of the board in the interests of the public health to require such health officers or inspectors to exercise and enforce any of the said powers which, in their opinion, the urgency of the case demands, and in any such case, where such health officers or inspectors after request by the board neglect or refuse to exercise their powers, the board may exercise and enforce, at the expense of any municipality, any of the said powers which under the circumstances the board may consider necessary, and the board shall when required, or when they deem it best, take such further or other steps in regard to the public health and respecting drainage, water supply, disposal of excreta, and the heating, plumbing, and ventilation of any public institution or building, as they may deem necessary or advisable.

20. The board shall from time to time, and especially during prevalence in any part of the Province of epi-



demic, endemic, infectious or contagious diseases, make public distribution of such sanitary literature and such practical information relating to the prevention of the spread of contagious and infectious diseases, through the medium of the public press and by circulars to inspectors and health officers, municipal councils, and in and through the public schools and by means of lectures, moving picture films and other forms of practical demonstration and otherwise, as shall be deemed by them in the interests of the public health.

21. The board may appoint any person a commissioner to investigate the sanitary condition of any municipality or the cause or causes and treatment of any contagious or other disease or mortality; and at such investigation the commissioner may take evidence under oath or otherwise as the commissioner deems expedient. The commissioner shall have power by warrant under his hand and seal to call upon any person to give evidence regarding any matter in question in the investigation, and the commissioner shall have all the powers which may be conferred upon commissioners under "An Act respecting Commissioners to make Inquiries Concerning Public Matters," being chapter 34 of these Revised Statutes.

22. It shall be the duty of the board upon application to supply at all times without charge, for use by the health officers acting under the provisions of this Act, proper vaccine virus and also diphtheritic serum for use in indigent cases

23. The board shall prepare and submit to be laid before the Legislative Assembly, within fourteen days after the commencement of each session, a full report in writing upon all matters that shall have come before or been dealt with by such board during the year



ending with the thirty-first day of December next previous to such report.

24. All prosecutions and proceedings by the board for violations of the provisions of this Act which the board is required to enforce, or for violations of any of the orders or regulations of the board, shall be instituted by its secretary on the order of the chairman of the board. All fines collected by the board shall be paid to the Provincial Treasurer and placed to the credit of the board.

25. The board may make provision for annual conference of health officers for the consideration of the cause and prevention of dangerous communicable diseases and other measures to protect and improve the public health. Every municipality represented by a health officer as a delegate to such annual conferences shall pay the necessary expenses of such delegate upon the presentation of a certificate from the secretary of the board that the delegate attended the sessions of such conferences.

#### **Powers of Board to Make and Enforce Regulations**

26. Supplemental to, but not inconsistent with, the provisions of this Act hereinafter contained, the board may make and issue such general rules and orders as it may deem necessary for the further prevention, treatment, mitigation and suppression of diseases, and from time to time alter or repeal the same, and by such rules, orders and regulations provide for and regulate,—

(a) The functions, duties and jurisdiction of health officers, provincial health inspectors and sanitary constables;

(b) The prevention and removal of nuisances on public or private property;



(c) The cleansing, purifying and ventilating of houses, churches, public and private institutions, buildings and places of assembly, railway stations, carriages, cars and other public conveyances, by the owners and occupiers and persons having the care and ordering thereof;

(d) The inspection of hospitals, gaols, orphanages, reformatories, houses, churches, buildings and places of assembly, railway stations, carriages, cars and other public conveyances;

(e) The construction, maintenance, cleansing and disinfection of all drains, sewerage systems and sewers and system of sewage disposal, and the location, cleansing and disinfection of water closets, cesspools, privies and pigsties;

(f) The method of the carrying on of all noxious or offensive trades or businesses, and the summary abatement of any nuisance or injury to the public health arising or liable to arise therefrom;

(g) The inspection, licensing, method of constructing, furnishing, equipping and maintaining, cleansing and disinfecting all slaughter houses and other places in which animals are killed and their meats prepared for sale or to be used for food, and all canneries, fish-houses, smoke houses and warehouses in which fish or meat is cured, packed or prepared for sale or to be used as food, and all starch factories, dye works or factories of any kind in which blood, offal, skins, paraffin, tallow, soap, fertilizers or gas are worked up:

(h) The interment of the dead and the conduct of funerals;

(i) The isolation or placing in any hospital or building provided for quarantine or isolation purposes of any person having any infectious or contagious disease,



or any disease dangerous to the public health, and the disposition of all conveyances or persons that have been exposed to an infectious or contagious disease or persons who are living in unhealthy houses or congested, unhealthy or infected localities;

(j) The reporting to a health officer by every medical practitioner of any person under his treatment for any infectious or contagious disease, or any disease dangerous to the public health; ;

(k) The vaccinating of all children residing within the Province;

(l) The vaccination of all persons entering or residing in the Province not already vaccinated, or not sufficiently protected by previous vaccination;

(m) The supply and quality of vaccine matter and diphtheritic serum;

(n) The prevention of the use of noxious materials and fertilizers dangerous to the public health;

(o) The situation, equipment and sanitary management and maintenance of all creameries, dairies, cowsheds and stables in connection therewith, including the testing of cattle for tuberculosis;

(p) The prevention of the pollution, defilement, discoloration or fouling of all lakes, rivers, streams, pools, springs and waters, so as to ensure their sanitary condition, and the cutting and storing of ice;

(q) The imposition, levying and recovery of penalties upon and from any person who shall violate any rules, orders or regulations made hereunder;

(r) The sanitary condition of lumbering, wood cutting, mining, construction, threshing and other camps;

(s) The frequent and effectual cleansing of streets, huts and outhouses by the health authorities or by the



owners or occupiers of houses and tenements appertaining thereto;

(*t*) The removal or abatement on public or private property of nuisances;

(*u*) The cleansing, purifying, ventilating and disinfecting of school houses, churches, buildings and places of assembly, asylums, hospitals, gaols and other public institutions, railway stations, steamboats, railway carriages and cars, as well as public conveyances, by the owners and occupiers and persons having the care and ordering thereof;

(*v*) In so far as jurisdiction is possessed in this behalf, with a view to preventing the spread of infectious diseases, the entry or departure on boats and vessels to or from ports or places in Manitoba, and the landing and disinfecting of, passengers or cargoes therefrom, or from railway carriages or cars, and the receiving of passengers or cargoes on board of the same;

(*w*) The supplying medical aid and accommodation and medicine and such other articles as may be deemed necessary for mitigating such epidemic, endemic, infectious or contagious diseases;

(*x*) House to house visitation;

(*y*) The inspection of houses, steamboats, vessels, railway carriages and cars and public conveyances, and the cleansing, purifying and disinfecting thereof and anything contained therein when required, at the expense of the owner, occupier or person having the care and ordering thereof, and for detaining for this purpose any such steamboat, vessel, railway carriage and car or public conveyance, and any person or anything, travelling thereby or contained therein, so long as may be necessary;

(*z*) The preventing the departure of persons from



infected localities and preventing persons or conveyances from passing from one locality to another, and detaining persons or conveyances who or which have been exposed to infection, for inspection or disinfection until the danger of infection is passed;

(*aa*) The removal or keeping in charge of persons living in infected localities;

(*bb*) The periodical inspection of districts by provincial health inspectors, and the removal and abatement of unsanitary conditions or nuisances disclosed by such inspection;

(*cc*) The prevention of the pollution by sputum of street cars, railway cars and other public conveyances, sidewalks and the floors and other parts of public buildings;

(*dd*) The cleansing, purification and disinfection of rooms, clothing, utensils and other articles used by persons suffering from tuberculosis;

(*ee*) The prohibition of the use or sale of milk from cows suffering from tuberculosis, and of the use, sale or exposing for sale of the flesh of animals affected by said disease, or any other disease which, in the opinion of the board, renders the flesh of such animals unfit for human consumption;

(*ff*) The medical inspection of school children;

(*gg*) The plumbing, heating, and sanitary condition of buildings, including dwelling houses.

(*hh*) The plumbing, heating and lighting and ventilation and sanitary equipment and condition of all hotels, licensed or unlicensed, all lodging houses, boarding houses, stopping places, and every house or building or part thereof where lodgings are furnished, with or without meals, for money or other consideration, and to provide for the periodical inspection of all such



places by the respective health officers having jurisdiction in the premises, or by any other official or officials appointed by the board, and for the effective observance, performance and carrying out of any and all such rules, orders and regulations so made.

(ii) The natural and artificial lighting, the heating, plumbing, ventilation and general hygienic and sanitary conditions in cities or portions of buildings contained below the street level used or designed to be used for the purpose of conducting therein the business of a barber shop, restaurant, cafe, billiard and pool room, bowling alley, shooting gallery or any other purpose of a public character, and the requiring in all such cases the approval of the board prior to the use or continuance of all such premises for any of such purposes.

26a. Without limiting the power of the board to deal by regulation or regulations with the several matters set forth in the last preceding section, and in section 28 hereof, the board shall have the general power to establish and from time to time amend regulations dealing with any matters affecting the preservation and improvement of the public health in the Province, and with any matters as to which jurisdiction or authority is given to the board, health officers and inspectors by this Act.

27. The board may by order declare all or any of the regulations made pursuant to any of the provisions of the last preceding section in force within the whole or any part or parts of the Province of Manitoba, and to apply to boats, vessels, railway carriages and cars or other conveyances in any portion of said Province.

28. The board may make also and amend regulations which it deems necessary for securing health in industrial establishments relating to (a) the supplying of



drinking water, (b) the lighting, (c) the distance to be left between certain establishments and dwelling houses, as well as the arrangement and details of the construction of rooms, (d) cubic space, (e) aeration and ventilation, (f) cleanliness and cleansing, (g) the removal and manner of disposing of dust, gas, vapor and waste produced in the course of the work, (h) the system of drainage, including sinks, lavatories, urinals, privies or closets, and the method of disposing of waste liquids, (i) the temperature of the premises, (j) all other sanitary conditions which may arise in industrial establishments.

29. All orders and regulations made by the board under sections 26 and 28 shall take effect and be operative and in full force and effect from and after the publication thereof in one issue of *The Manitoba Gazette*, and shall be deemed to have the force of law and be so recognized by all courts, and shall be sufficiently proved by the production of a copy of the said *Manitoba Gazette* containing the same or by a copy purporting to be printed by the King's Printer.

(2) It shall be the duty of inspectors and health officers to see to the execution and carrying out within their respective jurisdictions, of any and all regulations made by the board, and to do and provide all such acts, matters and things as shall be necessary for aiding in the execution of such orders and regulations as exigencies may require or be considered necessary.

(3) During the time that any such orders or regulations are in force in any locality, as herebefore provided all by-laws or regulations in force in any municipality in which such locality is wholly or partly comprised, which in any manner conflict with such orders or regulations, shall be suspended and of no effect.



## Health Districts

31. The Lieutenant-Governor-in-Council may divide the Province for the purposes of this section into five or more health districts, and may appoint as an officer of the board and fix his salary, a legally qualified medical practitioner, to be known as the "district inspector of health," for each such district, but a city having a population of 5,000 or over according to the last census of Canada shall not be included in such district.

(2) It shall be the duty of every inspector to see that all the provisions of this Act and orders and regulations of the board are duly carried out in his district and to perform such other duties as may be assigned to him by the board.

(3) Every inspector shall take cognizance of and collect information in regard to all matters affecting the public health in his district, and from time to time and at all times keep the secretary of the board duly advised with respect thereto, and shall secure as far as possible the proper performance by all health officers and municipal officers and councils of the duties imposed upon them respectively by this Act.

(4) Every inspector shall have in his district and in every municipality therein all the powers which are by this Act conferred upon health officers and sanitary constables, and may, whenever ordered so to do by the board, suspend, supersede and act in the place and stead of such health officers or sanitary constables for any length of time he may deem necessary, and may countermand the orders of such health officers or sanitary constables and give such other orders or directions as he may deem necessary.

(5) In every such case the order, direction or certi-



ificate of the inspector shall have the like force and effect in any municipality in his district as the order, direction or certificate of the health officer and shall vacate and annul all orders, directions or certificates theretofore made or given in reference to the matter to which the inspector's order, direction or certificate may refer, and no health officer shall have any power or authority to make or give any subsequent order, direction or certificate inconsistent with that of the inspector in reference to the same subject matter.

(6) Every health officer and local inspector and sanitary constable shall be subject to the direction of the inspector of the district in which such health officer acts.

### Health Officers

32. The council of every municipality shall appoint a registered medical practitioner, or some other proper person if a registered medical practitioner is not available, to be the health officer of the municipality, who shall perform the duties required by this Act in addition to the duties imposed upon such health officer under the provisions of any other Act and any resolutions or by-laws passed in pursuance thereof. Such health officer shall receive the remuneration fixed by the council which appoints him, to be paid by the municipality, and shall hold office during the pleasure of the council.

(2) If the council of a municipality fails or refuses to appoint a health officer, or appoints a health officer and does not provide, in the opinion of the board, adequate remuneration for the due and proper discharge of the duties appertaining thereto, the board may appoint a health officer for such municipality and fix his salary and term of office. Such health officer shall have the same powers and duties as health officers are given



by this Act, and his salary as fixed by the board, and all necessary expenses incurred by him in performing the duties of a health officer, shall be paid by and be a valid claim against such municipality.

(3) Whenever a health officer becomes temporarily or permanently incapable of performing his duties, or resigns his office, or leaves the locality for which he has been appointed, the council shall forthwith appoint another health officer in his place.

(4) The council of any municipality shall also have power to appoint a registered medical practitioner to act as a deputy health officer, who, in the case of the absence, illness or other incapacity of the health officer, or at the request of the health officer, may act as and exercise all the powers of the health officer for whom he is acting, and may receive such remuneration as the council shall determine.

33. The council of every municipality shall have power to vote and appropriate and expend such sums as are by them deemed necessary for the proper carrying on of the duties of the health officer or officers and for the purpose of carrying out the provisions of this Act.

34. Whenever any health officer has authority to direct that any matter or thing be done by any person, such health officer may also, in default of its being done by the person directed, order that it be done at the expense of the person in default, and the amount of such expense may be recovered by the municipality for which the health officer acts in a summary manner.

35. Whenever the appointment of a health officer appears to be necessary for any portion of the Province not included within the limits of an organized munici-



pality, such health officer may be appointed by the board and at such remuneration payable out of the moneys at the disposal of the board as the board may determine, and any such health officer so appointed shall have similar powers and duties as a health officer regularly appointed by an organized municipality.

36. Every health officer appointed by a municipality or by the board and acting as such, and every health officer appointed under the provisions of the next preceding section, shall possess all the powers and authority and perform all the duties imposed upon them respectively by this Act or by any orders or regulation made by the board.

### **Sanitary Constables**

37. The council of every municipality may also appoint officers to be called sanitary constables, and define their duties and remuneration, such remuneration to be paid by the municipality.

## **NUISANCES**

### **Investigation and Abatement**

38. Health officers shall, within their respective jurisdictions, be especially charged with the duty of visiting from time to time land and buildings situate therein for the purpose of ascertaining whether there are any accumulations of filth, dirt, rubbish, or other matter injurious or calculated to be injurious to the public health, and whether there are any nuisances or unhealthy conditions, and shall take all necessary measures to remove and abate the same.

39. Every health officer, inspector and sanitary constable may in the day time, as often as is necessary, enter into and upon any premises within their respective



jurisdiction and examine such premises for the purpose of ascertaining and determining whether a nuisance exists or is being created.

(2) If upon such examination it is found that a nuisance exists, or is being created on any such premises, that endangers, or is likely to endanger, the public health, the health officer or inspector, as the case may be, may order the owner or householder of the premises to abate the nuisance or discontinue the conditions which, if continued, would create a nuisance, and cleanse the said premises in a proper manner.

40. Information of any nuisance or unsanitary condition within the jurisdiction of a health officer or inspector may be given to such health officer or inspector by any person.

41. When such information has been so given, it shall be the duty of the health officer or inspector, as the case may be, to investigate the cause of complaint, and, if deemed necessary, hear the evidence of any person; and, for the purpose of compelling the attendance of witnesses and the answering of all questions respecting the said complaint, such health officer or inspector shall have and possess all the powers of a justice of the peace in that regard.

42. Whenever a health officer or inspector is satisfied that a nuisance exists, or that an unhealthy condition prevails, a notice signed by such health officer or inspector shall be served on the person by whose act, default or sufferance the nuisance or unhealthy condition arises and continues, or, if such person cannot be found, or the owner or occupier of the premises on which the nuisance or unhealthy condition exists, or from which it arises, requiring him to abate the same within a time to be specified in the notice, and to execute such



works and do such things as may be necessary for that purpose; provided that, where the nuisance or unhealthy condition arises for want or defective construction of any structural convenience, or where there is no occupier of the premises, notice under this section shall be served on the owner.

43. In case of the non-performance, within the time fixed by the notice prescribed by the next preceding section, of the necessary works to abate a nuisance or to remove any unhealthy condition, the health officer or inspector, as the case may be, may cause such works to be performed at the expense of the person to whom the notice was given.

44. If the health officer or inspector is of the opinion that a nuisance or unhealthy condition in the municipality is not due to the acts or omissions of the owner, such nuisance or unhealthy condition may be abated at the expense of the municipality.

45. Where, under the provisions of this Act or of any municipal by-law, the health officer or the inspector removes any dirt, filth, refuse, debris or other thing which is likely to endanger the public health or to become or cause a nuisance, such dirt, filth, refuse or other thing shall be subject to the disposition of the health officer or inspector, and the owner of such thing shall have no claim in respect thereof.

46. Whenever it comes to the knowledge of the board that the condition of any building or premises is injurious to the public health or dangerous to the health of the occupants or of the public, the health officer or inspector having jurisdiction in the locality shall make a thorough examination of the building or premises, and upon receiving such report the board shall give instructions and directions as to remedying such condi-



tion; and, if such instructions and directions be not carried out within the time limited for the doing or performance of the same, the board shall cause such building or premises to be put in good sanitary condition at the costs of the person responsible for or causing such unhealthy or dangerous condition.

47. If on investigation by any health officer or inspector any nuisance or thing prejudicial to the public health is found to exist in a municipality in which such officers have jurisdiction, and if, after the health officer or inspector has required the removal or abatement of the same within a specified time, it is found that default in such removal or abatement has been made, and that the case seems one involving considerations of difficulty, owing to the fact that such removal or abatement involves the expenditure or loss of a considerable sum of money, or that any trade or industry would be seriously interfered with, or owing to other circumstances, the health officer or inspector may apply to the board to investigate and report upon the same, and it shall be the duty of the board to make a full investigation and report.

(2) If the report recommends the removal or abatement of the nuisance or thing, the board may apply to a judge of the Court of King's Bench for an order for such removal or abatement and to restrain the proprietors of any such industry from carrying on the same until the said nuisance shall have been abated to the satisfaction of the board; and the judge may issue such order upon the report of the board, should he deem it proper in the interest of the public health so to do.

48. No determination or order of the board, or of an inspector, or of a health officer, for the removal or



abatement of any nuisance shall be enforced except by the order of a judge of the Court of King's Bench, where such removal or abatement involves the loss or destruction of property of the value of two thousand dollars or upwards.

49. All expenses incurred by a health officer or inspector in abating a nuisance may be recovered by such health officer or inspector by proceedings brought summarily, under the provisions of part XV of "The Criminal Code," before a police magistrate or judge of the County Court of the judicial division within which such expenses were incurred or where the defendant, or one of the defendants, resides or carries on business at the time the proceedings are instituted, or by action by the health officer or inspector, from the persons whose act caused such nuisance or unhealthy condition.

50. Municipal corporations may be prosecuted by indictment for a violation of any of the provisions of this Act relating to nuisances, and in every case of conviction under any of such provisions the court shall order that the nuisance described in the indictment be abated or removed within a time fixed, and if it is of a recurring character that such nuisance shall be kept abated.

51. If a person is convicted of a violation of any provision of this Act relating to nuisances and fails, neglects or refuses to abate the nuisance complained of, as ordered by the court, or, if the nuisance is of a recurring character, fails, neglects or refuses to keep it abated, proceedings in contempt of court may be instituted against him and all others assisting in or conniving at the violation of such order, and the court may direct the sheriff to execute the order of abatement at the cost and expense of the person convicted.



52. The continuance of a nuisance for five days after the prosecution thereof is commenced shall constitute a separate offence.

### Offensive Trades

53. No person shall establish in any municipality, without the consent of the municipal council thereof, any offensive trade, that is to say, the trade of blood boiling, bone crushing or boiling, shell burning, refining coal oil, extracting oil from fish, curing or storing of hides, soap boiling, laundrying, tallow melting or tripe boiling, slaughtering of animals, the manufacture of gas, lime making, horse skinning, cow skinning, glue making from any part of dead animals, gut cleaning, fat rendering, boiling of fish, swill or offal, treating, drying or storing of blood, scrap, fat, grease, or offensive animal or vegetable matter, manufacturing material for manure or fertilizing purposes, or any other noxious or offensive trade, business or manufacture, or such as may become offensive, under a penalty not exceeding two hundred and fifty dollars in respect of the establishment thereof, and to a further penalty not exceeding ten dollars for every day on which, after notice in writing by the health officer or inspector to desist, the trade or business is continued.

