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Ontario
7. PUBLIC HEALTH.

CHAPTER 218.

An Act respecting the Public Health.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

SHORT TITLE.

1. This Act may be cited as The Public Health Act. 2 Geo. Short title. V. c. 58, s. 1.

INTERPRETATION.

2. In this Act,— Interpretation.

(a) "Chief Officer" shall mean the Chief Officer of "Chief Officer." Health for Ontario;

(b) "Communicable disease" shall mean and include "Communicable disease." any contagious or infectious disease, and shall include smallpox, chickenpox, diphtheria, scarlet fever, typhoid fever, measles, German measles, glanders, cholera, erysipelas, tuberculosis, mumps, anthrax, bubonic plague, rabies, poliomyelitis and cerebro-spinal meningitis, and any other disease which may be declared by the Regulations to be a communicable disease;

(c) "House" or "household" shall include a dwelling "House," "Household." house, lodging house, or hotel, and a student's "Household." residence, fraternity house, or other building in which any person in attendance as a student, pupil or teacher, or employed in any capacity in or about a university, college, school or other institution of learning resides or is lodged;

(d) "Householder" shall include the proprietor, master, "Householder." mistress, manager, housekeeper, janitor, and caretaker of a house;

(e) "Local Board" shall mean the local board of health "Local Board." for any municipality;
"Medical Officer of Health." (f) "Medical Officer of Health" shall mean the medical officer of health of the municipality appointed under this Act;

"Member of a household." (g) "Member of a household" shall mean a person residing, boarding or lodging in a house;

"Minister." (h) "Minister" shall mean the member of the Executive Council of Ontario charged by the Lieutenant-Governor in Council with the administration of this Act;

"Municipality." (i) "Municipality" shall not include a county;

"Occupier." (j) "Occupier" shall mean the person in occupation or having the charge, management or control of any premises, whether on his own account or as the agent of any person;

"Owner." (k) "Owner" shall mean the person for the time being entitled in his own right, or as trustee, mortgagee in possession, guardian, committee, agent, or otherwise, to receive the rents, issues and profits of any property or from any premises;

"Premises." (l) "Premises" shall mean and include any land or any building, public or private, sailing, steam or other vessel, any vehicle, steam, electric or street railway car for the conveyance of passengers or freight, any tent, van, or other structure of any kind, any mine, and any stream, lake, drain, ditch or place, open, covered or enclosed, public or private, natural or artificial, and whether maintained under statutory authority or not;

"Provincial Board." (m) "Provincial Board" shall mean the Provincial Board of Health;

"Regulations." (n) "Regulations" shall mean regulations made by the Provincial Board under the authority of this Act;

"Street." (o) "Street" shall include any highway, and any public bridge, and any road, lane, footway, square, court, alley or passage, whether a thoroughfare or not.

2 Geo. V. c. 58, s. 2.

3.—(1) The Lieutenant-Governor in Council may appoint not more than six persons, who, with the Chief Officer of Health, shall constitute the Provincial Board of Health for Ontario.

(2) The members of the Board so appointed shall hold office for three years from the date of appointment, and shall be eligible for re-appointment.
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(3) At least four members of the Board shall be legally qualified medical practitioners.

(4) The Lieutenant-Governor in Council may designate one of the members of the Board to be the Chairman thereof.

(5) The members of the Board so appointed shall be paid such salary or other remuneration as may be voted by the Assembly, together with their actual travelling and other necessary expenses while employed on the business of the Board. 2 Geo. V. c. 58, s. 3.

4.—(1) The Lieutenant-Governor in Council may appoint a legally qualified medical practitioner of at least five years' standing to be the Chief Officer of Health for Ontario.

(2) The Chief Officer of Health shall be ex officio a member of the Board, and shall be the Secretary thereof.

(3) The Chief Officer of Health shall be the executive officer of the Board, and in the intervals between the meetings of the Board shall perform such duties and shall have such powers as are imposed upon or by this Act vested in the Board.

(4) The Lieutenant-Governor in Council may also appoint a duly qualified medical practitioner, of at least five years' standing, to be Provincial Inspector of Health.

(5) The Provincial Inspector of Health may exercise, anywhere in Ontario any of the powers conferred by this Act on medical officers of health, and he shall act, under the direction of the Provincial Board, and shall perform such duties as may be assigned to him by the Board or by the Chief Officer of Health. 2 Geo. V. c. 58, s. 4.

5.—(1) The Provincial Board shall meet at least four times in every year.

(2) A majority of the Provincial Board shall be a quorum.

(3) 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. 2 Geo. V. c. 58, s. 5.

6. It shall be the duty of the Provincial Board, and it shall have power to,—

(a) Make investigations and enquiries respecting the causes of disease and mortality in Ontario or in any part thereof;

(b) Advise the officers of the Government in regard to public health generally, and as to drainage, water supply, disposal of garbage and excreta, heating, ventilation and plumbing of premises;
(c) Exercise a careful oversight of vaccine matter and serum produced or offered for sale in Ontario, or manufacture the same if deemed advisable, and as far as possible prevent the sale of the same when found to be impure or inert, and see that a supply of proper vaccine matter is obtainable at all times at such vaccine farms and other places as are subject to inspection by the Board;

(d) Determine whether the existing condition of any premises or of any street, or public place, or the method of manufacture or business process, or the disposal of sewage, trade or other waste, garbage or excremenitious matter is a nuisance or injurious to health;

(e) Inspect all county gaols, prisons, houses of refuge, asylums, hospitals, sanatoria, orphanages, homes or places of refuge, charitable institutions and other public or private institutions for the safe keeping, custody or care of any person confined therein by process of law, or received or cared for therein at his own charges or by public or private charity, and see that such institutions are kept in a proper sanitary condition and that this Act and the Regulations are complied with;

(f) Make public distribution of sanitary literature, especially during the prevalence in any part of Ontario of any communicable disease, and pay particular attention to all matters relating to the prevention and spread of communicable diseases in such manner as the Board may deem best to control any outbreak;

(g) Enter into and go upon any premises in the exercise of any power or the performance of any duty under this Act, and make such orders and give such directions with regard to the structural alteration of the premises or with respect to any other matter as the Board may deem advisable in the interests of the public health. 2 Geo. V. c. 58, s. 6.