54. No person or persons, firm or corporation shall erect, establish or maintain in a municipality any manufactory or place of business for boiling any varnish or oil, or for the distilling of any ardent or alcoholic spirits, or for making lampblack, turpentine or tar, or for the treating and refining of ores, metals or alloys of metals with acid or heat, or for conducting any other business that will or does generate any offensive or deleterious gas, vapour, deposit or exhalation, without the authority of the municipal council having jurisdiction in the premises.



55. No building shall be erected or converted or used for the carrying on of any business that may be noxious or offensive until the plans thereof have been duly submitted to the council of the municipality having jurisdiction in the premises and approved in writing by said council.

56. No person shall erect, continue to use or maintain a building, structure or place for the exercise of a trade, employment or business, or for the keeping or feeding of animals, which, by occasioning noxious exhalations or offensive smells, becomes injurious to the comfort or health of individuals, or of the public or causes or suffer offal, filth or other objectionable substances to be collected or remain in any place to the damage or detriment of others or of the public.

57. No soap boiler, tallow chandler, butcher, candle or oil maker, or other person, shall keep or use, or cause to be kept or used, any stale, putrid or stinking fat, grease or meat, nor shall any person keep for more than twenty-four hours any undressed hides, except at the place where the same are to be manufactured.

58. No owner or occupant of any grocery, cellar, tallow chandlery, shop, soap factory, slaughter house, tannery, brewery, distillery, pork or beef packing house, stable or barn shall suffer the same to become foul, nauseous or offensive.

59. No distiller, tanner, brewer, soap boiler, tallow chandler, butcher, meat packer, dyer, livery stable keeper or other person shall discharge out of or permit to flow from a still house, tannery, brewery, manufactory, shop, slaughter house, packing house, stable or other place any foul or other nauseous liquids, slops, or substances whatever, into any private ground, street or public ground.



## Rendering of Tallow and Lard

60. No fat, tallow or lard shall be melted or rendered except when in a condition free from sourness and taint and all other causes of offence at the time of rendering.

61. All melting and rendering must be done in such a manner that the gases and odors therefrom shall be destroyed by combustion or other means equally effective, and according to the best and most improved means and processes; and everything preceding, following and in connection with such melting and rendering, and the premises where the same shall be conducted, must be free from all offensive odor and other causes of detriment to the public health.

## Pollution of Water Sources

62. No person shall put a dead animal, carcase or part thereof or other putrid nauseous or offensive substance into or within one hundred and fifty yards of any spring, well or running water, or a reservoir of a system of waterworks, of which use is or may be made for domestic purposes.

63. No sewage, domestic or factory refuse, excremental or other polluting matter of any kind whatsoever, which, either by itself or in connection with other matter, corrupts or impairs, or may corrupt or impair, the quality of the water of any source of public water supply for domestic use in any municipality, or which renders, or may render, such water injurious to health, shall be placed or discharged into the waters or placed or deposited upon the ice of any such source of water supply, nor shall any such material or materials be placed or suffered to remain upon the bank or shore of any such source of water supply, or within such distance thereof as may be considered unsafe by the health officer or inspector or by the board.



64. No person shall deposit or cause to be deposited any stable or barn manure, or any night soil, or any other filthy or impure matter, upon or along the bank of any river or running stream within fifty feet of ordinary high water mark or of any house, barn or other building situated on either side of such river or running stream, or cast or throw into the waters or in the bed or on or under the ice of any such river or running stream any such material or materials.

65. No person shall soil or contaminate in any manner whatever the water of a well, spring, stream, lake, pond, river or reservoir, used for drinking by men or animals, or contaminate the intake of any aqueduct, whether such intake be frozen or not, or deposit in or near such intake or upon the ice thereof the carcasses of any dead animals or any other matter injurious to health.

#### **Care of Premises—Offal—Rubbish, Etc.**

66. No person shall by himself or another person put or deposit the carcass of a dead animal or the offal from a slaughter house, butcher's establishment, packing house or fish house, or spoiled meat, any animal or vegetable substance, fish, shells, shavings, dirt, rubbish, excrement, filth, ordure, manure, slops, unclean or nauseous water, hay straw, paper, ashes, cinders, soot, offal, garbage, swill or other putrid substance, or the contents of a privy vault, upon or into a lake, river, creek, pond, road, street, alley, lot, field, ditch, meadow, public ground, space or common, or, being the owner or occupant of such place, knowingly permit such thing to remain therein to the annoyance of any person, or neglect to remove or abate the nuisance occasioned thereby within twenty-four hours after knowledge of the existence thereof, or after notice in writing from the health officer or inspector having jurisdiction in the



locality; provided, however, that the provisions of this section shall not prohibit the deposit of any such things in trenches or pits not less than three feet deep, excavated in a lot, field or meadow, the owner thereof consenting, outside the limits of any city or town and not less than thirty rods distant from a dwelling, well or spring of water, lake, bay, pond, creek or stream of water, public road or highway, when such contents so deposited are forthwith covered with at least twelve inches of dry earth, or the deposit of such contents in furrows to be forthwith covered with dry earth by ploughing or otherwise and with the consent of the owner or occupant of the land in which such furrows are ploughed.

67. Whenever there shall be on any land in a municipality, or in any excavation or cellar, stagnant or putrid water, or any offensive, infected or putrid matter, or wherever the said land, cellar or excavation shall be offensive or dangerous to public or private health, it shall be the duty as well of the occupant as of the owner of said land, excavation or cellar, or of the agent of the owner thereof, or of any person having or assuming to have charge thereof, to fill up, level or drain the same, as the case may be, or to remove the offensive, infected or putrid matter therein or thereon, without the necessity of a notice to that effect; and any such owner, agent, occupant or person having or assuming to have charge of said lot, excavation or cellar who shall neglect, after becoming aware of the existence thereof, to remove and abate such nuisance shall be guilty of a violation of this Act for each and every day of delay in draining, filling up or levelling the said excavation, lot or cellar, or in removing the said offensive, infected or putrid matter.

68. No person shall keep or store rags, bones or other



refuse in any building used as a dwelling or upon any premises within a municipality, unless the same are kept or stored in a suitable building approved of either by the health officer or inspector.

69. No person shall allow or permit the deposit or accumulation of any manure, offal, garbage or any other offensive or nauseous substance upon his property, or the property occupied by him, so as to be offensive to any neighboring family or person or to become injurious or detrimental to the public health.

70. It shall be unlawful and a nuisance for any person to throw, discharge or deposit on any road, street, square, lane or alley, or other public place, or on the property of another person, any garbage, meats, slops, animal matter, dead animals, suds, vegetables, filth, night soil, stable drippings, offal of any kind, or other offensive material.

71. No pile or deposit of manure, offal, garbage or other offensive material shall be allowed to accumulate within the limits of a municipality, but all such substances must be removed when ordered by the health officer or inspector to such places as may be designated by the municipal council in that behalf.

72. If the owner, agent or occupants of any land or premises shall keep the same in such bad filthy condition as to be offensive and a nuisance to the neighborhood, or to any person or family, such owner, agent or occupant shall be guilty of a violation of this Act and subject to the penalty therefor provided, for every day such nuisance shall continue.

### Smoke Nuisance

73. It shall be unlawful and a nuisance for the



owners, lessees, tenants or managers of every manufactory, heating plant, blacksmith or other shop, forge, foundry or other business to allow smoke, dust, gas or offensive odor to escape from such building, place or premises to the detriment and annoyance of others.

74. The owners and persons in charge or control of manufactories, stationary engines or boilers shall install and provide such chimneys or other apparatus as shall consume the smoke thereof or prevent the same from fouling the atmosphere or being carried by the wind or otherwise to other shops, houses or premises to the inconvenience or injury of the citizens.

75. The emission of dense black or grey smoke from any chimney or smoke stack used in connection with any manufactory, stationary engine or boiler, in any apartment house, office building, hotel, theatre, place of public entertainment, school building, institution, or any other structure, or in any other building used as a factory or for any purpose of trade or for any other purpose whatever, shall be deemed and is hereby declared to be a public nuisance.

76. The owner, tenant, lessee and occupant of any building or structure of any description, from the smoke stack or chimney of which there shall issue or be emitted smoke fouling the atmosphere or carried by the wind to other shops, houses or premises to the inconvenience or injury of persons, and the engineer or fireman having charge of or operating any stationary engine or boiler in any such building or structure, from the chimney connected with which there shall issue or be emitted such smoke as aforesaid, shall be deemed and held to be guilty of creating a public nuisance and of violating the provisions of this Act.



# CONSTRUCTION, VENTILATION AND SANITATION OF BUILDINGS AND RAILWAY CARS

## Site—Cellars—Drainage

77. No house shall be built in or upon any site, the soil of which has been made up of any refuse, unless such soil shall have been removed from such site, and the site disinfected, or unless the said soil shall have been covered with a layer of charcoal, covered by a layer of concrete at least six inches thick or thicker if requisite under the circumstances to prevent the escape of gas.

78. Any cellar, basement, or part thereof, or any house or building, which is found to be damp or moist by reason of leaking or defective hydrants, water pipes, sewer pipes, cisterns or wells, gutters, drains, rain spouts or seepage from the surrounding earth, or from a deposit of any kind or nature, or from any cause whatever, shall be deemed a nuisance, and such cellars or basements, according to this section, shall be coated on the walls and bottom with cement or other waterproof material as determined by and at the discretion of the health officer.

79. Any cellar not constructed as hereinafter by this section provided or in which the sewer, plumbing or water pipes freeze or are found to be frozen shall be deemed a nuisance.

(2) All cellars where possible shall be adequately constructed with walls of brick, stone or concrete and floors of concrete graded to a properly constructed catch basin of brick or cement; said catch basin shall be connected to a sewer wherever practicable, and adequate weeping drains shall be provided and so con-



structed as to flow into the catch basin. Where sewer connection is not practicable provision shall be made to prevent water accumulating in the cellar or basement to the injury of the foundations or to the occupancy of the building.

(3) All cellars shall be adequately lighted with natural light by means of windows of a size not less than one-twentieth of the floor space of the cellar, and so arranged as to open to the outside air.

(4) Every cellar shall be constructed in a workman-like manner and shall be rendered frost proof in order to protect any sewer, plumbing or water pipes which are or may be installed therein from freezing.

80. Any house or building, the sewers or drains of which are choked, defective, leaking or frozenn, or in which any of the plumbing, pipes, water pipes, plumbing fixtures or catch basins are choked, defective, leaking, foul, frozen, or not properly ventilated, shall be deemed a nuisance.

81. It shall be unlawful and a nuisance for any person to construct or maintain, upon any lot or parcel of land fronting upon any street in which a public sewer is laid, any privy or cess pool, or any other receptacle into which empties from any privy, water closet, sink, stable, cow shed, pigsty or any other place, the contents of a drainage which are offensive or dangerous to the public health.

(2) Every dwelling house, hotel, lodging house, factory, place of amusement or entertainment, or other place where a number of people congregate, built or maintained upon any lot or parcel of land fronting upon a street, in which a public sewer is laid, shall have water closets having a proper and adequate connection with such sewer, and the best general approved construc-



tion, and provided with apparatus for preventing gases and other offensive currents, substances and smells from passing up or out through such connection from such sewer or passage, nor shall any such water closet or privy be constructed without adequate provisions for the effectual and proper ventilation and cleansing thereof.

(3) Every such house not on a street, in which a public sewer is laid must be furnished with a suitable privy or suitable privies, constructed in such manner and of such material as shall be ordered by the health officer or inspector, and every such privy shall at all times be kept in a clean and sanitary condition, and shall be emptied of its contents as often as may be ordered by the health officer or inspector.

82. No person shall suffer or permit any cellar, vault, private drain, cesspool, privy or sewer upon any premises belonging to or occupied by such person to become nauseous, offensive or injurious to the public health.

### Privies

83. The construction and erection of what are commonly known as the hole-in-the-ground privy and the box-closet are prohibited, as being a nuisance and detrimental to the public health, and hereafter in all municipalities where no system of sewage exists, or if existing, no connection with a sewer is possible, all outside closet accommodation shall be provided (unless otherwise determined by the board) by the construction of properly built privies or closets of concrete or brick pits lined with cement, so as to be perfectly watertight, and such pits shall further comply with the following specifications:—

(a) They shall be at least four feet long, three feet wide and four and a half feet deep;



(b) They shall be lined with brick laid in cement with a floor of cement at least six inches in thickness, so as to be impervious to water; the walls shall be carried at least six inches above the level of the lot;

(c) Every privy or closet constructed shall be built in a substantial and workmanlike manner and kept in good repair; there shall be a ventilator carried from the pit up through the roof; the holes in seat shall be provided with a hinged lid; there shall be a urine guide underneath the seat for the purpose of deflecting the urine into the pit beneath;

(d) The closet shall be placed over the pit in such a manner as to cover only one and a half feet of it, leaving at least one and a half feet exposed in rear of the closet; the exposed part shall have a tightly fitting door attached with six-inch strap hinges laid at an angle of forty-five degrees so that the pit may be cleaned from the rear of the closet;

(e) No closet shall be placed nearer than four feet to any lane.

(2) The board may, in order to meet exigencies in certain cases, by order or regulation, permit privies to be erected and maintained in such other manner as may be determined by the board.

84. All privies with vaults or pits, any part of the contents of which are above the surface of the earth (except those constructed under orders or regulations of the board), and all other privies that are foul, emitting smells and odors prejudicial to the public health, are hereby declared nuisances, and the health officer or inspector shall have power to abate the same.

85. Whenever any privy nuisance shall be found on any premises within any municipality contrary to this



Act, the health officer is hereby authorized in his discretion to cause the same to be summarily abated in such manner as he may direct.

86. If the municipal council so provide by by-law, no pit closet shall be connected with any inhabited building by any enclosed covered way or roof continuation. Any pit closets so constructed are hereby declared to be a nuisance.

87. Whenever any pit closet becomes offensive or the said pit is within two feet of being full, the owner, agent or occupant of the premises on which said closet is situated, or to which it is attached or belongs, shall cause the same to be cleaned and disinfected.

88. It shall constitute and is hereby declared a nuisance for any person to erect or maintain any pit closet nearer than twenty feet to any street, dwelling, shop or well, or nearer than four feet to any lane or public ground or to the land of any adjoining owner.

89. Every pit closet shall be erected and placed in rear of the premises for which it is to be used, and constructed in such a manner and in such a position as to afford ready means of access to such closet for the purposes of cleaning and disinfecting the same and removing filth therefrom, and to admit of all filth being removed from such closet without being carried through any dwelling house or public building or any other building in which any person may be or may be intended to be employed in any manufacture, trade or business.

90. All pit closets that do not conform with the provisions of this Act governing pit closets are hereby declared to be nuisance.



91. Every owner or occupier of any privy already built shall erect, place, make and maintain the same in all respects conformable to the provisions aforesaid whenever he may be required so to do by notice in writing signed by the health officer or inspector, giving the particulars of the changes, alterations or additions required to be made and, if the owner or occupant so notified as aforesaid make default in complying with any such notice, he shall be liable to the penalties hereinafter prescribed.

### **Lodging Houses and Dwellings**

92. Health officers shall have supervision of all lodging houses, boarding houses, taverns, inns and hotels, to see that such places are in good sanitary condition and that the provisions hereinafter mentioned are duly and properly observed by the landlords, proprietors, keepers, managers and clerks of such lodging houses, boarding houses, taverns, inns and hotels.

93. No landlord, proprietor, keeper, manager, clerk of any lodging house, boarding house, tavern, inn or hotel shall permit any room in such lodging house, boarding house, tavern, inn or hotel to be used or occupied for sleeping purposes which does not contain four hundred cubic feet or more of air space for each person sleeping therein at the same time; and, in every room in any lodging house, boarding house, tavern, inn or hotel containing more than one bed, the beds shall be so arranged as to leave a passage-way of not less than two feet horizontally on all sides of each bed; and all beds shall be so arranged that under each of them the air shall freely circulate and there shall be adequate ventilation.

94. Every house owner is forbidden to lease the same lodging to more than one family, unless the cubic space



of all the rooms of such lodging, taken collectively, be sufficient to allow each individual occupant at least four hundred cubic feet of space and the floor space be thirty-two square feet for each occupant. In calculating the four hundred feet above prescribed, account shall not be taken of the cubic space of rooms having no windows.

95. At least four hundred cubic feet of air space for each adult and five hundred cubic feet for each child under twelve years of age shall be required for each inhabitant in the sleeping rooms of any building occupied as a hotel, lodging house, public institution or dwelling house. In computing the cubic air space of any such building, only the rooms actually used as sleeping rooms shall be measured. Not more than one adult or more than two children under twelve years of age for each full four hundred cubic feet of air space in such rooms shall be allowed to occupy any such building or room.

96. No owner agent or occupant shall occupy, or permit a greater number of occupants than as above specified, to occupy any building or room of which he is the owner, agent or occupant.

97. The health officer or any person authorized by him shall be allowed access to any building occupied as a dwelling place at any hour of the day or night for the purpose of ascertaining whether or not any overcrowding exists on said premises.

98. Every tenant is forbidden to sub-let a portion of his lodging unless the cubic space of all the rooms be sufficient to allow each individual occupant of the lodging at least four hundred cubic feet of space and the floor space be thirty-two square feet for each occupant. In calculating the four hundred feet above prescribed, ac-



count shall not be taken of the cubic space of rooms having no windows.

99. No person shall erect or occupy a dwelling house in which any room intended to be occupied is not provided with a window opening directly into the external air, either into a street or public square, or into a yard or other vacant space. The glass area of any such window shall never be less than one-tenth of the area of the floor of the room.

100. In dwellings for night occupation, only such number of persons shall be admitted as will allow of each occupant of a ward or room having at least four hundred cubic feet of space.

101. No building shall be occupied as a dwelling which has not double sash windows capable of being opened at top and bottom on at least two sides of such dwelling.

102. Cellars shall not be used for either day or night occupation. For the purpose of this section a cellar is any basement of any house or building whatsoever, more than one-half of the height of which under the ceiling is beneath the surface of the ground around the building, and whose light area is not equal to one-tenth the surface of the floor.

### **Rights and Duties of Health Officers as to Buildings**

103. If a health officer, upon due examination, made by him or by any person authorized by him, is satisfied that a cellar, room, tenement or building, occupied as a dwelling place, office, store, shop, restaurant, dairy, laundry, factory or workshop, school or other purpose, is, by reason of the number of the occupants, want of cleanliness, the existence therein of contagious or infectious disease, lack of sewer or water connections or



plumbing, lack of adequate ventilation, defective drainage or plumbing, lack of sufficient natural light or other cause, unfit for such purpose, or that it is a nuisance or in any way dangerous to the health of the occupants, or of the public, he may issue a notice addressed to the owner of such premises or the agents, or the person in charge of such premises, or any of them, requiring the premises to be put in proper sanitary condition, or, if he sees fit, requiring the occupants to quit the premises within such time as he may deem reasonable.

(2) If the persons so notified, or any of them, refuse or neglect to comply with the terms of the notice, every person so offending shall be liable to a fine not exceeding twenty-five dollars, and in default to a term of imprisonment not exceeding thirty days; and the health officer may cause the premises to be properly cleaned, make sewer or water connections, install plumbing or effect such alterations as may be necessary to put the premises in sanitary condition, at the expense of the owner or occupants, or may remove the occupants forcibly and close up the premises, and, if so closed up, the same shall not be re-occupied until put in proper sanitary condition.

(3) A certificate, signed by the said health officer, showing the amount of any and all costs, charges and expenses incurred by the health officer or any of his agents, assistants or employees in making the premises sanitary, or in removing anything on such premises deemed a nuisance, making sewer or water connections, installing plumbing, effecting alterations, or in removing the occupants thereof, shall be filed with the clerk of the municipality, who shall enter or cause to be entered the amount shown in such certificate in the roll against the property affected, and the same shall thereupon



become taxes and be collected in the same way that other taxes are collected.

104. If the owner, agent or occupant of any cellar, room, tenement or building, or any part thereof, used as a dwelling place, office, store, shop, restaurant, laundry, dairy, factory or workshop, school or other purpose, refuses or neglects to comply with the notices of the said health officer, requiring him to put a cellar, room, tenement, building, or part thereof, in a sanitary condition, or to install plumbing therein, the said health officer may, either before or after the occupants have left the place, affix to the said building placards declaring the same unfit for occupation and forbidding the use of the same. Such placards shall not be removed without the permission of the health officer, and any person defacing or removing them without his permission shall be guilty of a violation of this Act.

(2) After the condemnation thereof by the health officer as aforesaid, any owner, agent or person renting or allowing to be occupied, or any person occupying, such cellar, room, tenement or building, or any portion thereof, without the permission of the said health officer, shall be liable to a penalty of not less than ten dollars per day for each day the same is rented or allowed to be occupied.

105. Any building which, because of age, infection with infectious or contagious diseases, defects in drainage, plumbing or ventilation, or because of the existence on the premises of anything which is likely to cause sickness among its occupants or among the occupants of other property in the vicinity, or because it makes other buildings in said vicinity unfit for human habitation or dangerous or injurious to health, or because it prevents proper measures from being carried into effect



for remedying any nuisance injurious to health, is so unfit for human habitation that the evils in or caused by the condition of said building cannot be remedied by repairs or in any other way except by the destruction of said building, or of any portion of the same, then, in such case, such building or such portion thereof may be destroyed by order of the health officer, and the damage, if any, sustained by the owner shall if necessary be determined by arbitration, as provided for in their charters in the case of cities and by "The Municipal Act" in the case of other municipalities.

106. The health officer or any person or persons authorized by him may examine any of the following works, that is to say, any water closet, earth closet, privy, ash pit or cesspool, and any water supply, sink, trap, syphon, pipe or other works or apparatus connected therewith, upon any premises within the municipality, and for this purpose or for the purpose of ascertaining the course of a drain, and may at all reasonable times by day, after twenty-four hours' notice has been served on the occupier of the premises, or, if they are unoccupied, or the owner or agent or person in charge thereof, or in case of emergency without notice, enter on any premises and cause the ground to be opened in any place they think fit, doing as little damage as may be.

(2) If any such work as aforesaid is found on examination to be in accordance with this Act and the by-laws of the municipality and directions of the health officer given in any notice thereunder, the municipality shall cause the same to be re-instated and made good as soon as may be, and shall defray the expenses of examination, re-instating and making good, and pay full compensation for all damages or injuries done or occasioned by the examination; but if, on examination, any



such work is found not to be in proper order or condition, or not to have been made or provided by any person according to the said by-laws and directions, or to be contrary to this Act, the health officer aforesaid shall place such works or any of them in proper order and condition and in accordance with the by-laws relating to the same, and the expense of so doing shall be repaid to the municipality by the person offending, and may be recovered by the municipality in a summary manner or may be charged against the property as taxes.

### **Sanitation of Railway Cars**

107. It shall be the duty of all railway companies to see that every passenger coach is kept at a uniform temperature, not less than sixty nor more than seventy degrees, and that provision for ventilation shall be constantly in use to provide a sufficient amount of fresh air for the passengers.

108. Every passenger coach shall be provided with a supply of good wholesome drinking water. When ice is used to cool the water it shall be kept in a separate receptacle. These tanks shall be thoroughly cleaned at the terminus of every trip and shall be kept constantly covered.

109. All toilet rooms, water closets, urinals, and toilet appliances in railway coaches and depots shall be scrubbed with soap and hot water and disinfected with an approved disinfectant each day. All closets (outhouses) at railway stations shall be kept clean and in good repair to be suitable at all times for the use of the travelling public. The vaults shall receive a daily treatment of fresh lime or other approved disinfectant, and the contents shall be removed at least once each month.



110. Every passenger coach while in regular use shall be thoroughly cleaned and disinfected at least once each month. If a car becomes infected by being occupied by a person having a dangerous communicable disease, it shall not again be opened for the reception of other passengers than those already in it; and at the end of the trip it shall be disinfected before it is again used for passenger traffic. In cases of public exposure of this kind on railway trains, it shall be the duty of all railway authorities to report the facts to the board, giving the names and destination of each exposed passenger that occupied the same car as the infected person.

111. No person shall expectorate upon the floor, platform or the interior furnishings of a steam railroad, passenger or street railway car, or upon the floor, furnishings, registers or radiators or platform of any passenger station or public waiting room.

## MUNICIPAL WATER SUPPLY AND SEWERS

### Sewer Systems

112. When the construction, alteration or extension of any trunk sewer or of any system of public sewerage is contemplated by the council of any municipality or by any person or body corporate, such council, person or body corporate shall submit to the board full and complete plans and specifications in connection with such construction, alteration or extension and in connection with the purification and disposal of the sewage.

(2) No common sewer or system of sewerage shall be established or continued unless there is maintained in connection therewith a system of sewage purification and disposal which removes and avoids any menace to the public health, and the board may require any council, person or body corporate to furnish full informa-



tion and data in relation to such matters as the board may deem necessary; provided that, with regard to systems in operation on the twenty-fourth day of March, 1911, the board may dispense with the requirements hereof for a sufficient time in its opinion to permit of compliance therewith..

(3) It shall not be lawful for any such council, person or body corporate to construct, alter, extend or operate any common sewer or system of sewerage or sewage disposal hereafter constructed without first obtaining from the board a certificate stating that the proposed construction, alteration, operation or extension may be carried out and the constructed or extended common sewer or system of sewerage or sewage disposal maintained and operated without injury or danger to the public health.

(4) If, in the opinion of the board, for the purpose of guarding against injury or danger to the public health, alterations or additions are necessary in any existing or proposed common sewer or system of sewerage, or in the plans or specifications for sewage disposal, or in both the plans and specifications submitted as aforesaid, the board shall notify the council of the municipality, person or body corporate, as the case may be, of the necessity of such alteration or additions and shall specify the same, and the aforesaid certificate shall not be granted until the alterations and additions specified in the said notice have been made and adopted.

(5) The board shall have power to authorize the construction, alteration or extension of common sewers or systems of sewerage, sewage purification and disposal works or waterworks by any municipality, in or through any other municipality, and may permit such other municipality to use such works or any of them, upon such terms and conditions, as to payment and other-



wise, as the board may fix and determine; and the board may from time to time direct one or more municipalities to join in the construction of joint works for the purposes aforesaid, or any of them, and may apportion the cost of construction, maintenance and extension thereof, and make any order or orders as to management, maintenance, operation or otherwise of such works as may be necessary to secure the proper construction, extension, maintenance and operation thereof. Subject to the provisions of section 122 each municipality affected shall conform to and obey any such order or orders.

### Water Supply

113. When the establishment of a system for the purpose of providing a water supply for public consumption is contemplated by the council of any municipality, or by any person or body corporate, it shall be the duty of such council, person or body corporate to submit to the board the plans and specifications of the proposed system of waterworks and an analysis of the water from the proposed source or sources of supply, verified by affidavit, stating that the plans and specifications so submitted are those to be used and followed in the construction of such proposed system, that the particulars set forth in such analysis are true and that the water analyzed was taken from the proposed source or sources.

(2) It shall not be lawful to construct, establish or operate any such system of waterworks as aforesaid without first obtaining from the board a certificate certifying that the plans, specifications and analysis so submitted and the proposed source or sources have been considered and approved by them and that the proposed system or extension may with safety to the public health be constructed, carried out and operated.

(3) If in the opinion of the board alterations are



necessary in the plans or in the specifications of such proposed system, the board shall notify the municipality, person or body corporate of the necessity of such alterations, and shall specify the same; and the certificate shall not be granted until such alterations have been made.

114. Whenever complaint is made to the board that any municipality is discharging, or permitting to be discharged, sewage or other waste into any river, stream, water-course, coulee, lake or pond, and is thereby creating a public nuisance detrimental to the public health, or is polluting the source of any public water supply, the board shall forthwith inquire into and investigate the conditions complained of.

115. If the board finds that the source of public water supply of a municipality or a community thereof is subject to contamination or has been rendered impure from the discharge of sewage or other wastes, or in any other manner, by a municipality, corporation or person, or that the sewage or other wastes have so corrupted a stream, water course, lake or pond as to give rise to foul and noxious odors, or to conditions detrimental to the health or comfort of those residing in the vicinity thereof, it shall notify such municipality, corporation or person causing such contamination or pollution of its finding and give an opportunity to be heard.

116. After such hearing, if the board determine that improvements or changes are necessary and should be made, it shall notify such municipality, corporation or person to install works or means satisfactory to the board for purifying or otherwise disposing of such sewage or other wastes, or to change or enlarge existing works in a manner satisfactory to the board. Such works or means must be completed and put in operation within a time fixed by the board.



117. Whenever ten per cent. of the electors of a municipality file with the board a complaint in writing setting forth that it is believed that the public water supply of such municipality is impure and dangerous to health, the board shall forthwith inquire into and investigate the conditions complained of.

118. If the board finds that the public water supply of a municipality is impure and dangerous to health and that it is not practicable to sufficiently improve the character of such supply by removing the source or sources of pollution affecting it, or if the board finds that such water supply is being rendered impure by reason of improper construction or inadequate size of existing water purification works, it shall notify such municipality, corporation or person owning or operating such water supply of its findings and give them an opportunity to be heard.

119. After such hearing, if the board determines that improvements or changes are necessary and should be made, it shall notify such municipality, corporation or person owning or operating such water supply to change the source of supply or to install and place in operation water purification works or devices satisfactory to the board, or to change or enlarge existing water purification works in a manner satisfactory to the board, within a time to be fixed by the board.

120. When the board finds, upon investigation, that any water or sewage purification works, on account of incompetent supervision or inefficient operation are not producing an effluent as pure as might reasonably be obtained from such plant and by reason of which any public water supply has become dangerous to health, or any stream or body of water has become offensively polluted or has become a public nuisance,



the board shall issue an order to the officer, board or department of the municipality, corporation or person having charge of or owning such plant, to secure an effluent as pure as might be reasonably expected from such plant and satisfactory to the board.

121. If such officer, board or department of such municipality, corporation or person fails for a period of five days after receiving such order to secure such effluent, the board may order such officer, board or department, or owner of such plant, to appoint within ten days and pay the salary of a competent person, to be approved by the board, to take charge of and operate such works so as to secure results demanded by the board.

### **Enforcing Directions of Board**

122. If any order of the board made in pursuance of the provisions of this Act relating to public water supply or sewage purification is not acceptable to any municipality, corporation or owner affected thereby, such municipality, corporation or owner shall have the right of appeal as follows: The necessity and reasonableness of such order may be submitted to two reputable and experienced sanitary engineers, one to be chosen by such municipality, corporation or owner, and the other by the board, who shall not be a member thereof. Such examiners shall act as referees. If the engineers so chosen are unable to agree, they shall choose a third engineer of like standing, and the decision of the majority shall be final.

123. Such referee-engineers may affirm, modify or reject the order of the board submitted to them, and their decision, which shall be in writing, shall be rendered within a reasonable time, and shall, if accepted by the board and approved by the Lieutenant-Governor-



in-Council, be enforced by the board in the manner herein provided. The fees and expenses of the referee-engineers shall be borne and paid equally between the municipality, corporation or owner requesting such reference and the board.

### **Raising Funds for Works**

124. Each municipal council having jurisdiction to provide for the raising of revenue by tax levies, sale of bonds or otherwise shall take all steps necessary to secure the funds for any such purpose or purposes. When so secured, or the bonds thereof have been authorized by the proper municipal authority, such funds shall be considered as in the treasury and appropriated for such particular purposes, and shall not be used for any other purpose. The bonds authorized to be issued for such purpose shall not exceed five per cent. of the total value of all the real property in the municipality shown on the last revised assessment roll thereof to be subject to taxation, and may be in addition to the total bonded indebtedness otherwise permitted by law. The question of the issuance of such bonds shall not be required to be submitted to a vote of the qualified electors of such municipality.

125. No by-law providing for the raising of money for the construction, operation or extension of any system of waterworks or common sewers or system of sewerage or sewage disposal, requiring the consent of the electors, shall be submitted to the votes of the electors by the council of any municipality until the consent of the board to the proposed construction, operation or extension has been first obtained under the provisions of this Act, and the preamble to every such by-law shall declare that such consent has been duly obtained.



## Penalties

126. If a council, department or officer of a municipality or person or private corporation fails or refuses, for a period of thirty days after notice given him or them by the board of its findings, to perform any act or acts required of him or them by the board relating to public water supply, the members of such council or department, or such officer or officers, person or private corporation, shall be personally liable for such default and shall forfeit and pay to the board five hundred dollars, to be deposited with the secretary of the board. The board may, however, upon good cause shown, in their discretion, remit such penalty or any part thereof.

(2) Such penalty may be recovered by an action brought in the name of the board in any court of competent jurisdiction.

## FOOD

### General Provisions—Inspection—Penalties

127. No person shall sell, offer or expose for sale food or drink which is injured, tainted or spoiled, the flesh of animals which have died of sickness or have been killed while in ill-health, or of calves killed before they are at least three weeks old, of swine before they are at least five weeks old, and of lambs killed before they are at least eight weeks old, or of a less weight in any such cases than forty-five pounds dressed without the head, feet and hide of such animals; adulterated milk or milk of cows affected with tuberculosis or any other disease; nor shall any meagre, sickly or unwholesome fish, birds or fowl be held, sold or offered for sale for human food.

128. Every health officer, or any other person delegated by him for that purpose, or an inspector, may



inspect all animals, dead or alive, meat, fowl, game, fish, fruit, vegetables, grease, bread flour, milk or other food solid or liquid, intended for human consumption and offered for sale or deposited in a place for transport for the purpose of being afterwards sold or offered for sale or delivered after being sold; and if upon inspection such animals, liquids or food are found unwholesome, putrid, damaged or infected with the germs of disease, or otherwise injurious to health, may seize, confiscate and destroy the same.

129. The owners, occupiers, proprietors or managers, or persons in charge or control of any factory, warehouse abattoir, packing house, hotel, restaurant, boarding house, market, meat shop, grocery, confectionery, bakery or other shop or place where meat, fish, flesh, fowl, game, fruit, vegetables, bread, biscuit, cracker, pretzel, pie, cake, flour, meal, cereals, confectionery, candy, pop corn, ice cream, ice cream cones, groceries, pickles, jams, butter, milk, cream or other kinds of food, provisions or merchandise of any nature or kind whatsoever intended for food for man, is manufactured or made or stored, prepared or kept for sale, offered for sale or sold, either by wholesale or retail, shall keep such premises and all parts thereof and all machinery, plant, implements of trade, cupboards, shelves, receptacles, refrigerators, ice boxes, tools and appliances therein and all the contents of such premises in all particulars in a clean, satisfactory, proper and fit condition.

(2) The condition of all such premises and all the plant, machinery, implements of trade, cupboards, shelves, receptacles, refrigerators, ice boxes, tools and appliances therein, and all the contents of such premises shall be subject at all times to the inspection



and orders of any health officer or person acting on his authority, or any inspector.

(3) The provisions of this section shall apply to and govern the sale of any or all kinds of food in hawkers' wagons.

130. All such premises shall be provided with adequate light and ventilation; from the first day of May to the first day of November all doors leading to the outside and all windows thereof shall be provided with screens so as to exclude flies; no part of any such premises in which any such food is kept or placed shall be used for a living, washing or sleeping room; no bedroom or water closet apartment shall open directly into any such part where food is kept. All walls shall be of smooth, durable, impervious substance so as to be easily cleaned; floors, shall be smooth and well fitting without crevices to harbor dirt; all woodwork shall be painted, varnished or oil finished, and the same shall be renovated as often as the health officer may direct, and plaster walls shall be limewashed twice each year in the months of May and November. There shall be provided for the use of employees adequate water closets and wash basins; if both male and female employees are employed separate sanitary conveniences shall be provided for each sex, and all water closet compartments shall be well ventilated and kept in a perfectly clean and sanitary condition at all times. If near any workroom or room where food is stored, such compartments shall not open directly into such room, but must be separate therefrom by an intervening room, space or passage ventilated into the outside air; all employees or other persons engaged and working in or about any such premises in the manufacturing, preparing, handling, care and sale of any food shall be at all times cleanly in their habits and mode of working and



in their persons, and shall be attired in overalls or smocks of washing material, the same to be changed as often as necessary; no person shall smoke in any such place where food is stored or kept, nor shall any person spit on the floors. Cuspidors shall be provided which shall be cleaned daily; such premises and all parts thereof and all machinery, plant, implements of trade, cupboards, shelves, refrigerators, ice boxes, tools and appliances therein and all the contents of such premises shall be at all times and in all particulars kept in a clean, satisfactory, proper and fit condition; and at least three hundred cubic feet of air space shall be provided for each employee. In the case of basements, where the floor is below the level of the street or surrounding ground, the health officer shall not approve such premises as suitable unless the same are well constructed, with proper drainage, adequate natural light and good ventilation. The walls of such basements shall be of brick, stone or concrete, and the floors of cement concrete at least six inches in thickness; in any part of such basement used for the manufacture or preparation of food the walls and floors shall be of smooth finish and there shall also be proper ceilings with smooth surface; if only a portion of the basement is to be used for preparing food, said portion shall be properly partitioned off from floor to ceiling from the rest of the basement, and, when light is received into such basement from one side only, such partitions shall have at least one-half their area of glass;; no water closet compartment shall be located in that portion of the basement used for preparing or storing food, and no coal coke, wood or ashes shall be stored, nor any furnace located, therein.

131. No meat, breadstuffs, cake, pastry, fruits, fish, candies, confectionery, or any other article whatever,



whether solid or liquid, and intended for the food of man shall be kept, sold or offered for sale outside of any store, shop or other building or in the open doorways or windows thereof, or in any street or public places, unless such articles of food shall be kept properly covered so that they shall be protected from dust, dirt and the contact of flies.

132. All meat, groceries, milk, cream and other articles of foodstuffs shall, in the course of being transported through streets, be protected by such covering as shall preserve them from dust, dirt, flies or other contamination; provided that in the case of bread the conveyance thereof shall be in closed vehicles used for that purpose only, and subsequent deliveries to families shall be made in baskets or other receptacles. All vehicles used for any such purposes shall have the name of the owner legibly painted thereon in a conspicuous place.

133. No person shall offer or expose for sale by retail, for human food, at any public market, store, shop or house, or in or about any street or other public place, any domestic or wild fowls, unless the crops of the same shall be intact and empty, or any slaughtered rabbits, unless the entrails and other offensive parts thereof are properly drawn and removed.

134. No manufacturer of foodstuffs of any nature or kind intended as food for man, and no owner or person in charge of any store, shop, bakery or other place in which meat, fish, flesh, fowl, game, fruit, vegetables, biscuits, crackers, pretzel, pies, cakes, bread, flour, meal, cereals, confectionery, candy, pop corn, ice cream, ice cream cones, groceries, pickles, jams, butter, milk, cream or other kind of food, provisions or merchandise is manufactured, prepared, stored, sold or offered for



sale, shall employ or continue in his employment, after being aware of the fact, any person who is affected with consumption of the lungs, or with any infectious disease, or with any venereal disease, or with any communicable skin affection, or continue in his employment without the permission of the health officer any person coming from an infected house or premises.

135. Any health officer and any person authorized by any health officer may, at all reasonable times, enter any premises and inspect any animal intended for the food of man, which is exposed for sale, or deposited in any place for the purpose of sale, or of preparation for sale, and any article, whether solid or liquid, intended for the food of man and sold, exposed for sale, or deposited in any place for the purpose of sale, or of preparation for sale

(2) The proof that the same was not sold, exposed or deposited for any such purpose, or was not intended for the food of man, shall rest with the party charged; and, if any such animal or article appears to such health officer or such other person to be diseased or unsound or unwholesome or unfit for food for man, he may seize and carry away the same, or cause it to be seized and carried away, in order that he may cause it to be destroyed or so disposed of as to prevent it from being exposed for sale or used as food for man.

(3) The person to whom any such animal or article, which has been seized or is liable to be seized under this section, belongs or did belong at the time of sale or exposure for sale or deposit for the purpose of sale or of preparation for sale, and the person in whose possession or on whose premises the same was found, shall be liable on summary conviction to a fine not exceeding one hundred dollars for every animal or



article, or, if the article consists of fruit, vegetables, grain, bread or flour, for every parcel so seized, or at the discretion of the convicting justice, without the infliction of a fine, to imprisonment for a term of not more than three months.

(4) When it is shown that any article liable to be seized under this section, and found in the possession of any person, was purchased by him from another person for the food of man, and when so purchased was in such condition as to be liable to be seized and condemned under this section, the person who sold the same shall be liable to the fine or imprisonment above mentioned, unless he proves that at the time he sold the animal or article he did not know and had no reason to believe that it was in such condition.

(5) When a person has in his possession any article which is unsound or unwholesome or unfit for food for man, he may, by written notice to the health officer of the municipality in which he resides, specifying such article and containing a sufficient identification of it, requests its removal, and the health officer so notified shall cause it to be removed, as if it were trade refuse, at the expense of the informant.

136. Any person who in any manner prevents any health officer, or other person authorized by the health officer or an inspector from entering any premises and inspecting any animal, carcase, meat, poultry, game, flesh, fish, fruit, vegetables, grain, bread, flour, butter, milk or other article of food or provisions exposed or deposited for the purposes of sale, or preparation for sale, and intended for food for man, or who obstructs or impedes any such officer or person when carrying into execution the provisions of this Act, shall be guilty of a violation of this Act.



137. Every butcher, grocer and other dealer and their agents shall allow the health officer, inspector or any person authorized by either of them to freely and fully inspect their cattle, meats, fish and vegetables and other articles intended for food for man, held offered or intended for sale, and answer all reasonable and proper questions asked by such person relative to the condition thereof, and of the places where such articles may be, and shall open, or cause to be opened, all locks, receptacles, refrigerators, cold storage chambers, ice boxes, or any place or thing, so as to give such health officer, inspector or authorized person every facility for inspecting and examining the contents of same

138. It shall be the duty of every person knowing of any fish, meat, fowls, birds, eggs, cheese, butter, vegetables, or fruit, or any article of human food whatever, being bought, sold, held or offered for sale as human food, which is not sound, healthy or wholesome for such food, to forthwith report such facts and the particulars relating thereto to the health officer.

139. No butcher, fish dealer, grocer or dealer of any kind shall keep in any market, shop, stall or place any refrigerator or ice box, unless the same shall be properly drained and ventilated and so constructed as to be readily cleaned.

140. No butcher, huckster, grocer, trader or other person shall sell, expose or offer for sale in any public market any measly pork or unsound, diseased, stale, rotten, fermented, nauseous or unwholesome meat, poultry, fish, vegetables, fruits or other articles of food or provisions or the flesh of any animal dying otherwise than by slaughter, or any bull beef or boar pork unless sold as such.



141. No person shall bring within a municipality, by land or water or land at any wharf or other place, any decayed or partially decayed fruit, potatoes or other vegetable product, or any tainted or damaged flesh, meat, or fish or anything use as food, except for the purpose of having the same destroyed or converted to uses other than as food, and then only with the written permission of the health officer.

142. No butcher or dealer shall vend or offer for sale in any municipality any meat or meats intended for human consumption unless authorized so to do by written permit issued by the health officer of such municipality. Any person desiring such permit may apply to such health officer in writing, setting forth,—

(a) The name and residence of the applicant;

(b) Whether animals slaughtered by himself in whole or in part;

(c) The manner in which said applicant intends to dispose of his meats, whether by wholesale or retail.

143. Each applicant shall also stipulate in writing that he will conform, and cause the slaughter house or market owned, leased or occupied by him to conform, in all respects to the requirements of this Act and all regulations of the board relating to slaughter houses and the sale of meats, or any municipal by-laws in that behalf.

144. No person, firm or corporation shall bring or cause to be brought into a municipality, or hold, or have in his possession, or expose, or sell, or offer for sale for human food, any beef from which the plurea has been removed, commonly known as “stripped beef.” Any such meat shall be presumed to have been diseased, and proof that the same was not diseased shall be upon the owner or person offering the same for sale.



145. No meat or dead animal above the size of a rabbit shall be taken to any public market or place for sale until the same shall have fully cooled and all blood shall have ceased dripping therefrom after its killing, nor until the entrails, head, horns and feet have been removed, nor shall gut fat, or any unwholesome or offensive matter or thing be brought to or near any such market or place.

### **Ice for Domestic Use**

146. No ice shall be cut to be sold or used for domestic purposes from a lake, river, creek, or pond, or sold or delivered in a municipality for domestic purposes, whenever prohibited by the health officer. The board may prohibit the sale or use of any ice for domestic purposes within the limits of a municipality when, in its judgment, it is unfit for use and would be detrimental to the public health, and may also prohibit, stop, detain and prevent the bringing of any such ice for the purpose of sale or use for domestic purposes into the limits of a municipality, and, if any be so brought in, may prevent the sale thereof for such purposes, when in its judgment the use thereof would be detrimental to the public health.

### **Milk and Its Products**

147. All milk, unless otherwise specified, shall consist of the fresh, clean and unaltered product, obtained by the complete, uninterrupted milking, under proper sanitary conditions, of one or more healthy cows, properly fed and kept, excluding that obtained within two weeks before and one week after calving, and containing not less than three and one-quarter per cent. of milk fat, and not less than eight and one-half per cent. of milk solids other than fat.



(2) Skimmed milk shall consist of milk from which a part or all of the cream has been removed and containing not less than eight and one-half per cent of non-fat milk solids.

(3) Pasteurized milk shall consist of milk that has been heated below boiling, but sufficiently to kill most of the active organisms present, and immediately cooled to forty-five degrees Fahrenheit or lower, and kept at a temperature not higher than forty-five degrees Fahrenheit until delivered to the consumer, at which time it shall not contain more than ten thousand bacteria per cubic centimetre.

(4) Sterilized milk shall consist of milk that has been heated at the temperature of boiling water, or higher, for a length of time sufficient to kill all organisms present, and must be delivered to the consumer in a sterile condition; sterilized milk shall not be sold or offered for sale except in hermetically closed containers bearing the words: "This milk should be used within twelve hours after opening the container."

148. Milk sold as certified milk—

(a) Shall be so marked or labelled;

(b) Shall be taken from cows semi-annually subjected to the tuberculin test, and found without reaction;

(c) Shall contain not more than ten thousand bacteria per cubic centimetre from the first day of June to the end of September, and not more than five thousand bacteria per cubic centimetre from the first day of October to the end of May, inclusive;

(d) Shall be free from blood, pus or disease producing organisms;

(e) Shall be free from disagreeable odor or taste;



(f) Shall have undergone no pasteurization or sterilization, and be free from chemical preservatives;

(g) Shall have been cooled to forty-five degrees Fahrenheit within half an hour after milking, and kept at that temperature until delivered to the consumer;

(h) Shall contain twelve to thirteen per cent. of milk solids, of which at least three and one half per cent. is fat;

(i) Shall be from a farm whose herd is inspected monthly by a veterinarian, and whose employees are examined monthly by a physician.

149. Evaporated milk shall consist of milk from which a considerable portion of water has been evaporated, and containing not less than twenty-six per cent. of milk solids, and not less than seven and one-fifth per cent. of milk fat.

150. Condensed milk shall consist of milk from which a considerable portion of water has been evaporated, and to which sugar has been added, and containing not less than twenty-eight per cent of milk solids, and not less than seven and seven-tenths per cent. of milk fat.

151. Condensed skimmed milk shall consist of skimmed milk from which a considerable portion of water has been evaporated, with or without the addition of sugar

152. Buttermilk shall consist of the product that remains when butter is separated from ripened cream by the usual churning process, or a similar product made by the appropriate treatment of skimmed milk.

### Cream

153. Cream shall consist of that portion of milk, rich



in milk fat, which rises to the surface of milk on standing, or is separated from it by centrifugal force, shall be fresh and clean and contain not less than eighteen per cent. of milk fat

(2) When guaranteed to contain another percentage of milk fat than eighteen per cent., it must conform to such guarantee.

(3) It must be entirely free from gelatine, sucrate of lime, gums, or other substances added with a view to give density, consistency or apparent thickness to the article.

(4) It must contain no preservatives of any kind, nor any coloring matter, other than is natural to milk.

154. Evaporated cream, clotted cream, condensed cream, or any other preparation purporting to be a special cream, except ice cream, must conform to the definition of cream, and must contain at least twenty-five per cent. of milk fat.

### **Milk Fat or Butter Fat**

155. Milk fat or butter fat shall consist of the fat of milk and having a Reichert-Meissl number not less than twenty-four and a specific gravity not less than 0.905  $\left(\begin{smallmatrix} 40^{\circ}\text{C} \\ 40^{\circ}\text{C} \end{smallmatrix}\right)$ .

### **Butter**

156. Butter shall be the clean non-rancid product made by gathering in any manner the fat of fresh or ripened milk or cream into a mass which also contains a small portion of the other milk constituents, with or without salt, and containing not less than eighty-two and five-tenths per cent. milk fat, and not more than sixteen per cent. of water. Butter may also contain added coloring matter of harmless character.



## Cheese

157. Cheese shall be the sound, solid and ripened product made from milk or cream by coagulating the caseine thereof with rennet or lactic acid, with or without the addition of ripening ferments and seasoning, and containing in the water-free substance not less than forty-five per cent. of milk fat. Cheese may also contain added coloring matter of harmless character.

(2) Skimmed milk cheese is the sound, solid and ripened product made from skimmed milk by coagulating the caseine thereof with rennet or lactic acid, with or without the addition of ripening ferments and seasoning

(3) Goat's milk cheese, ewe's milk cheese, etc., shall be the sound ripened products made from the milks of the animals specified, by coagulating the caseine thereof with rennet or lactic acid, with or without the addition of ripening ferments and seasoning.

## Ice Cream

158. Ice cream shall be the frozen product made from cream and sugar, with or without harmless flavoring and coloring materials, and with or without gelatine gum tragacanth or other harmless stiffening materials, in amount less than two per cent., and containing not less than fourteen per cent. of milk fat.

(2) Fruit ice cream shall be a frozen product made similarly as ice cream, and containing sound, clean and mature fruit. It must contain not less than twelve per cent. of milk fat.

(3) Nut ice cream shall be a frozen product made similarly as ice cream, and containing sound, non-rancid nuts. It must contain not less than twelve per cent. of milk fat.



## Miscellaneous Milk Products

159. Whey is the product remaining after the removal of fat and caseine from milk in the process of cheese-making.

(2) Kumiss is the product made by the alcoholic fermentations of mare's milk or cow's milk.

(3) Milk powder is the soluble powder product made from milk and contains, unless otherwise specified, not less than ninety-five per cent. of milk solids, and not less than twenty-six per cent. of milk fat.

(4) Skimmed milk powder or separated milk powder is the soluble powder product made from skimmed milk, and contains not less than ninety-five per cent of milk solids.

## Milk Dealers' Licenses

160. All persons trafficking in milk, cream, butter, cheese, ice cream or miscellaneous milk products, whether as producers, dealers or retailers, shall require to have the consent of the health officer of the locality where such milk, cream or other product aforesaid are sold or disposed of, and such consent shall be in the form of a license so to traffic.

(2) Keepers of restaurants, ice cream stores or wagons and all other places where the same is sold shall require to have a similar license.

(3) No license shall be issued by a health officer under this section unless all the conditions appertaining thereto have been strictly complied with.

## Cow Stables, Dairies, Milk Handling, Etc.

161. All buildings for the stabling of cows shall be adequately drained and so located that the surrounding yard shall be reasonably dry and free from marshy or stagnant water, and no manure, dirt or decaying matter



of any kind shall be allowed to accumulate in stables or barn yards.

162. All cow sheds, byres or stables shall be well lighted and shall be erected so as to give the best possible light and sun exposure.

163. All stables where cows are kept shall if possible be used for no other purpose, nor shall any feed stuffs, with the exception of hay and dry chops, be kept or stored therein.

164. All such buildings shall be provided with sufficient inlets and outlets for ventilation purposes.

165. It shall not be lawful for any person following the trade of a vendor of milk to keep any swine or poultry in any cow-shed or other building used by him for keeping cows, or in any milk store or other place used by him for keeping milk for sale

166. All herds of cows from which milk is sold shall at all times be kept in a healthy condition, and all cows showing a sickly condition, especially tuberculosis, as evidenced by poor flesh, loss of appetite, irritating cough and labored breathing, or affected with any form of udder disease, such as blind teats, presence of ulcers, or any other abnormal condition, shall be removed and isolated, and the milk from such cows shall not be sold or exposed or offered for sale.

167. All cows from which milk is sold shall be kept in a clean state by daily grooming and the removal of all adherent matter such as manure, mud or filth; they shall be bedded with clean straw or other litter free from dust, the use of horse manure not being permissible; they shall not be fed with any slops, mash, refuse or food that has been subject to fermentation, mouldy



hay, decomposing vegetables, wet brewers' grains or other materials that are unsound or will taint or affect the taste of the milk.

168. All dairies and milk houses shall be separate from cow stables and at least twenty feet therefrom and shall not be connected with any such stables by roof continuation or otherwise; provided, however, that in the case of any milk houses in use on the twenty-fourth day of March, 1911, where milk houses and cow stables are under one roof, it shall be sufficient to separate the same by a room with airtight partitions and having two doors at least twenty feet apart, one entering to milk houses and the other to the stables, and the intervening room shall be well ventilated so that the air from such stables may not flow into or enter such milk houses.

169. All dairies, cooling rooms and other buildings in connection therewith shall be whitewashed at least every six months and be kept thoroughly clean by washing in the interval.

170. Every dairy and stable in connection therewith shall be provided with an adequate supply of pure water.

171. All persons engaged in the handling or milking of cows or connected with a dairy in any way shall be free from contagious, infectious or venereal disease, and must be strictly clean in their habits and person, and shall not enter into any house or mingle with the inmates of any house where any contagious or infectious disease exists or is known to have existed until such time as disinfection of such place has been effected and the inmates freed from quarantine; they shall before milking any cow brush and wash with lukewarm water and dry with a clean cloth the udder and surrounding



parts of every such cow, and wash their hands with soap and water and thoroughly dry them, and not milk with hands moistened with milk.

172. All such persons shall discard all milk of unnatural appearance which is bloody, stringy or thick, or in which manure or other objectionable substance has entered; they shall use covered milk pails with a small opening at the top or other approved receptacles, and they shall reject the first few streams from each teat of every cow about to be milked.

173. It shall not be lawful for any person following the trade of a vendor of milk, or being the occupier of a milk store or milk shop, to use a milk shop or milk store in his occupation or permit the same to be used as a sleeping apartment, or for any purpose incompatible with the proper preservation of the cleanliness of the milk store or milk shop and of the milk vessels and milk therein, or in any manner likely to cause contamination of the milk therein.

174. All utensils and vessels used in connection with the milking of cows shall be of tin or enamelled ware and be in good repair, kept perfectly clean and free from rust and washed and scalded or sterilized with boiling water or steam immediately after use, and no such utensils and vessels or other articles used in the dairy or milk house shall be taken into a dwelling house.

175. Every person or corporation engaged in or carrying on the business of vending milk shall keep all cans and other receptacles used in or about the handling of milk, and all refrigerators or compartments or other places where milk is kept, stirred or handled, in a scrupulously neat and clean condition and free from the presence or vicinity of any article or thing likely to



contaminate or injuriously affect the quality or sweetness of the milk, and shall cause all pouring cans, dippers or other vessels used in or about the peddling or vending of milk to be scalded or sterilized daily or oftener if required by the health officer, and shall cause all bottles or jars in which milk is sold, offered for sale or delivered to be washed clean and thoroughly sterilized each time they are used, as soon as they are empty, and before being used again.

(2) Such person or corporation shall not use any can, bottle or other receptacle in which milk has been shipped or conveyed to such person or corporation for the storage of such milk, but shall cause such cans, bottles or other receptacles to be emptied and thoroughly cleaned and dried and returned to the shipper within twenty-four hours after such person or corporation shall have received the same.

(3) In no case shall any can or other utensil for containing or handling such milk be washed in water from any trough or other receptacle from which any animals are allowed to drink.

176. No person shall fill or re-fill with milk, cream or other milk product a glass jar, bottle or other receptacle, with intent to sell such milk, cream or other milk product, unless such glass jar or bottle is first thoroughly cleansed or sterilized.

177. All vehicles used for the delivery or carriage of milk shall be kept in good repair and clean; they shall not at any time be used for transporting any swill, garbage, manure or other offensive material; they shall be fly and dust proof; they shall have a metal plate attached bearing the license number of the vendor, and the vendor's name and place of business on each side



of the vehicle in letters not less than six inches in height.

178. Milk intended for sale shall not be permitted to remain in cow stables, but shall, immediately after milking, be removed therefrom, properly strained and placed in open vessels.

179. Milk shall be delivered whole, without any part being removed, and no preservatives or other substances shall be added to it, and no milk shall be sold from any cow within fourteen days prior to nor within seven days after calving.

180. Milk kept for sale in any store, shop, restaurant, market, bakery or other establishment, shall at all times register on test a temperature not higher than fifty degrees Fahrenheit, and shall be stored in a covered cooler, box or refrigerator used exclusively for such purpose. No vessel containing milk for sale shall be allowed to stand outside said cooler, box or refrigerator except while a sale of said milk is being made. Every such cooler, box or refrigerator shall be properly drained and cared for, and shall be kept tightly closed, except during such intervals as are necessary for the introduction or removal of milk or ice, and they shall be kept only in such locations and under such conditions as shall be approved of by the health officer.

### **Infection—Disease**

181. In any case where an infectious or contagious disease is known to exist in any premises, no bottle or vessel delivered at such premises shall be removed, nor shall any exchange of money or milk tickets take place at such premises until disinfection of such bottle or vessel, money or milk ticket has been performed by or under the direction of the health officer.



182. All dairymen or milk vendors supplying milk, cream or butter for use in any city, town or village shall at once report to the health officer any case of infectious or contagious disease in himself, his family or employees.

183. In the event of an infectious or contagious disease occurring at any house occupied by the keeper of a dairy from which milk, cream, or butter is supplied for use in any city, town or village, or at any premises within any such city, town or village where milk, cream or butter is kept stored or prepared for sale, the health officer may, if he sees fit, prohibit the sale or delivery of any such articles from such premises until such time as he is satisfied that all necessary precautions for the public safety have been observed.

(2) Any person, firm or corporation who shall, after having been so notified by the health officer to discontinue the sale of milk, cream or butter, neglect or refuse to obey or conform to such notice, shall be guilty of a violation of this Act, and be liable to the penalty therefor provided, for every day on which milk, cream or butter from his or their premises is sold or delivered in any such city, town or village.

184. No dairyman or milk vendor supplying milk, cream or butter for use in any city, town or village shall allow any person suffering from any infectious or contagious disease, or having recently been in contact with any person so suffering, to milk cows or to handle vessels for containing milk, cream or butter for sale in any such city, town or village, or in any way take part or assist in the conduct of such trade, in so far as regards the production, distribution or storage of any such articles, until the danger therefrom of the communication of infection to milk, cream or butter, or of their contamination, has ceased and a certificate to that effect obtained from the health officer



185 The two last preceding sections shall apply to all dairymen and others, whether the offense is committed within or without any city, town or village.

186. No milk shall be sold or offered for sale which exceeds in temperature sixty-five degrees Fahrenheit, or which contains more than one hundred and fifty thousand bacteria per cubic centimetre. Any such milk so sold or exposed for sale may be seized and destroyed by or under the authority of the health officer.

187. If at any time disease exists among the cattle in a dairy or cow-shed, or other building or place, notice shall at once be given to the health officer, and the milk of a diseased cow therein shall not be mixed with other milk, and shall not under any circumstances be used or sold for human food, nor shall it be sold as food for swine or other animals, unless and until it has been boiled for at least thirty minutes

### **Inspection by Officers**

188. The health officer and any inspector or any person authorized by them or either of them, shall have the right and power to enter and have free access without let or hindrance to any building, structure or premises where any milk is stored or kept for sale, and shall have the right of access to all wagons, railroad cars or other vehicles of any kind used for the conveyance or delivery of milk, or to any building, structure or premises where he believes, or has reason to believe, milk is stored or kept for sale, and shall have the right to take samples of milk from each vessel in which milk is kept or stored (such samples not to exceed one pint from each vessel) for the purpose of inspecting, testing or analyzing same.

189. It shall be the duty of the health officer, or some



person authorized by him, to visit, view and inspect all places and vehicles in which milk is sold, offered for sale, exposed for sale, stored, kept, exchanged, delivered or disposed of, as well as to inspect, view and examine all vessels, cans, receptacles, packages, refrigerators or compartments of any store or building, platforms, establishments or places of any kind, containing milk, and ascertain or examine the condition thereof with reference to cleanliness and sanitation, and to cause the removal and abatement of any unfit, unclean or injurious condition attending the keeping, storing or possession, care, custody or control of milk at and in all places.

(2) Any person, firm or corporation failing, neglecting, delaying or refusing to obey or conform to any order or direction under this section, made by the proper officer, or who in any way hinders said officer or inspectors, shall be liable to a penalty of not less than five dollars nor more than fifty dollars.

### **Penalties for Selling Impure or Adulterated Milk**

190. Whoever, by himself or by his servant or agent, or as servant, agent or employee of any person, firm or corporation, sells, offers for sale, exchanges, delivers or transports, or has in his custody, possession or control, with intent to sell, offer for sale, exchange or deliver, any milk or skimmed milk for human food which is unclean, diluted, impure, unwholesome, adulterated or not of the standard provided for by this Act, or milk or skimmed milk to which water or any foreign substance has been added, or any skimmed milk in violation of this Act, or milk produced from sick or diseased cows, or from cows kept in an unclean, filthy or unhealthy condition, or from cows fed the refuse or slops from distilleries, breweries, vinegar factories, or any slops, mash, refuse or food that has been subject to fermentation, or milk that has been exposed or contaminated, or



affected by the discharges or exhalations from any human being or animal sick with any contagious or infectious disease, shall for the first offence be liable to a fine of not less than five dollars nor more than fifty dollars, and for each subsequent offence not less than fifty dollars and to imprisonment for a period of not more than three months.

191. Any person, firm or corporation who shall sell offer for sale or deliver or transport with intent to sell or offer for sale, any milk containing any coloring matter, adulteration or preservatives, whether for the purpose of artificially increasing the quantity of milk, or for preserving the sweetness thereof, or for any purpose whatever, or any person, firm or corporation, or any servant or agent of such person, firm or corporation, who shall sell or offer for sale for use in milk, or have in his or its possession or control with the intent of so selling or offering for sale, any preservative, coloring matter or other adulterative, shall be liable to a fine of not less than twenty dollars nor more than fifty dollars for each offence.

### **Milk Depots**

192. The following provisions shall be applicable to milk depots handling or selling milk or cream:—

(a) A milk depot shall mean any building where milk or cream is received in wholesale quantities and prepared for distribution in or outside of a municipality;

(b) Any person, firm or corporation intending to operate a milk depot in a municipality shall first make application to and receive the permission of the health officer so to do and submit plans of all buildings and machinery to the health officer for approval; a full list of farms from which milk is obtained shall be supplied, and all additional farms must be reported previous to their shipping;



(c) All farms or dairies from which a milk depot obtains milk or cream must conform to the regulations of the health officer and be subject at all times to the inspection of the health officer or any officer appointed by him;

(d) Each vehicle must be dust-proof and fly-proof and have a plate attached bearing the words "Milk Depot" and the license number, and must be used for no other purpose than delivering dairy products;

(e) Dairy products only must be handled in a milk depot, and no other business shall be conducted in the same building;

(f) The building shall consist of not less than four separate rooms, (1) boiler room, (2) wash-room, (3) handling room, where milk is prepared or bottled, (4) storage room; this provision shall apply to milk and cream only; if other products are prepared, such as butter and ice cream, additional and separate rooms shall be provided for that purpose; adequate sewer and water connections, if possible, shall be installed in the building;

(g) All floors shall be built of cement or tiles set in cement;

(h) The walls shall be built of impervious material to a height of five feet from the floor;

(i) The wash-room shall be provided with suitable apparatus for the sterilization of all cans, bottles and other utensils;

(j) All glass receptacles used for containing milk or cream shall be transparent;

(k) All milk pasteurized shall be treated and held at such a temperature as to kill ninety per cent. of all bacteria;

(l) All pasteurizers or holders shall be provided with



thermometers or other attachments in order that the temperature may be ascertained at any time;

(*m*) Pasteurized milk shall be rapidly cooled to fifty degrees Fahrenheit or less, and placed in cold storage until required for distribution;

(*n*) The building, machinery, receptacles, vehicles and all utensils shall be kept in a thoroughly clean and satisfactory condition at all times;

(*o*) All employees engaged in handling milk or cream and preparing same for distribution shall wear clean white suits or overalls, and must not smoke, chew or expectorate while on duty, and they must be perfectly clean in person;

(*p*) No person suffering from an infectious or contagious disease shall enter or be employed in a milk depot;

(*q*) No person quarantined or residing at a house placarded for infectious disease shall enter or be employed in a milk depot;

(*r*) Sickness among employees must be immediately reported to the health officer;

(*s*) Failure to comply with the above shall render the licensee liable to have his license cancelled by the health officer.

## PROVISIONS RELATING TO CERTAIN INDUSTRIES

### Bakeries and Bake Shops

193. In addition to any other provisions of this Act applicable to bakeries and bake shops, the following provisions shall specially apply thereto:—

(*a*) No label or ticket of any kind shall be affixed to bread, and the bread tickets used by bakers or bread



peddlers and given to customers in exchange for money and commonly known as "bread tickets" shall be in sheet form, or composed of some metallic substance such as aluminum or nickel as shall be approved by the health officer;

(b) Any person using any deleterious material in making any bread or bread stuffs offered for sale, or making, selling or offering for sale any bread or breadstuffs containing any such deleterious material, shall be guilty of a violation of this Act, and such bread or breadstuffs shall be seized and forfeited;

(c) The health officer or any person authorized by him or any police constable may at all reasonable hours enter any bake house, shop or premises or other buildings and every part thereof, where bread or breadstuffs are being made or kept for sale, and there inspect such premises and examine such bread or breadstuffs and examine the ingredients or materials used in the manufacture thereof, and may seize or take away such bread or breadstuffs, or any parcels thereof, and such ingredient and materials as are being or have been made or kept for sale or used in the manufacture of such bread or breadstuffs in contravention of the provisions of this Act, or any part thereof, and the same shall thereupon become forfeited;

(d) It shall also be lawful for such officers and persons to stop, detain and examine any person, wagon, sleigh or other vehicle by whom or on which bread or breadstuffs may be carried, placed or stored for the purpose of delivery either before or after the sale thereof, and to examine the same or any parcel thereof and to seize and carry away such bread or breadstuffs made in contravention of the provisions of this Act, or any part thereof, and the same shall thereupon become forfeited;

(e) Every person making, manufacturing or selling



any bread or breadstuffs for sale or for delivery upon or after sale in supply of contract, or being in possession of or in charge of any bread or breadstuffs for sale or delivery, or of any bake house, shop, premises or other buildings aforesaid for the making or selling of bread and breadstuffs, or of any wagon, sleigh or other vehicle for the delivery of the same, before or after the sale thereof, shall permit and assist in the inspection and examination of such bread or breadstuffs hereinbefore referred to, and also in the inspection and examination of his bake house, shop, premises or other buildings as aforesaid and of all flour, meal and materials or ingredients found therein and used in the making of bread and breadstuffs for sale, and also in the inspection of his wagon, sleigh or other vehicle used for the delivery of such bread or breadstuffs, and for that purpose open all doors, locks and fastenings in and about the premises;

(f) No person shall in any way thwart, refuse, impede, hinder or prevent any such inspection or examination;

(g) The health officer or officers appointed by him shall make frequent visits to all bakeries, shops, stores, warehouses or other buildings in which bread or breadstuffs are baked, made or offered for sale, and inspect the sanitary condition of each place visited and the quality of the ingredients or materials used in the manufacture of said bread or breadstuffs and the manufactured goods on hand, and shall see that such places are constantly kept and maintained in a clean, wholesome and thoroughly sanitary condition. Nothing herein contained shall be construed to conflict or interfere with the provisions contained in "The Factories Act";

(h) No baker or driver of any bread wagon shall



take back or exchange any bread or breadstuffs delivered by him to any hotel, restaurant, shop, store or consumer which shall have been out of his possession for a longer period than twelve hours;

(i) A baker or person using a wagon, sleigh, vehicle or any other mode whatever for the delivery of bread or breadstuffs to any place or consumer shall have the same properly covered in, closed or fastened, so that the bread or breadstuffs contained therein shall be protected from dust or other contamination;

(j) No underground bakeshop shall be used unless approved by the health officer to be suitable for that purpose; an underground bakeshop shall mean a bakeshop any workroom of which is so situate that the surface of the floor is more than three feet below the sidewalk of the adjoining street, or of the ground adjoining or nearest to the room;

(k) An underground bakeshop shall not be approved as suitable unless the health officer is satisfied that it is suitable as regards construction, light, ventilation and in all other respects;

(l) Every bakeshop shall be kept at all times in a clean state and free from effluvia arising from any drain, privy, water closet or other nuisance; the floors shall be swept at least every twenty-four hours, and the sweepings shall be immediately placed in an impermeable covered receptacle, and removed from the bakeshop or destroyed by fire at no longer intervals than twenty-four hours;

(m) The troughs and all the utensils used in the making of bread and pastry shall be kept scrupulously clean, and shall be capable of being moved about for the purpose of cleaning the floor;

(n) The working rooms shall be supplied with windows in sufficient number and size to insure a plenteous



supply of light and air; the windows must open into the open air and must be arranged so they can be opened for ventilation; every window and outside door shall be fitted with fly screens from the first day of May to the first day of November;

(o) Every workroom shall have an impervious floor constructed of brick, cement or tiles laid in cement, or of wood in which the crevices shall be filled in with putty and the whole surface treated with oil varnish; all floors shall be so constructed as to keep out the dampness from the earth beneath, and shall be at all times kept in a good state of repair;

(p) Any cistern for supplying water to a bakeshop shall be separate and distinct from any cistern for supplying water to a water closet;

(q) The workmen shall be given opportunity to store away and keep their working clothes in clean places, and shall be provided with a warm and dry place to wash and dress;

(r) Before beginning work and before preparing and mixing the ingredients, the persons engaged in the work shall wash their hands and arms thoroughly in clean water, and for this purpose sufficient wash basins, together with soap and towels, must be provided;

(s) All flour and other materials as also the finished products shall be put in perfectly dry and airy rooms, so arranged that the shelves, floors and all other places for storing the same can be easily and perfectly cleaned; bread, pastry or confectionery shall not be laid on the bare floor;

(t) No person shall sit or lie on any of the tables or shelves which are intended for use for the dough or baked articles; chairs and benches in sufficient number shall be provided;



(u) The whole of the premises shall be kept free from insects of all kinds, and otherwise kept in a clean and neat condition, and the tables, utensils, dishes, pans, troughs, cloths, towels and machinery used in the bakery shall be kept in a clean and wholesome condition;

(v) Persons employed in bakeshops shall, while working, wear sufficient clothing;

(w) No animals except necessary cats shall be kept in any bakeshop on any pretence whatever;

(x) Unless the location or construction is approved by the health officer, all stables in connection with bakeries must be at least twenty feet away from the main buildings, and not connected with the same by any roof continuation;

### Restaurants

194. All applicants for municipal restaurant licenses shall obtain from the health officer a certificate that the premises on which it is proposed to carry on such business are suitable and satisfactory for the purpose, and until such certificate is issued no license shall be issued in respect of any such place.

195. The following provisions, if provided by the by-laws of any municipality, shall apply to all such premises;

(a) There shall be a proper and sufficient number of water closets, sinks and lavatories, as required by municipal by-laws, and the same shall be installed in a satisfactory manner and shall be adequately lighted and ventilated;

(b) All sinks shall be provided with grease traps of approved patterns; water closets shall be properly partitioned off with air-tight partitions, and shall have local vents properly connected wherever possible;



(c) All other plumbing, such as catch-basins, clean-out traps, refrigerator wastes, etc., shall comply in every respect with municipal by-laws;

(d) All kitchens shall be well lighted and ventilated, and there shall be special ventilating shafts with hoods over the cooking ranges to carry off the smoke and gases;

(e) All floors shall be well laid and close fitting; the walls and ceilings shall be of smooth finish with unbroken surface, so as to be easily cleaned; all doors, windows and other openings shall be fitted with fly screens, and the utensils and furniture shall be of the kind best adapted for cleanliness;

(f) All refrigerators shall be properly ventilated and drained, as may be defined by municipal by-law, and shall be of a pattern which may be easily cleansed;

(g) All pantries and store rooms shall be clean, well ventilated and lighted;

(h) All cellars shall be well ventilated and lighted, and they shall have good floors and adequate drainage;

(i) All dining rooms shall be light and well ventilated, and shall have fly screens on all doors and windows, and all furniture, utensils, crockery and tableware shall be clean.

(2) All licenses may be issued and continued conditionally on the foregoing provisions being observed throughout the period for which a license is granted.

### Slaughter Houses

196. The owner or lessee of any slaughter house shall obtain the written permit of the health officer of the locality in which any such slaughter house is, such permit to state the time for which it is granted, and the same shall be posted or hung in some conspicuous part of the premises.



197. The health officer shall not issue any such permit until he has examined into the sanitary condition and cleanliness of the slaughter house to be used by the applicant and the market where his meat is to be sold or offered for sale, and shall certify that the same comply with the requirements of this Act and any regulations of the board in that behalf.

198. The health officer may at any time revoke or suspend any permit issued by him if upon investigation he shall find the condition of the slaughter house where meat is slaughtered to be in violation of this Act, or the regulations of the board, or detrimental to the public health; which revocation shall continue until such person shall have fully complied with the requirements of this Act in that behalf hereinbefore contained or any regulations of the board.

199. No building shall be erected or converted into or used as a slaughter house until the plans thereof have been duly submitted to and approved in writing by the health officer, and no building occupied as a slaughter house, or any part thereof, shall be occupied at any time as a dwelling or lodging place; and every such building shall at all times be kept adequately and thoroughly ventilated.

200. No proprietor or tenant of any shop, store, house or outhouse shall, nor shall any butcher or other person, use any such shop, store, house or outhouse for the purpose of slaughtering any animal therein, nor shall any slaughtering be done outside of a building.

201. All places where animals are slaughtered, the meat of which is intended for human consumption, shall be subject to inspection by the health officer, or any person authorized by him, and shall conform to



the following conditions, namely: They shall be used solely for that purpose, shall have floors and walls of such construction and materials as shall be impervious to soakage, and that can be thoroughly washed and cleaned after being used; tanks or receptacles shall be provided to receive the blood and the water used after slaughter, and such receptacles shall be kept so that no access can be had to them by anyone outside, and so that they shall not cause or create any nuisance; be so constructed that no nuisance can arise during the process of killing or dressing, and shall have separate lairs or resting places for animals previous to slaughter, and shall have an abundant supply of pure water.

202. All floors of premises where any meat, refuse, offal, fertilizer, or any other materials derived directly or indirectly from slaughtering animals, are treated or handled, shall, if possible, be made of concrete and faced with cement and be made water-tight, properly drained, and the walls of the killing, meat dressing and cooling rooms shall be covered to a height of six feet above the floor with some non-absorbent material.

203. All floors in slaughter houses shall be thoroughly washed off each day after the slaughtering is completed, and all walls and exposed surfaces on the inside of slaughter houses shall be cleansed by washing or scraping as often as once in each month.

204. All woodwork of such premises, except doors and counters, must be painted or whitewashed, and all inside walls and exposed surfaces, if they are not painted, shall be calcimined or whitewashed at least once in each month.

205. All cooling and other rooms used for storage of meat shall be well ventilated.



206. No water closet, urinal or receptacle, place or thing for receiving human faeces or urine, shall be constructed, placed or maintained or used in any room or portion of any slaughter house, packing house, butcher's shop or building used for the purpose of killing or slaughtering animals or dressing, cleaning, treating, rendering or preparing for shipment and canning of meats and other food stuffs.

207. There shall be no direct communication between any slaughter house and any privy or cesspool.

208. All slaughter houses shall have an abundant supply of water from a well, or other source of supply, which is not contaminated from the slaughter house or surrounding pens or enclosures or any part of the premises.

209. The yards of such premises, other than where cattle are kept, shall be cemented, paved or floored so as not to absorb liquid filth and be so graded as to permit the same to flow into any sewer opening.

210. All animals kept in yards attached to slaughter houses shall be treated in a humane manner, and if kept there over twelve hours shall be fed and watered, and all pens and enclosures connected with any slaughter house shall at all times be kept in a proper sanitary condition.

211. No hogs shall be kept alive in or around slaughter houses for a longer period than twenty-four hours.

212. No cattle shall be killed for human food while in an overheated, feverish or diseased condition; and all such diseased cattle, and the place where found and their disease shall be at once reported to the health officer.



213. The storage of hides at slaughter houses must be in separate rooms thereof, and entirely apart from any cooling or other room or rooms for the storage of meat.

214. No person, firm or corporation shall use any packing or slaughter house, or any place which is occupied for the purpose of slaughtering or rendering cattle, sheep or hogs, or dressing, cleaning, canning, treating or preparing for shipment, meats and other food stuffs by hand or machinery, for housing, sheltering or harboring its employees or other persons, or cause or permit same to be used as sleeping quarters or living apartments by such employees or other persons. Any such house or place so used or occupied for sleeping or living purposes is hereby declared to be a nuisance.

215. The health officer or inspector may refuse to permit to be brought within the limits of any municipality over which he has jurisdiction, any meat from any slaughter house situated outside the limits of such municipality whose owner, lessee or occupant has not conformed to the requirements of this Act relating to slaughter houses.

216. All blood, manure, offal or other filth created in the slaughtering of animals, unless disposed of on the premises at which such slaughtering is done by some process that shall render such blood, manure, offal or other filth innocuous to the public health, shall be removed in covered tanks, receptacles or wagons to a place designated by the health officer, to be there buried or destroyed, and under no circumstances shall any such material be emptied or allowed to flow into any public or private sewer or into any river or stream.

217. All offensive odors arising from the handling of



meat and treating of and caring for offal, blood or any other material stored or manufactured must be suppressed by destruction or condensation and not allowed to escape into the outside air.

### Laundries

218. All applicants for a municipal license to conduct a laundry shall obtain from the health officer a certificate that the premises in which it is supposed to carry on such business are suitable and satisfactory for the purpose, and until such certificate is issued no license shall issue in respect of any such place.

219. The following provisions, if provided by the by-laws of any municipality, shall apply to all such premises:—

(a) There shall be a proper and sufficient number of water closets, sinks and lavatories as may be required by municipal by-laws, and the same shall be installed in a manner satisfactory to the health officer, and shall be adequately lighted and ventilated;

(b) The sanitary conveniences in such places shall be under cover and so partitioned off as to insure privacy, and, if for the use of females, shall have proper doors and fastenings; they shall be so arranged and maintained as to be conveniently accessible to all persons employed therein at all times during their employment;

(c) Where persons of both sexes are employed, the conveniences for each shall be so placed or so screened that the interior shall not be visible (even when the door of the convenience is open) from any place where persons of the other sex have to work or pass, and, if the conveniences for one sex adjoin those for the other sex, the approaches shall be separate;

(d) All laundry tubs shall be properly trapped vented and sewer connected if possible.



(e) The premises throughout shall be maintained at all times in a thorough state of repair, in a scrupulously clean condition and free from vermin;

(f) Every laundry shall be efficiently lighted and shall be so ventilated as to render harmless all gases and dust;

(g) The workrooms shall be supplied with windows of sufficient number and size to ensure a plentiful supply of light and air; the windows shall open into the open air and must be arranged so that they can be opened for ventilation;

(h) The use of wooden and metal-lined tubs is prohibited; all laundry tubs and wash troughs shall be made of porcelain, earthenware, enamelled iron or other impervious substances approved by the health officer;

(i) All tubs, utensils and machinery and all vehicles used for the transportation of laundry work shall at all times be kept in a perfectly clean and satisfactory condition;

(j) The walls of the workrooms shall not be papered, but shall be painted, varnished or of smooth surface, so as to be easily cleaned;

(k) The floors of all washrooms shall be rendered impervious to water;

(l) The walls of washrooms must be rendered impervious to a height of six inches above the floor, except as doorways, so that said floors can be flushed or washed out without leaking; if wash tubs are against the walls, the walls behind same shall be rendered impervious to a height of eighteen inches above the top of the wash tubs;

(m) If the building is not used for laundry purposes exclusively, the rooms used for cooking and sleeping shall be entirely separate from the work rooms; no



person shall at any time occupy or permit others to occupy any workroom for a sleeping or living room;

(n) The moistening of clothes by spraying water from the mouth is strictly prohibited;

(o) No person suffering from, or who has recently suffered from or been in contact with, any case of infectious or communicable disease shall be permitted to work in any laundry;

(p) The proprietor, manager or person in charge of any laundry shall give immediate notice to the health officer of any case of infectious or communicable disease occurring on the premises;

(q) No proprietor, manager or employee of any laundry shall knowingly receive from or remove any clothing from any premises where there exists or has recently existed a case of infectious or communicable disease.

(2) All municipal licenses may be issued and continued conditionally on the foregoing provisions being strictly observed throughout the period for which a license is granted.

### **Livery, Feed and Sale Stables**

220. All applicants for municipal licenses for livery barns or feed and sale stables shall obtain from the health officer a certificate that the premises in which it is proposed to carry on such business are suitable and satisfactory for the purpose, and, until such certificate is issued, no license shall be issued in respect of any such place.

221. The following provisions, if provided by the by-laws of any municipality, shall apply to all such places:—

(a) There shall be a proper and sufficient number of



drains and sewer connections, where possible, to efficiently carry off all liquid filth, sub-soil water and rain water, and the same shall at all times be kept clean and in sanitary condition so that no offensive odor shall be allowed to escape therefrom;

(b) Every stable and the yards and appurtenances thereof shall, where possible, be connected with the sewer in the street, lane or road on which the stable fronts or abuts;

(c) Every livery barn or feed and sale stable shall be provided with an impervious washing rack, the same to be not less than twelve feet by ten feet and constructed with a floor of cement, glazed bricks, tiles laid in cement or other impervious material; there shall be, if possible, a properly trapped sewer connection to said rack so that all the water used thereon shall be efficiently carried off into the sewer;

(d) The overflow from all drinking troughs shall be properly connected with a sewer, where possible;

(e) There shall be adequate and sufficient eave-troughs and leaders to all stable roofs and other buildings in connection therewith to effectively carry off all rain water, and the rain leaders shall be properly connected with the sewer and at all times kept clear and in good working order;

(f) No horses or vehicles shall be washed or cleaned on any public street or lane;

(g) The liquid from the floors of stalls and passages between same shall be properly drained into a gutter at the rear end of the stalls, such gutter to be not less than four inches in width and two inches in depth and running the full length of the stalls;

(h) All stables shall be provided wherever possible with an adequate supply of pure water for cleansing and flushing purposes;



(i) All floors shall be of good material properly laid and graded so as to drain all liquid deposited thereon to the gutters in rear of stalls;

(j) Every stable shall be provided with adequate natural light from windows placed in the external walls or roof, the area of which shall not be less than one-twentieth of the floor area;

(k) Each stable shall have a ventilator constructed through the roof from the ceiling of the stable, of a sectional area of at least two square feet for each ten horses or other animals, with a similar proportional area for a greater or less number of horses;

(l) Each stable shall be whitened with a whitewash each six months and not more than two months previous to the granting of a license;

(m) The owner, agent or occupant of any stable, when deemed necessary by the health inspector, shall cause his stable to be disinfected to the satisfaction of the health officer;

(n) Every owner or agent of any stable shall construct and provide a suitable manure bin with closely fitting cover in which shall be deposited all the manure, litter or other refuse from said stable, and such manure bin shall be placed where the health officer may direct;

(o) All manure from livery barns or feed and sale stables where more than eight horses or cattle are kept shall be removed daily, except Sundays, before ten o'clock in the forenoon; no manure or other refuse shall, under any pretence whatever, be placed on the ground or on any street, road or lane, and no manure bin shall be placed on or project over the line of any street, road or lane.

(2) All municipal licenses may be issued and continued conditionally on the foregoing provisions being



strictly observed throughout the period for which a license is granted.

## INFECTIOUS AND CONTAGIOUS DISEASES

### Notification

222. Whenever any householder, hotel-keeper, keeper of a boarding house or a tenant knows or is informed by a physician, or has reason to believe, that any person in his family, hotel, boarding house or premises, has any contagious or infectious disease, or any other disease dangerous to the public health, he shall immediately give notice in writing to the health officer of the municipality in which he resides.

(2) Said notice shall state the name of the person sick, the name of the disease, if known, the name of the householder, hotel-keeper, keeper of a boarding house or tenant giving the notice, and shall, by street number or otherwise, sufficiently designate the house or room in which the sick person may be.

223. Whenever any physician knows, or has reason to believe, that any person whom he is called upon to visit, or who comes or is brought to him for examination, is infected with any contagious or infectious disease or any other disease dangerous to the public health, he shall within twenty-four hours give notice thereof to the health officer of the municipality in which the sick person is, and to the householder, hotel-keeper, keeper of a boarding house or tenant within whose house or rooms the sick person resides.

(2) The notice to the health officer shall state the name of the disease, the name, age and sex of the person sick, also the name of the physician giving the notice, and shall by street number or otherwise sufficiently designate the house or room in which the sick person is.



224. Whenever any person, being the manager or recognized official head in charge of any hospital or other institution, or any teacher or instructor of pupils in any school or college or other seminary of learning knows or has reason to believe that any person in such hospital or institution, school, college, or other seminary of learning, has any contagious or infectious disease or any other disease dangerous to the public health, he shall immediately give notice thereof to the health officer of the municipality in which any such hospital or other institution, school, college or seminary of learning is situated.

(2) Said notice shall state the name of the person sick, the name of the disease, if known, the name of the person giving notice, the hospital or other institution in which the sick person is, or, in case the sick person at the time of becoming sick was attending a school, college or other seminary of learning, the name thereof, and, if not a resident therein, the street and number or other information sufficient to designate the house or premises in which such person resides.

(3) When a hospital receives any patient suffering from any contagious or infectious disease, and the patient shall have come from beyond the bounds of the municipality in which the hospital is situated, the superintendent or person in charge of such hospital shall also notify the health officer of the municipality from which the patient came.

### Inspection

225. Immediately, or as soon as possible, after the receipt by a health officer of a notification, in the manner hereinbefore mentioned, of the existence of any case of infectious or contagious disease or any other disease dangerous to the public health, the health officer



shall inspect or cause an inspection to be made of the premises where the disease is reported to exist, and it shall be the duty of the householder thereof and of any person within such premises to give to the health officer, or other person delegated by him to make an inspection, the fullest possible information as to the person sick, the source of the infection or contagion, the occupation of all inmates of the premises, the means of isolating the person sick, and generally such other information as the health officer or person making the inspection may require.

226. When complaint is made or a reasonable belief exists that any infectious or contagious disease exists in a house or other locality, which has not been reported to the health officer, such health officer shall cause such house or locality to be inspected, and, on discovering that such infectious or contagious disease exists, the health officer may, as he deems best, send the person or persons so infected to a hospital or may restrain such person or persons and others exposed within such house or locality from intercourse with other persons, and prohibit ingress and egress to or from such premises.

### **Placarding**

227. The following diseases shall be placarded and isolated and quarantined, when deemed necessary by the health officer:—Scarlet fever, diphtheria, measles, typhoid fever, smallpox, typhus fever, plague, cholera (Asiatic).

228. When any case of infectious or contagious disease of the kind set forth in the next preceding section is reported or known to exist within his jurisdiction, the health officer shall at once cause placards to be placed at the front and rear entrances of the house



wherein such disease is reported or is known to exist. Such placards shall have printed on them in large letters the name of the disease, and prohibit entrance to or exit from such house without the written permission of the health officer. In tenement houses the placards shall be placed on or near the door of the apartment in which the diseased person lives, and, if considered necessary by the health officer, an additional placard may be placed on the street entrance door, having written upon it the name of such diseased person and the number of the apartment in which he resides.

229. No person shall remove, mar, deface or destroy any such placard, which shall remain in place until after the patient has been removed from such house, or has recovered and is no longer capable of communicating the disease, and until the house and the contents thereof have been properly purified and disinfected by or under the direction of the health officer. The onus of keeping the placards posted shall be wholly upon the occupant or occupants of the house or premises, and if any of them are removed, marred, defaced or destroyed it shall be the duty of such occupant or occupants to at once report the same to the health officer.

### Isolation and Quarantine

230. The following diseases shall be isolated:—Glanders, anterior poliomyelitis, chicken pox, anthrax, leprosy, whooping cough, puerperal fever, mumps, pneumonia (when considered necessary by the health officer), ophthalmia neonatorum, pulmonary tuberculosis, hydrophobia, erysipelas, pellagra.

231. Each physician attending a person affected with a contagious or infectious disease shall use such precautionary measures to prevent the spread of the disease as may be required by a health officer.



232. In case of suspected infectious or contagious diseases the health officer shall have the right to take whatever steps he may deem necessary to arrive at a correct diagnosis, but in no way to interfere with the treatment of the case.

233. All cases of smallpox shall at once be removed by the health officer to an isolation hospital or other place to be provided for the purpose by the municipality in which such cases exist, and all other cases of infectious or contagious disease may be isolated in the house, hotel, lodging house, boarding house, tenement house or other public house in which the same may be, if in the opinion of the health officer such can be effected with safety to the other inmates of such house, hotel, lodging house, boarding house, tenement house or other public house, and the community, otherwise the health officer shall remove the person or persons sick to a hospital provided, however, that, where a case of smallpox or other infectious or contagious disease is removed to a hospital from any house or other place, such house or other place shall nevertheless be placarded and kept placarded for the period or periods hereinbefore mentioned or for such time as the health officer may direct.

234. Persons suffering from any infectious or contagious disease shall not be removed to a hospital or other place in any cab or other public conveyance where it is possible to secure an ambulance for the purpose. In place where, by reason of there being no ambulance accommodation, it is necessary to use a public or private conveyance for the said purpose, the owner of such public or private conveyance shall be previously informed of the purpose for which the same is intended, and if used therefor the same shall be



thoroughly disinfected before being used for a similar or any other purpose.

235. Immediately upon the removal of a person sick with, or supposed to be suffering from, an infectious or contagious disease to any hospital or other place, the room occupied by such person shall be fumigated by the health officer or under his direction, and the occupants of the premises shall take such other means to cleanse and disinfect the same as the health officer may direct.

236. Where there is no separate room in a house in which there exists an infectious or contagious disease where the person affected may be isolated, the house and all persons residing therein may be quarantined by the health officer.

237. The health officer may employ as many persons as he deems necessary to execute his orders, and properly guard any house or place containing any person or persons affected with any contagious or infectious disease, or who have been exposed thereto, and such persons shall be sworn in as quarantine guards or special police, shall have powers and may use all necessary means to enforce the provisions of this Act relating to contagious and infectious diseases, or the orders of a health officer or inspector made in pursuance thereof.

238. Subject to the provisions of section 239, no person without the permission of the health officer shall enter or be permitted to enter any house or premises in which an infectious or contagious disease exists and which has been placarded therefor pursuant to the provisions of this Act, or any place which has been placed in quarantine by the health officer.



239. For the purpose of making the isolation of any person suffering from an infectious or contagious disease as thorough and complete as possible, no person except the attending physician and the necessary attendants shall enter the room in which the sick person is confined.

240. The health officer or any person or persons authorized by him may visit all cases of infectious or contagious disease at any hour of the day or night to observe the efficiency of the isolation established, and for such purpose shall have the right of entry to the house in which such infection exists and, should it appear that proper precautions as to isolating the infection have not or are not being taken by the occupant or occupants, of such house, the health officer may cause the removal of the person or persons infected to a hospital.

241. If, during the existence of infection, of any infectious or contagious disease in any house or building, it is found by the health officer that his instructions for the isolation of the patient are not being strictly adhered to, then he shall at once withdraw any permissions he may have given, allowing parties occupying other parts of the same building to mingle with the public.

### **Schools—Public Gatherings**

242. No person residing in or occupying any house placarded by the health officer for an infectious or contagious disease, pursuant to the provisions of this Act, shall attend any public, private or Sunday school, college or any public or private gathering, until the quarantine provided for in such cases has been removed by such health officer, notwithstanding that any patient in any such placarded house is well isolated, and for



that reason the health officer has permitted certain of the occupants to go to and from such house to follow their usual avocations.

243. All teachers or instructors of any public, private or Sunday school, or college or other place of instruction, shall exclude any person residing in or coming from a house placarded by a health officer for an infectious or contagious disease, until such person shall present a written permit of such health officer to attend or re-enter any of such places aforesaid; in any case where any such teacher or instructor has reason to believe, and does believe that any infectious or contagious disease exists in the domicile of any pupil attending any such public, private or Sunday school, or other place of instruction, such teacher or instructor shall report the fact of such belief to the health officer, and shall forthwith exclude such pupil from further attendance until the production by such pupil of a permit from the health officer so to do.

244. Whenever the chairman of the board shall have satisfactory information and is of the opinion that any infectious or contagious disease is epidemic or threatens to become epidemic in any municipality, he shall have authority, as executive officer of the board, to issue a proclamation in the name of the board, declaring such disease epidemic, and to order and to enforce such measures in the way of quarantine, isolation of the sick, vaccination, disinfection and closure of schools, public and private, religious and secular, as in his judgment may be necessary to stamp out the infection or contagion.

245. During an epidemic or threatened epidemic, or where any infectious or contagious disease is unusually prevalent, and the health officer considers it necessary



to order the closing of one or more schools and to prohibit public gatherings for the purpose of preventing or checking the spread of any disease, such health officer shall have power to so order for such period as he may specify, and the persons in charge of such schools shall not receive or admit any pupil into such schools, nor shall any public gatherings take place or be resumed, until permission to that end shall have been granted by the health officer.

246. The council of every municipality may require the health officer thereof, and upon being so required it shall be the duty of the health officer, and he is hereby empowered, semi-annually or oftener, as may be deemed advisable by the council, to make a physical examination of every child attending any public school within the municipality, and to exclude therefrom all children whose attendance at school, in his opinion, is or may be detrimental or injurious to their physical development or to their health, and also all those affected with a severe cough, severe cold, itch, lice or other vermin, or any contagious skin disease, or who have any of the infectious or contagious diseases set forth in this Act.

(2) The health officer shall also, if required to do so by the council, investigate and report to the trustees of the school district, and also to the clerk of the municipality in which the school is located, as to (a) any overcrowding of children in the school rooms, (b) the cleanliness thereof and of the surroundings, (c) the ventilation of the school rooms and the source of water supply used by the pupils for drinking purposes, (d) the number and condition of the water closets, if any, or privies used by the pupils, (e) such other matters or things as the said health officer may think advisable or



necessary to call to the attention of the trustees and municipality.

### Care of Sick Room

247. In all cases when any person suffering from a contagious or infectious disease is isolated in a house, the room in which such person is confined shall be as remote as possible from the portion of the house occupied by the other inmates thereof, and there shall be removed from such room all carpets, curtains, unnecessary furniture and decorations.

248. In all cases of diphtheria and scarlet fever a sheet shall be fastened over the doorway of the room in which the sick person is so as to reach the floor, and shall be kept moistened with a two per cent. solution of carbolic acid or other suitable disinfecting solution during the whole duration of the quarantine. Such sheet shall be fastened to the top of the door casing and down the hinge side of the door frame, leaving the edge on the lock side free to be turned back to allow of passage through the door. The sheet shall be long enough to allow of two or three inches lying on the floor.

249. All cats, dogs, birds and other pets shall be excluded from the room in which any person is confined suffering from a contagious or infectious disease.

250. The floor of the room in which any person is confined suffering from an infectious or contagious disease shall not be dry swept. Instead of sweeping the floor shall be frequently wiped with a mop or cloth, saturated with a disinfectant solution. Instead of dusting, all accessible surfaces, sashes, doors, door knobs, wainscots, window frames and ledges, tables, chairs and the exposed parts of the bed frame shall be



wiped with a cloth dampened with a disinfectant solution.

251. All attendants upon any case of infectious or contagious disease shall wear only such over-garments as may be boiled in water. Such garments shall consist of a cap and gown made of some washing material. Such attendants shall not visit another portion of the house in which the patient is confined without first removing such cap and gown, which shall be left between the door of the sick room and the sheet, moistened with a disinfecting fluid required in such cases. The hands of such attendants shall be rinsed in a disinfecting fluid after every attention to the sick person,

252. All discharges from the nose and mouth of persons suffering from diphtheria, scarlet fever, measles or whooping cough shall be received upon pieces of soft cotton or linen or worn handkerchiefs and burned at once after use. Cuspidors or other spit vessels shall not be allowed in the room occupied by such sick persons.

253. All faecal and urine discharges from patients suffering from an infectious or contagious disease shall be received in a vessel one-third full of a strong disinfecting fluid and then covered and not emptied for at least an hour, when fresh fluid shall be immediately supplied.

254. All dishes and table utensils used in a room in which any person is confined suffering from an infectious or contagious disease shall, after use and before being removed from such room, be placed in boiling water and rinsed in a disinfecting fluid, and all cut flowers which may from time to time be in such room



shall not be thrown away, but shall be placed in a disinfecting fluid and then burned.

255. A sufficient quantity of approved disinfectant shall be kept in the room occupied by any person suffering from an infectious or contagious disease in a wooden pail, slop jar or other vessel (which must not be of metal if corrosive sublimate is used), and into which solution all towels, napkins, handkerchiefs, pillow-slips, sheets and all articles of clothing used in such room shall be dipped and wrung out before being removed.

256. The following fluid mixed in earthenware or wooden vessels, or some equally effective fluid approved by the health officer, shall be used for disinfection purposes to meet the requirements of this Act relating to cases of an infectious or contagious nature, and shall be furnished free by the health officer at the expense of the municipality in all such cases where the persons affected are unable to provide for same:

Corrosive sublimate.....	1/2 oz.
Hydrochloric acid.....	1/2 oz.
Water .....	3 gallons.
Aniline blue.....	5 grains.

### Observing Quarantine

257. When a house is quarantined the health officer shall see that there is a person to do the outside service for the wants of those who reside in the house. The person in charge of such service shall never enter the house, but shall take orders verbally and at a distance and lay down at the entrance of the house everything he brings there.

258. Grocers, butchers and other persons delivering



merchandise to any such premises shall make delivery of all such articles by leaving the same on the outside of the rear door thereof, and shall on no account or for any reason enter such premises.

259. Laundrymen shall not enter any premises wherein any case of infectious disease exists, or remove any linen or clothing therefrom until such articles have first been boiled or otherwise sterilized. In any event, the permission of the health officer shall be first obtained before any article is removed.

260. When a case of smallpox, diphtheria, membranous croup, scarlet fever, typhoid fever or measles exists in the house of a milkman or dealer in milk such milkman or dealer shall not continue the sale or the distribution of milk until permitted to do so by the health officer or health officers of the municipality or municipalities in which he vends or sells such milk.

261. When a case of smallpox, diphtheria, membranous croup, scarlet fever or measles has declared itself in a house, no person inhabiting such house shall take work home, either for trade purposes or for private families; and the head of such house shall prevent everything which has been brought into the house previous to the breaking out of the disease from being taken away from it before having been disinfected by or under the direction of the health officer.

262. In the event of any infectious or contagious disease occurring in any dwelling where dressmaking, tailoring, laundry or other work for the public is performed on the premises, or where any store or workshop is connected with such dwelling, such business shall be discontinued unless (a) the person suffering from such infectious or contagious disease is at once



removed to a hospital or other place and the premises disinfected by or under the direction of the health officer, or (b) all communicating doors between the dwelling house and the store or workshop are secured and fastened and all cracks and keyholes or other openings sealed with paper and paste. Such doors shall not be opened except by permission of the health officer and not until either the removal or recovery of the person sick and the disinfection of the premises.

263. No person who shall have been in contact with a person sick from smallpox, diphtheria or scarlet fever except the attending physician, nurse, health officer or person authorized by such health officer, shall leave the premises or come in contact with any other person than the person sick, unless properly disinfected and permitted to do so by the health officer.

264. No person quarantined by a health officer on account of having a contagious or infectious disease, or on account of having been exposed thereto, shall leave such quarantined house or place or put himself in communication with anyone from the outside, or remove anything from such house or place, without the permission of the health officer.

265. No person sick with any contagious or infectious disease shall be removed at any time, except by the permission and under the direction of the health officer, nor shall any occupant of any house or premises in which there exists any of such diseases change his or her place of residence to any other place without the consent of the health officer, who shall in either case prescribe the conditions of such removal or change of residence, as the case may be.

266. Persons sick with any contagious or infectious



disease, shall not leave any hospital to which they have been sent for treatment without the permission of the medical superintendent of such hospital.

267. No person shall allow any child or person under his control to leave a quarantined house or the premises thereof. All children residing in any such house shall be kept under parental supervision and restraint and not allowed to mingle with the public or to play with other children.

268. No person, in whose house there exists any infectious or contagious disease, shall permit any person suffering from any of such diseases or any clothing or other articles to be removed from his house without the consent of the health officer, and the health officer shall prescribe the conditions of such removal.

269. Subject to the provisions of the next following section, no person living in a house or premises in which there exists or existed any contagious or infectious disease shall, during the period of quarantine of such house or premises, leave the same unless such person shall have first received from the health officer a certificate that he lives in a part of the house or premises remote from contagion or infection and does not come in contact therewith.

270. No school teacher, milliner, dressmaker, tailor, person engaged in a dry goods store, baker, butcher, dairyman or person engaged in the supply of food for man, of whatsoever nature or kind, shall follow or engage in his or her usual calling or occupation while residing in a house or premises where any infectious or contagious disease exists. All such persons, in order to enable them to follow or engage in their usual callings or occupations, shall be required, with the knowl-



edge and consent of the health officer, to find a new or another place of residence during the period that the contagion or infection exists in such house or premises until the health officer shall have lifted the quarantine thereof.

271. Any person suffering from smallpox and placed in a smallpox hospital shall remain there until discharged by order of the health officer, and no patient suffering from or who has recently suffered from any infectious disease shall leave any public or private hospital until the superintendent of any such hospital has certified that he has fully recovered and that he has taken such precautions as to his person, clothing and things as are necessary to insure immunity from infection to other persons with whom he may come in contact.

### **Exposure to Infection**

272. Persons suffering from any infectious or contagious disease shall not expose themselves in any public conveyance or mingle with the general public.

273. No person from any house or building where any infectious or contagious disease exists shall expose himself in any railway car, street car, cab or public conveyance unless he has a certificate from the health officer that there is no danger of infection to others from such exposure.

274. No person shall spit in street cars or other public conveyance, or public places or on sidewalks or on floors and other parts of public buildings.

275. Where there is reason to suspect that any person who has smallpox, diphtheria, scarlet fever, measles, cholera, typhus fever, typhoid fever, tuberculosis in any of its forms, anterior poliomyelitis (called infantile



paralysis), erysipelas, or scabies, is in or upon any railway car, steamboat, stage or other conveyance, the health officer or any person authorized by him may enter such conveyance and cause such person to be removed therefrom, using force, if necessary, and may detain the conveyance until it is properly disinfected, or the health officer may, if he thinks fit, remain on or re-enter and remain on or in the said conveyance, with any assistance he may require for the purpose of disinfecting the same, and his authority shall continue in respect of such person and conveyance, notwithstanding the conveyance is taken into any other municipality.

(2) Any member or inspector of the board or any medical practitioner or other person authorized by the board shall have like authority.

276. No person shall lend, transmit, sell or expose any bedding, clothing or other article likely to convey any infectious or contagious disease without taking such precautions as the health officer may direct for removing all danger of communicating such disease to others.

277. No person shall let or hire any house or room in a house in which any infectious or contagious disease has recently existed, without having caused the house or room and the premises used in connection therewith to be disinfected to the satisfaction of the health officer; and for the purpose of this section the keeper of a hotel or lodging house shall be deemed to let for hire part of a house to any person admitted as guest into such hotel or lodging house.

278. No person letting for hire, or showing for the purpose of letting for hire, any house or part of a



house on being questioned by any person negotiating for the hire of such house or part of a house as to the fact of there previously having been therein any person suffering from any infectious or contagious disease, or any animal or thing infected thereby, shall knowingly make a false answer to such questions.

### **Administration of Anti-toxin**

279. When a physician other than a health officer is called upon to treat a person suffering from diphtheria who is in indigent circumstances, or a child suffering from diphtheria whose parents are in indigent circumstances, and he is of the opinion that anti-toxin should be administered to such person or child or others who may have been exposed to the contagion of such disease, he may make application to the health officer for the municipality for a supply of anti-toxin.

(2) When satisfied of the indigent circumstances of the person to be treated such health officer shall immediately furnish such anti-toxin.

### **Certain Persons Not To be Sent from One Municipality to Another**

280. It shall be unlawful for the council of any municipality, or any mayor, reeve, alderman, councillor or other officer of any municipality, to transport, or cause to be transported, an indigent person or any person suffering from an infectious or contagious disease from the municipality in which such person may be found to any other municipality, for the purpose of transferring from the municipality in which such person has been found to such other municipality the burden of the care and maintenance of such person.

281. When, notwithstanding the provisions of the last preceding section, any indigent person, or any



person suffering from an infectious or contagious disease as aforesaid, shall have been transported from one municipality to another for the purpose aforesaid, such later municipality shall be entitled to recover from the other, by suit at law, all sums of money paid by it, for or incidental to the maintenance and caring for such person.

### **Board May Prevent Persons Going to Infected Localities**

282. When any part of the Province becomes exposed to any infectious or contagious or epidemic disease then existing outside the Province, the board may declare that such disease exists in such place as aforesaid and prohibit all ingress to the Province therefrom for a period to be named in such order.

### **Termination of Infection—Disinfection**

283. Cases of infectious or contagious diseases shall be deemed to be terminated and at an end as follows:

Diphtheria and membranous croup, upon negative throat cultures taken on alternate days, and prior to the use of any throat gargle, demonstrating that no trace of the disease is apparent;

Scarlet fever, at the end of five weeks, and when all scaling and peeling is ended, and there is an entire absence of discharge from the ears, nose or throat, and all suppurating glands are entirely healed;

Smallpox, five days after all crusts have fallen from the skin;

Measles, at least two weeks after isolation;

Mumps, when all glandular swelling has subsided;

Chicken pox, when all scabs have disappeared from the skin, and the skin is smooth;

Whooping cough, when all cough has subsided;



All other cases of infection or contagion, at such period of time as the health officer may determine.

284. When a person affected with any contagious or infectious disease has recovered and is no longer liable to communicate the disease to others, or has died, the attending physician shall notify the health officer of such recovery or death, and, as soon thereafter as possible, the health officer or other person delegated for the purpose shall thoroughly disinfect and purify the house and contents thereof in which such person has been ill or has died, according to the following formula, that is to say:

Houses—(a) solution of mercuric chloride, one drachm to the gallon of water, to be used in washing floors, walls and ceiling at intervals; and when final disinfection is made every surface to be thoroughly scrubbed with soap and water and then with above solution and afterwards fumigated with sulphur for twenty-four hours; or

(b) Formalin at the rate of eight ounces to one thousand cubic feet sprayed or sprinkled on sheets in various rooms with an exposure of at least eight hours, or other means approved by the health officer.

• Underclothing and bed linen soiled by discharge—  
(a) destruction by fire; or

(b) Immersion for twenty-four hours in solution of mercuric chloride, one drachm to the gallon of water; or

(c) Immersion for four hours in solution of carbolic acid, two ounces to the gallon, then boiling or exposure to superheated steam; or

(d) Formalin in air tight box, at the rate of eight ounces to one thousand cubic feet; exposure, twenty-four hours.



Mattresses, blankets, etc.—(a) destruction by fire; or

(b) Immersion in boiling water for one hour; or

(c) Immersion in solution of mercuric chloride, one drachm to the gallon, for twenty-four hours; or

(d) Formalin in air tight box at the rate of eight ounces to one thousand cubic feet; exposure, twenty-four hours.

Furniture and articles of wood, leather and porcelain—thoroughly wash with (a) mercuric chloride solution two drachms to the gallon; or

(b) Fresh chloride or lime solution, two ounces to the gallon; or

(c) Solution of carbolic acid, two ounces to the gallon; or

(d) Formalin in air tight box or room at the rate of eight ounces to one thousand cubic feet; exposure twenty-four hours;

Provided that if the patient has been isolated in a separate room the health officer may at his option disinfect or require the disinfection of that room only.

285. Disinfection of any hotel, boarding house, hall, theatre, car, railway car or other public conveyance may be required and at the expense of the owners, whenever it appears necessary or advisable to the health officer.

286. Every municipality may provide a proper place or portable furnace with all necessary apparatus and attendance for the disinfection of bedding, clothing or other articles which have become infected, and may cause all such articles to be disinfected free of charge, or may make reasonable charges for the disinfecting of the same, as may be provided by by-law in municipalities or in outlying districts by regulations made by the board.



287. Every health officer shall have the right to enter any house or premises wherein any infectious or contagious disease exists or has recently existed for the purpose of disinfecting such house, or a portion thereof, and its contents, and no owner or occupant of such house shall molest, impede, obstruct or in any manner interfere with any health officer in fully and completely performing his duty with respect to such disinfection as required by this Act, but, on the contrary, shall assist him in that behalf by every means at his command.

288. The precautionary measures set forth in the preceding sections of this Act relating to infectious and contagious diseases shall be continued after the recovery or death of the person affected until the house has been disinfected by or under the direction of the health officer.

### **Termination of Quarantine**

289. In all cases of infectious or contagious diseases where there is no physician in attendance, the health officer shall determine when it is safe to terminate the quarantine of the house or premises, or part thereof, in which such disease exists, and may terminate such quarantine after disinfection in the manner required by this Act has been performed.

290. No attending physician shall have the right or authority to terminate or release any quarantine established pursuant to the provisions of this Act. Any such quarantine shall only be determinable by the health officer.

### **Destruction of Infected Property**

291. Any health officer may destroy or cause to be destroyed any infected clothing, bedding or other article which cannot be made safe by disinfection, in which case he shall furnish to the owner thereof a



receipt, of which he shall keep a full and accurate copy, for articles so destroyed, which receipt shall show the number, character, condition and estimated value of the articles destroyed. When a building, hut or other structure has become infected with smallpox or other dangerous communicable disease, and cannot, in the opinion of the health officer, be made safe by disinfection, he may, subject as aforesaid, have such building, hut or other structure appraised and destroyed.

(2) When an order is made under this Act by a health officer, or by an inspector, for the destruction of any clothing, goods, chattels, personal property or building, on the ground that the same has been exposed to infection, such order shall be prima facie evidence that the said clothing, goods, chattels, personal property or building have been exposed to infection.

292. The council of the municipality, upon the presentation of the original receipt or written statement of the appraisement of the health officer for articles or houses so destroyed, shall pay to the owner thereof, or other person authorized by the owner to receive it, the estimated value of such destroyed articles, or such sum as the council deems just compensation therefor, and if the owner is not satisfied with the amount so allowed he may sue for the value thereof.

#### **Cost of Medical Attendance, Disinfection, Etc.**

293. The corporation of the municipality in which any person is quarantined for an infectious or contagious disease shall be entitled to recover from such person, or his executors or administrators, or from the father or husband of such person, if such person is living with his or her father or her husband, as the case may be, the amount expended by the municipality



in providing medical attendance, nurses and other assistance and necessities for such person, but not the expenditure in providing a separate house or in otherwise isolating such person.

(2) The services of the person referred to in section 257, as well as every thing he is ordered to bring, shall be at the expense of the head of the house so quarantined except in a known case of poverty, when these services, as well as the necessities of life, shall be furnished at the expense of the municipal corporation.

294. In cities and towns all costs and expenses of disinfection shall be borne and payable by the person for whom the same has been performed, or the occupant or occupants of the house, or a portion thereof, wherein disinfection has taken place, which said costs and expenses shall be a debt due on demand and forthwith payable by the person liable to the health officer, and if not so paid shall be recoverable by the health officer in the name of the municipality against the person in default, in any court of competent jurisdiction.

295. In rural municipalities and villages the cleansing and disinfection of any house, or part thereof, and of articles therein, in the manner hereinbefore provided, shall be performed by the respective health officers thereof at the general expense of the municipalities respectively, and the costs and expenses of such disinfection shall be treated as and deemed to be expenses incurred by health officers under the provisions of this Act.

## **DEAD BODIES**

### **Interment**

296. The body of any person who has died of an infectious or contagious disease of any of the kinds re-



ferred to in Sections 227 and 230 except those mentioned in Section 298 shall be kept isolated up to the moment of the funeral, in the room occupied by such person during his illness.

297. Undertakers or other persons shall not introduce draperies or other mourning ornaments or decorations into any house infected with an infectious or contagious disease.

298. The body of any person who has died of an infectious or contagious disease of the kind referred to in sections 227 and 230, excepting typhoid fever, chicken pox, whooping cough, puerperal fever, mumps, pneumonia, pulmonary tuberculosis and erysipelas, shall be disinfected by wrapping the body in a well sewn sheet completely saturated with,—

(a) Bichloride of mercury, two drachms to one gallon of water; or

(b) Carbolic acid, four ounces to one gallon of water; or

(c) Chloride of lime, six ounces to one gallon of water; and by placing two pounds of chloride of lime in the coffin.

299. The body of any person who has died of an infectious or contagious disease, of the kind referred to in sections 227 and 230, save as excepted in section 298, shall not be taken out of the neighborhood in which the death occurred without the written permit of the health officer who will, before granting such permit, certify,—

(a) That the body has been disinfected as prescribed by the preceding section;

(b) That the body has been enclosed in a coffin of solid metal, hermetically sealed, or in a coffin or solid



wood box lined with metal and hermetically sealed; and

(c) That the body is not accompanied by any contaminated articles.

300. No one shall attend the funeral or burial or removal of a person who has died of an infectious or contagious disease, of the kind referred to in sections 227 and 230, save as excepted in section 298, except the officiating clergyman, the undertaker or necessary witness, unless the said body has been placed in a coffin of solid metal or lined with metal and hermetically closed.

301. The body of a person who has died of an infectious or contagious disease of any of the kinds referred to in sections 227 and 230, except those mentioned in section 298, shall be buried within thirty-six hours next following the death, unless such body is placed in a coffin of solid metal and hermetically closed or a permit is granted by a health officer postponing such burial.

302. The body of a person who has died of an infectious or contagious disease, of the kind referred to in sections 227 and 230, save as excepted in section 298, shall not be taken into a church or chapel, or deposited in a public vault, or in any morgue, but shall be transferred directly from the place of death to the cemetery or burial ground, unless special permission to the contrary for good reasons is obtained from the health officer.

303a. No undertaker or other person except a licensed embalmer, shall conduct the funeral, burial or removal of persons who have died of contagious or infectious diseases, except those mentioned in section 298, in cities,



towns or communities where there is a licensed embalmer.

303b. The bodies of persons who have died of diseases of any of the kinds referred to in sections 227 and 230, except those mentioned in section 298, shall not be removed for burial in a cab, hack, carriage or any other public conveyance.

303. The body of any person who has died of any infectious or contagious disease shall not be disinterred except by permission of the chairman of the board, and subject to the conditions by him imposed.

### Transportation

304. The transportation of bodies dead of smallpox, Asiatic cholera, yellow fever, typhus fever or bubonic plague is absolutely forbidden.

305. The bodies of persons who have died of diphtheria, membranous croup, scarlet fever, glanders, anthrax or leprosy shall not be accepted for transportation unless prepared for shipment by being thoroughly disinfected by (a) arterial and cavity injection with an approved disinfectant fluid, (b) disinfecting and stopping of all orifices with absorbent cotton, and (c) washing the body with the disinfectant, all of which shall be done by a licensed embalmer, or a competent embalmer approved of by the health officer. After being disinfected as above such body shall be completely wrapped in a sheet saturated with an approved disinfectant, and encased in an air-tight zinc, tin, copper or lead coffin, or iron casket, hermetically sealed, and all enclosed in a stout outside wooden box.

306. The bodies of persons who have died of puerperal fever, erysipelas, tuberculosis and measles, or



other dangerous and communicable diseases, other than those specified in the two foregoing sections, may be received for transportation when prepared for shipment by thorough arterial and cavity injection with an approved disinfectant fluid, and washing the exterior of the body with the same and stopping all orifices with absorbent cotton; the body shall then be encased in a sound coffin or casket, and enclosed in a strong outside wooden box, all of which shall be done by a licensed embalmer, or a competent embalmer approved of by the health officer.

307. The bodies of persons having died of diseases not contagious, infectious or communicable may be received for transportation when encased in a sound coffin or casket and enclosed in a strong outside wooden box, provided they reach their destination within twenty hours from the time of death. If the body cannot reach its destination within thirty hours from the time of death, it shall be prepared for shipment as required by section 306.

308. In cases of contagious, infectious or communicable diseases, the body must not be accompanied by persons or articles that have been exposed to the infection of the disease, unless certified by the health officer as having been properly disinfected; and before selling passage tickets railway agents shall carefully examine the transit permit and note the name of the passenger in charge, and of any others proposing to accompany the body, and see that all necessary precautions have been taken to prevent the spread of the disease. The transit permit in such cases shall specifically state who is authorized by the health officer to accompany the remains. In all cases where bodies are forwarded under section 305, notice must be sent by telegraph to the



health officer at destination, advising the date and train on which the body may be expected. This notice shall be by or in the name of the health officer at the initial point, and is to enable the health officer at destination to take all necessary precautions at that point.

309. Every dead body must be accompanied by a person in charge, who shall be provided with a passage ticket, and also present a full first-class ticket marked "corpse" for the transportation of the body, and a transit permit showing physician's or coroner's certificate, health officer's permit for removal, undertaker's certificate, name of deceased, date and hour of death, age, place of death, cause of death, and if a contagious, infectious or communicable disease, the point to which the body is to be shipped, and, when death is caused by any of the diseases specified in section 305, the names of those authorized by the health officer to accompany the body. The transit permit must be made in duplicate, and the signature of the physician or coroner, health officer and undertaker must be on both the original and duplicate copies. The undertaker's certificate and paster of the "original" shall be detached from the transit permit and pasted on the coffin box. The physician's certificate and transit permit shall be handed to the passenger in charge of the corpse. The whole duplicate copy shall be sent to the official in charge of the baggage department on the initial line, and by him to the health officer of the municipality from which said shipment was made.

310. When dead bodies are shipped by express the whole original transit permit shall be pasted on the outside box and the duplicate forwarded by the express



agent to the health officer of the municipality from which said shipment was made.

311. Every disinterred body, dead from any disease or cause, shall be treated as infectious or dangerous to the public health, and shall not be accepted for transportation by any railway company, unless said removal has been approved by the board, and the consent of the health authorities of the locality to which the corpse is consigned has first been obtained; all such disinterred remains shall be enclosed in a hermetically sealed (soldered) zinc, tin or copper-lined coffin or box. Bodies deposited in receiving vaults shall be treated and considered the same as buried bodies, except when originally prepared by a licensed embalmer, as directed in sections 305 and 306, provided shipment takes place within thirty days from time of death; after thirty days the casket or coffin containing said body shall be enclosed in a hermetically soldered coffin or box.

312. The forms in use on the Canadian Pacific Railway in the Province of Manitoba for the transportation of dead bodies, except as herein varied, shall be hereafter used for the purposes of this Act.

### **Embalming**

313. No person shall embalm and prepare for transportation any body dead of a contagious or infectious disease, or embalm any dead body, or hold himself out as practising the art of embalming or practise such art, without first applying for and receiving from the board a license authorizing him so to do. All applications for licenses shall be made in writing and shall be accompanied by the examination and license fee of five dollars, with proof that the applicant is of good moral character and has attained the age of at least twenty-



one years; together with evidence that he has had twelve consecutive months' training and experience under a licensed embalmer in the Province, such evidence to be furnished on forms provided by the board for the purpose.''

314. The board shall provide for examinations for embalmers at least twice yearly. Notices of such examinations shall be published at least twice in two daily newspapers in the Province.

315. The board shall appoint and provide for the remuneration of a board of examiners of persons applying to be licensed as embalmers under the provisions of this Act.

316. Each applicant for a license shall be examined in the following subjects: Anatomy, sanitary science and the care, preservation, embalming, transportation and burial of dead bodies, and shall demonstrate his proficiency as an embalmer in such manner as the examiner or examiners may require. If the applicant successfully pass the examination, then the board shall issue to him a license authorizing him to practise the art of embalming and to handle and bury dead bodies of a contagious or infectious disease. All licenses shall be signed by the chairman and secretary of the board and shall expire on the thirty-first day of December following the date of issue. A license may be renewed annually by the board within thirty days after the date of expiration, provided that the holder makes proper application to the said board and pays the sum of two dollars renewal fee.

317. The board shall keep a record in which shall be registered the names and residences of all persons to whom licenses have been issued, with number and date



of issuance. A copy of this record shall be furnished to the various transportation companies within the Province annually on the 1st day of February, and baggage agents shall not receive for shipment dead bodies prepared by any person whose name does not appear on said list, except under the conditions set forth in section 307.

318. The board may refuse to issue or renew licenses provided for in this Act to persons who have by false and fraudulent representation obtained or sought to obtain a license to practise their profession, or by false or fraudulent representation of their profession have obtained or sought to obtain money or anything of value, or for any other unprofessional and dishonorable conduct, and the board may revoke such licenses for any of such or other like causes; provided that no license shall be revoked until the holder is given a reasonable notice of the charge against him and an opportunity for a full hearing before said board.

## INOCULATION AND VACCINATION

### Generally

319. The board may order that vaccination and re-vaccination shall be compulsory within the limits of any specified locality within the Province and may make all necessary regulations respecting the same.

320. Every health officer shall at all times keep in his possession a sufficient number of vaccine points for emergency purposes.

321. Upon and immediately after the successful vaccination of any child the medical practitioner who performed the operation shall deliver to the father or



mother, or other person having the care of the said child, a certificate according to the following form, that is to say:

I, the undersigned, hereby certify that  
child of  
aged                      residing at  
in the Municipality of                      has been success-  
fully vaccinated by me.

Dated at                      this                      day of                      19                      .

322. If any medical practitioner is of opinion that any person or child brought to him is not in a fit and proper state to be vaccinated, he shall deliver to such person or to the father or mother of such child or to the person having the care of such child a certificate, which certificate shall remain in force for two months after its delivery; and such person or the father or mother of such child or the person having the care of such child shall at the end of that period either have the certificate renewed or vaccination performed. The certificate referred to in this section shall be in the following form:

I, the undersigned, hereby certify that I am of the opinion that                      the child of  
aged                      is not now in a fit and proper state to be successfully vaccinated, and I do hereby postpone the vaccination until the                      day of                      19                      .

Dated this                      day of                      19                      .

323. Any person producing or attempting to produce by inoculation with variolous matter, or by wilful exposure to variolous matter or to any other article, matter or thing impregnated with variolous matter, or wilfully by any other means whatsoever, the disease of



smallpox in any person in this Province shall incur a penalty of not less than one hundred dollars nor more than five hundred dollars.

## In Schools

324. School trustees and all educational authorities may at any time order that no pupil shall be admitted to any school or other educational institution under their control unless such pupil hands to the teacher of the school he attends either a certificate of efficient vaccination or of his being insusceptible to vaccination.

325. Whenever he deems it necessary the health officer of any locality which is or is threatened to be invaded by smallpox may require a certificate or other sufficient evidence of immunity from smallpox to be handed by every pupil attending school, college, convent, university or other educational institution within such locality to the authorities of the institution which he attends; and every pupil who refuses or neglects to produce such certificate on demand shall be excluded from the institution during the whole time of his refusal or neglect.

326. Every person or corporation, having control over a school, college, convent, university or other educational institution, refusing or neglecting to exclude a pupil who does not furnish a certificate of vaccination or insusceptibility to vaccination when required so to do, as hereinbefore prescribed, shall be guilty of a violation of this Act and subject to the penalty hereinafter provided. Such certificate of insusceptibility shall be in the following form:

I, the undersigned, hereby certify that I am of opinion that \_\_\_\_\_ the child of \_\_\_\_\_



residing at \_\_\_\_\_ in the Municipality of \_\_\_\_\_  
is insusceptible to vaccination  
Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

## MATERNITY BOARDING HOUSES—HOSPITALS

### Registration—Management

327. It shall not be lawful without permission in writing from the health officer of the proper municipality for any person to retain or receive for hire or reward any woman or girl for accouchement, or to keep women or girls (being mothers of infants and not married) with infants for board or lodging, or to keep a maternity board house.

328. The health officer of every municipality, or any officer specially appointed by him for that purpose, shall keep a register of the names of persons applying for such permission, and shall cause to be registered therein the name and house of every person so applying and the situation of the house; and the medical health officer shall from time to time make regulations for fixing the number of women or girls or infants who may be received into any and every house so registered. A fee of not more than ten dollars (to be fixed by by-law of the municipality in which such house is situate, such fee to be for the benefit of the municipality) shall be charged for registration. Every person who receives or retains any woman or girl or infant in contravention of the provisions of this Act shall be guilty of an offence against this Act.

329. The health officer may refuse to register any house unless satisfied that the house is suitable for the purposes for which it is to be registered, and unless satisfied by the production of certificates that the person applying to be registered is of good character



and able to maintain, keep and properly lodge such women or girls or infants.

330. If it is shown to the satisfaction of the health officer that a person whose house has been so registered as aforesaid has been guilty of serious neglect or is incapable of providing the women or girls or infants entrusted to his care with proper food and attention, or that the house specified in the register has become unfit for the reception of women or girls or infants, it shall be lawful for the health officer to strike the name and house off the register.

331. The person registered as aforesaid shall immediately enter in a register to be kept by him the name and age of every woman or girl or infant and also the place from which such woman or girl or infant came before entering such house, and shall also enter in the said register the name of the medical practitioner who attends at any birth which takes place in such house or on any infant who is sick, and, when such woman or girl or infant leaves the said house, the place to which they are removed and the date of such removal; also, whether the infant was taken away with the mother or how disposed of, or how children boarded without their mothers are disposed of; and he shall produce the register when required by the health officer or any person appointed by him, and, in the event of his refusing so to produce the register or neglecting to enter in a register the particulars hereinbefore required he shall be liable to a penalty not exceeding twenty dollars.

332. The person registered shall keep a book of forms for the registration of persons received into such



house. This register may be according to the following

No.	Date.	Place from which person came.	Name of doctor who attended at confinement.	Date of birth.	Destination of person after leaving.	Date of same.	Infants, how disposed of.	Remarks.

333. It shall be the duty of the managers of maternity hospitals, infants' homes, or other refuges for women, to ascertain and record the antecedents of women coming under their care and furnish such information as may be called for from time to time.

334. Every birth which takes place in such a house or hospital shall be attended by a legally qualified practitioner, who shall forthwith report the fact of such birth having taken place to the health officer, and he shall also register the same under "The Vital Statistics Act."

335. The person registered as aforesaid shall, within twenty-four hours after the death of any inmate of such house, whether a woman or girl or an infant, born therein or brought thereto as a boarder, cause notice thereof to be given to the health officer; and such health officer shall immediately call a coroner for the district within which the said person died to make an investigation of the death, unless a certificate under the hand of



a registered medical practitioner is produced to him by the person so registering that such practitioner had personally attended or examined the person so dying and also specifying that there is no ground for holding an investigation. If the person so registered neglects to give notice as aforesaid he shall be guilty of an offence against this Act.

336. The health officer shall provide for the visiting and inspecting from time to time of every house registered under this Act; and the person or persons appointed to inspect shall be entitled to enter the house at any time and examine every part thereof, and to call for and examine the register required to be kept as aforesaid, and to inquire into all matters concerning the house and the inmates thereof; and it shall be the duty of the person registered to give all reasonable information to persons making the inspection, and to afford them every reasonable facility for viewing and inspecting the premises and seeing the inmates thereof.

337. No child under one year of age, whether an inmate of such house or hospital or born therein or brought thereto or otherwise, shall be given out for adoption except by and with the consent of a children's aid society or of the superintendent of neglected children, under such rules and regulations in that behalf as may be approved of by the Lieutenant-Governor-in-Council.

338. If any person makes false representations with a view to being registered under this Act or forges any certificate for the purpose, or makes use of any forged certificate knowing it to be forged, or falsifies any register kept in pursuance of this Act, he shall be guilty of an offence against this Act.



339. Whoever receives for care or treatment, within a period of six months, more than one woman during pregnancy, or during or after delivery, except women related by blood or marriage, or has in custody or control, at any one time, two or more infants under the age of two years, unattended by parents or guardians, for the purpose of providing them with care, food and lodging, except infants related to him by blood or marriage, shall be deemed to maintain a maternity boarding house or lying-in-hospital. The provisions of this section shall not apply to any children's home, charitable organization, society or institution having the care of children under its control duly incorporated under the laws of this Province.

#### **Municipal Hospital for Infectious Diseases**

340. Every municipality may establish or erect and may also maintain one or more hospitals for the reception of persons having smallpox or other disease which may be dangerous to the public health, or any two or more municipalities may join and establish, erect and maintain the same; but no such hospital shall be erected by one municipality within the limits of another municipality without the consent of such other municipality, unless the hospital is more than eight hundred feet from any occupied house or public highway. When great emergency exists, the health officer, with the approval of the mayor or reeve of the municipality, may seize, occupy and temporarily use, for a quarantine hospital, a suitable vacant house or building within the jurisdiction of such health officer and mayor or reeve.

341. When any hospital is so established, the physician attending the same or the sick therein, the nurses attending and all persons who approach or come within the limits of the same, and also all such furniture and



other articles as are used or brought there, shall be subject to such regulations as shall be made by the health officer.

342. No public or private hospital for the care and treatment of infectious or contagious diseases shall be established, conducted, maintained or carried on without the consent of the board having been first obtained.

343. If smallpox or any other disease dangerous to the public health breaks out in any municipality, the health officer, in case the municipality shall not have provided the same, shall immediately provide such a temporary hospital, hospital tent or other place or places of reception for the sick and infected as he shall judge best for their accommodation and the safety of the inhabitants, at the cost of the municipality, and for that purpose may—

(a) Erect such hospital tents, hospitals or other places of reception, or

(b) Contract for the use of any such hospital or part of a hospital or other place of reception, or

(c) Enter into any agreement with any person having the management of any hospital for the reception of the sick inhabitants of the municipality on payment of such sum as may be agreed upon.

344. Such hospital or place of reception shall be subject to such regulations as shall be made by the health officer.

345. No payment shall be made of any sum of money granted by the Legislature to any hospital to which patients suffering with smallpox are admitted, unless a certificate has been filed with the Department of Agriculture and Immigration, signed by a medical officer



of such hospital and concurred in by the inspector, to the effect that there is in such hospital a distinct and separate ward set apart for the exclusive accommodation of patients afflicted with smallpox.

## **SPECIAL PROVISIONS AS TO TUBERCULOSIS**

### **Duties of Physicians and Health Officers**

346. Tuberculosis is hereby declared to be an infectious and communicable disease. It shall be the duty of every physician to report in writing the name, nativity, age, sex, color, occupation, place where last employed, if known, and address of every person known by said physician to have tuberculosis to the health officer of the municipality in which said person resides, within twenty-four hours after such fact comes to the knowledge of said physician. It shall also be the duty of the chief officer having charge for the time being of any hospital, dispensary, asylum, or other similar private or public institution, to report in like manner the name, nativity, age, sex, color, occupation, place where last employed, if known, and previous address of every patient having tuberculosis, who comes into his care or under his observation, within twenty-four hours thereafter.

347. Such report shall also state the evidence upon which the diagnosis of tuberculosis has been made, the part of the body affected and the stage of the disease. All cases in which the sputum, urine, faeces, pus or any other bodily discharge, secretion or excretion contains the tubercle bacillus shall be regarded as open case of tuberculosis, and the rules given below providing for disinfection of premises occupied by cases of tuberculosis shall apply only to such open cases. All other cases shall be reported for statistical purposes, and shall



be subjected to frequent examinations. In the event of these becoming open cases, they shall become subject to the same restrictions as herein provided for all open cases.

348. It shall be the duty of every health officer of a municipality, when so requested by any physician or by authorities of any hospital or dispensary, to make or cause to be made a microscopical examination of the sputum or other bodily secretion or discharge forwarded to him as that of a person having symptoms of tuberculosis. Such sputum, secretion or discharge shall be forwarded to such officer in a package, accompanied by a blank form giving name, nativity, age, sex, color, occupation, place where last employed, if known, and address of the person whose sputum, secretion or discharge it is. It shall be the duty of the said health officer promptly to make a report of the results of such examination free of charge to the physician or person upon whose application the same was made. The examinations provided for in this section shall be made by health officers of the bacteriological branch of the board of health.

349. It shall be the duty of every health officer of a municipality to cause all reports made in accordance with the provisions of section 318, and also all results of examinations showing the presence of the bacilli of tuberculosis made in accordance with the provisions of section 320, to be recorded in a register, a copy of which he shall transmit quarterly to the board.

350. Whenever any person having open tuberculosis in any apartment or premises dies or is removed therefrom, it shall be the duty of the attending physician, or, if there be no such physician or if the physician be



absent, of the owner, lessee, occupant or other person having charge of the said apartments or premises, if he knows or has been notified that the person who so died or was removed had open tuberculosis, to notify the health officer of the municipality of the said death or removal within twenty-four hours thereafter, and such apartments or premises so vacated shall not again be occupied until duly disinfected, cleansed or renovated by the health officer.

### Treatment of Infected Premises, Etc.

351. When notified of the vacating of any apartments or premises, as hereinbefore provided, the health officer, or someone authorized by him, shall, within twenty-four hours thereafter, visit said apartments or premises and shall order and direct that, except for purposes of cleansing or disinfection, no infected article shall be removed therefrom until properly and suitably cleansed or disinfected; and said health officer shall determine the manner in which such apartments or premises shall be disinfected, cleansed or renovated in order that they may be rendered safe and suitable for occupancy. If the health authorities determine that disinfection is sufficient to render them safe and suitable for occupancy, such apartments or premises, together with all infected articles therein, shall immediately be disinfected by the health authorities at public expense. Should the health authorities determine that such apartments or premises are in need of thorough cleansing and renovation, a notice in writing to this effect shall be served upon the owner or agent of said apartments or premises, and said owner or agent shall thereupon proceed to the cleansing and renovating of such apartments or premises in accordance with the instructions of the health authorities, and such cleansing and reno-



vation shall be done at the expense of the said owner or agent.

352. If the orders or directions of the health officer requiring the disinfection, cleansing or renovation of any apartments or premises or any articles therein, as hereinbefore provided, are not complied with within a time to be determined by the health officer, he may cause a placard, in words and form substantially as follows, to be placed upon the door of the infected apartments or premises: "Tuberculosis is a communicable disease. These apartments have been occupied by a consumptive and may be infected. They must not be occupied until the order of the health officer, directing their disinfection or renovation, has been complied with." This notice must not be removed under the penalty of the law, except by the health officer.

353. Any person having tuberculosis who disposes of his sputum, saliva or other bodily secretion or excretion so as to cause offence or danger to any person or persons occupying the same room or apartment house, part of a house or premises, shall be deemed guilty of a nuisance, and any person subjected to such a nuisance may make complaint in person or writing to the health officer of any municipality where the nuisance is committed.

(2) It shall be the duty of the health officer receiving such complaint to investigate, and, if it appear that the nuisance complained of is such as to cause offence or danger to any person occupying the same room, apartment, house, part of a house, or premises, he shall serve a notice upon the person so complained of, reciting the alleged cause of offence or danger and requiring him to dispose of his sputum, saliva or other bodily secretion or excretion in such manner as to remove all



reasonable cause of offence or danger. Any person failing or refusing to comply with the orders or regulations of the health officer of any municipality requiring him to cease to commit such nuisance shall be deemed guilty of a violation of the provisions of this Act.

354. It shall be the duty of a physician attending a patient having tuberculosis to take all proper precautions and to give proper instructions to provide for the safety of all individuals occupying the same house or apartment.

355. If no physician be attending a patient having tuberculosis, the duty required by the preceeding section on the part of the physician shall desolve upon the health officer, and all duties imposed upon physicians by any other provisions of this Act relating to tuberculosis shall be performed by the health officer, if there be no physician in attendance in such cases.

356. It shall be the duty of every local health officer to transmit to every person reported as suffering from tuberculosis a circular of information informing the consumptive of the precautions necessary to avoid transmitting the disease to others.

357. Any physician or person practising as a physician who shall fail to report any case of tuberculosis, or who shall knowingly report as affected with tuberculosis any person who is not so affected, or who shall wilfully make any false statement concerning the name, nativity, age, sex, color, occupation, place where last employed, if known, or address of any person reported as affected with tuberculosis, or who shall certify fa'sely as to any of the precautions taken to prevent the spread of infection, shall be deemed guilty of an infraction of the provisions of this Act.



358. Upon the recovery of any person having tuberculosis, it shall be the duty of the attending physician to make a report of this fact to the health officer, who shall record the same in the records of his office and shall relieve said person from further liability to any requirements imposed by this Act.

359. If a house is occupied by a tubercular person for several months, it shall be disinfected by the health officer every three months to prevent infection of others.

360. Quarantine shall be enforced by the health officer, if the attendants or relatives of a person suffering with the unsafe or infectious form of tuberculosis refuse to carry out the proper precautions for preventing the dissemination of the infectious material, or the germs contained in the sputum.

361. Any tent, house, room, or rooms occupied by a tuberculous person shall be light, dry, well ventilated and admit all the sunshine possible. All unnecessary furniture shall be excluded, especially upholstered draperies, rugs and carpets.

362. No consumptive shall work or be permitted to work in a dairy, bakery, kitchen, grocery store, cigar factory or meat market, or come in close contact with articles of food to be taken or used by others.

363. Children with tubercle bacilli in the sputum or other excretions shall not be permitted to attend the public schools.

364. All persons whose expectoration or sputum is known to contain tubercle bacilli shall be informed by the health officer that they are in the infective stage of consumption, and shall be warned by the health officer of the necessary precautions which they should take to



prevent conveying the disease to others; if they fail to take such necessary precautions, they may, upon the order of the health officer, be isolated and quarantined.

365. Houses or rooms occupied by persons suffering with tuberculosis shall be deemed infected and, when vacated by death or removal of such persons, shall be disinfected with their contents by the health officer.

366. The foregoing provisions of this Act contained in sections 346 to 365 shall apply to the disease of tuberculosis, and none of the other provisions of this Act shall, unless specifically so stated, apply to such disease.

### **Private Tuberculosis Hospitals**

367. Except in the case of the Ninette Sanatorium, no hospital, sanatorium, institution or place for the reception, care or treatment of persons suffering from consumption or tuberculosis shall be established or maintained or kept within the limits of any municipality without permission to be given in the manner hereinafter stated.

368. Any person who desires to establish, maintain or keep any hospital, sanatorium, institution or place for the reception, care and treatment of persons suffering from consumption or tuberculosis shall make written application for permission so to do to the board, and such board shall take such application into consideration at its next regular meeting after receipt thereof, or at a special meeting to be called for the purpose within one month after the receipt of such application.

369. The board shall hear the applicant for such permission in person or by counsel, as also any person or persons opposed to the granting of such permission,



and shall, within one month thereafter, decide by resolution of the said board whether or not such application shall be granted.

370. If the board decides not to grant such application, such decision shall be final, and notice thereof shall forthwith be given to the applicant by registered letter.

## DISEASES AMONG ANIMALS

### Rabies

371. It shall be the duty of every health officer to whom cases of rabies among dogs are reported to immediately investigate the same; and should such investigation show a reasonable probability that a dog is affected with the disease known as rabies, said health officer shall immediately establish such temporary quarantine as may be necessary to prevent the spread of the disease.

372. Said health officers, when in their judgment such action is necessary to prevent the spread of the disease, shall have power to order all dogs in the municipality, or any part thereof, restrained, confined or muzzled.

373. Any order of a health officer to restrain, confine or muzzle dogs shall be operative when a copy of such order shall have been left at the usual place of residence of the owners of dogs that are believed to have been exposed to the said disease, or when a copy of said order has been posted in three of the most public places in the municipality, or the part thereof to which such order applies.

374. Any health officer or any resident of the municipality may make complaint to any justice of the peace when any dog within the municipality is rabid,



or has been bitten by or been fighting with a dog that is rabid, or has been running at large in violation of the order of the health officer. Upon such complaint it shall be the duty of the said justice to give notice to the owner of such dog to appear forthwith for the hearing of said complaint. Upon such hearing, if the said justice shall be satisfied that the said dog is rabid, has been bitten by or been fighting with a dog that is rabid, or has been running at large in violation of the order of a health officer, he shall be authorized to make an order that such dog be killed.

(2) Where it does not appear clearly at the hearing that the dog in question is rabid the justice may, in his discretion, order the said dog restrained for a period of at least ninety days.

(3) Where the owner of the dog complained against cannot be ascertained, the justice may immediately order the dog to be killed.

375. Whenever a dog is ordered killed, the justice shall issue an order to a police constable directing him forthwith kill and bury the dog; for which service the constable shall receive a fee of one dollar to be paid by the municipality out of its general fund.

### **Anthrax and Glanders**

376. Whenever an animal is ill with anthrax or glanders the owner of said animal, as well as the veterinary surgeon called to attend it, shall at once declare the existence and nature of such disease to the health officer.

377. The health officer shall at once cause to be isolated any animal which he knows or suspects to be sick with anthrax or glanders, and such isolation shall



continue until the disinfection, which shall be made after the recovery or death of the animal.

378. The litter, excrements, blood and other liquids from animals sick with anthrax or glanders shall be buried after having been covered with quicklime.

379. No person who attends to an animal sick with anthrax or glanders shall attend to other animals or enter any house without having previously changed his clothes and shoes and washed his face, beard and hands.

380. The bodies of animals which have died of anthrax or glanders shall not be skinned and shall within six hours after death be burned or buried under three feet of earth, after having been covered with quicklime a foot deep.

## GENERAL PROVISIONS

### Use of Force by Health Officers

381. Where a health officer is required or empowered under this Act, or under any regulations made under this Act, to disinfect any person or thing or to isolate any person, he may use such force and employ such assistance as is necessary to accomplish such disinfection and isolation.

382. Any health officer or any person authorized by him or any sanitary constable may, when obstructed in the performance of his duty, call to his assistance any constable, peace officer or other person he thinks fit; and it shall be the duty of all constables, peace officers and other persons to assist the health officer or persons authorized by him or a sanitary constable when so called upon to render assistance.



## **Suspension of Municipal and School Elections**

383. If the board reports to the Lieutenant-Governor-in-Council that, on account of the presence in any municipality of an epidemic or contagious disease, it would be dangerous to hold an election in such municipality, the Lieutenant-Governor may issue his proclamation postponing the holding of any intended municipal or school election for a period not exceeding three months, and may, from time to time, further postpone such election if, in the opinion of the board, the necessity for postponement continues.

(2) The Lieutenant-Governor may, by his said proclamation, name the days for holding a nomination and polling for the election; but, if no days are named therefor, the council shall, as soon as practicable after the period named in such proclamation, or the last of such proclamations, expires, by by-law name days for nomination and polling.

(3) If an election, postponed under the provisions of this section, is the annual election or an election of the entire council, or all of the board of trustees, the members of the council or board of trustees shall continue to hold office until their successors are elected.

## **Fees and Expenses**

384. All moneys recovered from any person or corporation, in respect of any expenses incurred under this Act, in pursuance of the provisions hereof, shall, when the said expenses have been in the first instance paid by the board, be, when recovered, paid to the board, and, when the said expenses have been in the first instance paid by the municipality, the amount recovered shall, when recovered, be paid to the municipality.



385. All expenses incurred by a health officer, or a health officer and mayor or reeve, or anyone acting under his or their instructions, in carrying out the provisions of this Act, shall be paid forthwith by the treasurer of the municipality in which the said health officer and mayor or reeve have jurisdiction, upon the presentation of the written certificate of such health officer or of such health officer and mayor or reeve.

386. All expenses incurred by an inspector under this Act shall, in the first instance, be paid by the board, upon the certificate of the inspector and the chairman and secretary of the board, and shall be included by the Municipal Commissioner in his next annual levy, apportioned rateably among the municipalities comprising the district of such inspector, upon the basis of the equalized assessment provided for in "The Municipal Commissioner's Act."

### Penalties

387. Every person violating any provision of this Act, where a penalty is not otherwise provided, shall be liable for every offence to a penalty of not less than five dollars nor more than one hundred dollars.

388. Any person who violates any regulation of the board shall be liable for every offence to a penalty not less than five dollars nor more than one hundred dollars.

389. Any person who wilfully obstructs any inspector, health officer, sanitary constable or other officer, acting in pursuance of this Act in the discharge of his duty, shall be liable to a penalty not exceeding one hundred dollars.

390. Where any person has been convicted of an offence under this Act, or under any regulation in force



thereunder, and such offence is in the nature of an omission or neglect, or is in respect of the existence of a nuisance or other unsanitary condition, which it is such person's duty to remove, or is in respect of the erection or construction of anything contrary to the provisions of this Act, or of any regulation or by-law enacted or in force thereunder, then, if the proper authority in that behalf gives reasonable notice to such person to make good such omission or neglect, or to remove such nuisance or unsanitary condition, or to remove the thing which has been erected or constructed contrary to this Act, or to such regulation or by-law, and default is made in respect thereto, the person offending may be convicted for such default, and shall be liable to the same punishment as was, or might have been, imposed for the original offence; and so on from time to time, as often as after another conviction a new notice is given and the default continues.

391. Every penalty imposed by or under this Act and all expenses for which this Act provides, and all expenses incurred in the doing of any act which is ordered to be done under this Act by or at the expense of any person, may be recovered from any such person in a summary manner before a justice of the peace, according to the procedure provided for by "The Manitoba Summary Convictions Act," and, in default of payment, the justice may commit the offender to the common gaol for any period not exceeding thirty days.

392. If any person, from poverty or other sufficient cause, is unable to comply with the provisions of this Act, or any of them, he shall give notice of such inability to the health officer, and, if the health officer on investigation is satisfied of the fact of such inability, he shall give his certificate to that effect, and such cer-



tificate shall be a bar to all proceedings against such person for the period of two months.

393. In all cases where any person deems himself injuriously affected by the refusal or neglect of any person to carry out the directions of the board or of any official exercising functions under this Act, it shall be lawful for him to lay information before a justice, when, after evidence has been given by any member of the board or official under this Act, the offender or offenders shall be made liable to the penalty provided in sections 387 to 396.

394. Every penalty recovered under this Act shall be paid to the treasurer of the municipality in which the offence was committed, if recovered upon a prosecution brought by or at the instance of any officer or agent of any municipality, otherwise the same shall be paid to the Municipal Commissioner.

395. No warrant issued or conviction made under this Act, or order made thereunder or other proceeding, matter or thing done or transacted in or relating to the execution of this Act, shall be vacated, quashed or set aside for want of form, or be removed or removable by *certiorari* or other writ or process whatsoever into the Court of King's Bench or other court, and no appeal shall be had or taken to the Court of King's Bench or other court upon, from or as to any conviction under this Act.

396. Where any act or omission is a violation of any expressed provision of this Act, and is also a violation of a by-law of a municipality in respect of a matter in relation to which the council of the municipality has jurisdiction, the conviction may be made under either this Act or the by-law.



397. The production, in any court in this Province or before any tribunal authorized to hear and determine any matter under this Act, of a printed book or pamphlet, purporting to be and contain regulations of the Board of Health, and purporting to be printed by any then, or former, King's Printer or Queen's Printer, shall be prima facie evidence that the said book or pamphlet truly sets forth regulations of the board duly made, approved, published and in force under this Act.

### Saving Clause

398. Nothing contained in this Act shall affect or impair the validity of any existing or future by-laws of any municipality passed under the authority of "The Municipal Act," or any amendments thereto, or of any charter of any city, and amendments thereto, relating to the several matters herein dealt with, except in so far as the same may be contrary to or inconsistent with the provisions of this Act, in which case the provisions of this Act shall prevail.

