7.—(1) The Provincial Board may direct the Chairman or Secretary or any member or officer of the Board to investigate the causes of any communicable disease or mortality in any part of Ontario, and the person so directed may take evidence on oath or otherwise, as he may deem expedient, and shall, for the purposes of such investigation, possess all the powers which may be conferred upon a commissioner appointed under The Public Inquiries Act.
(2) Where it appears to the Board that any unsanitary condition or nuisance exists in a municipality, and that the local board has, on a proper representation of the facts, neglected or refused to take such measures as may remove such condition or abate such nuisance, the Board may direct an investigation as provided by subsection 1.

(3) If upon such investigation it is found that a remediable unsanitary condition or nuisance exists, the Board may direct its immediate removal or abatement by the person responsible therefor, and if such person neglects or refuses after three days' notice by the Board to remove or abate the same, may cause such removal or abatement to be made, and the treasurer of the municipality shall forthwith pay out of any money of the municipality any expenses incurred under such orders. 2 Geo. V. c. 58, s. 7.

8. The Provincial Board, with the approval of the Lieutenant-Governor in Council, may make such Regulations as may be deemed necessary for,

(a) The prevention or mitigation of disease;

(b) The frequent and effectual cleansing of streets, yards and premises;

(c) The removal of nuisances and unsanitary conditions;

(d) The cleansing, purifying, ventilating and disinfecting of premises by the owners and occupiers or other persons having the care or ordering thereof;

(e) Regulating, so far as this Legislature has jurisdiction in that behalf, the entry and departure of boats or vessels at the different ports or places in Ontario, and the landing of passengers or cargoes from such boats or vessels or from railway carriages or cars, and the receiving of passengers or cargoes on board the same, for the purpose of preventing the spread of any communicable disease;

(f) The safe and speedy interment or disinterment of the dead, the transportation of corpses and the conduct of funerals;

(g) The supplying of such medical aid, medicine and other articles and accommodation as the Board may deem necessary for preventing or mitigating an outbreak of any communicable disease;

(h) The inspection of premises by the local board or medical officer of health, or some officer of the Provincial Board, and the cleansing, purifying and disinfecting anything contained therein when
required by the local board or officer, at the expense of the owner or occupier, and for detaining for this purpose any steamboat, vessel, railway carriage or car, or public conveyance and anything contained therein and any person travelling thereby as may be necessary;

(i) Entering and inspecting any premises used for human habitation in any locality in which conditions exist which, in the opinion of the Board, are unsanitary, or such as to render the inhabitants specially liable to disease, and for directing the alteration or destruction of any such building which is, in the opinion of the Board, unfit for human habitation;

(j) Preventing the overcrowding of premises used for human habitation by limiting the number of dwellers in such premises and the amount of air space to be allowed for each dweller therein;

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

(l) Regulating the appointment of sanitary inspectors to be paid by the municipality in which they act for the purpose of enforcing this Act or the regulations, or any by-law in force in the municipality;

(m) The removal or keeping under surveillance of persons living in infected localities;

(n) Authorizing the taking possession by a municipal corporation, local board of health, or medical officer of health, for any of the purposes of this Act, of any land or unoccupied building;

(o) The sanitary precautions to be taken in health resorts, summer resorts and upon boats or other vessels plying upon lakes, rivers, streams and other inland waters, and for preventing the pollution of such waters by the depositing therein of sewage, excreta, vegetable, animal or other matter or filth;

(p) Any other matter which, in the opinion of the Board, the general health of the inhabitants of Ontario or of any locality may require. 2 Geo. V. c. 58, s. 8.
9. The Provincial Board may, from time to time, declare Application of all or any of such Regulations to be in force in any specified of regulations. municipality or locality for such time as the Board may deem expedient. 2 Geo. V. c. 58, s. 9.

10.—(1) The Regulations shall be subject to the approval Approval and of the Lieutenant-Governor in Council, and shall come into promulgation of force and take effect upon publication of such approval and regulations. the regulations approved in the Ontario Gazette.

(2) Every Regulation shall be laid before the Assembly to be laid forthwith if the Assembly is then in session, or if it is not then in session within fourteen days after the commencement of the next Session. 2 Geo. V. c. 58, s. 10.

11.—(1) Any order or regulation made by the Provincial By-laws, etc., Board shall, while it is in force in any locality, supersede Any municipal by-law or other regulation, including the by-law or regulation set out in Schedule "B," dealing with the same subject matter, and so far as any such by-law or other regulation is inconsistent with the order or regulation of the Board, such by-law or other regulation shall be deemed to be suspended.

(2) Every order or regulation made by the Board shall be published in the next report issued by the Board. 2 Geo. V. c. 58, s. 11.

12. The Chief Officer of Health and every member of the Provincial Board, and every officer of the Board shall possess all the powers conferred upon a medical officer of health and the officers of a local board by this Act or by the Regulations. 2 Geo. V. c. 58, s. 12.

13.—(1) The Lieutenant-Governor in Council may divide the Province for the purposes of this section into not more than ten Health Districts, and may appoint a legally qualified medical practitioner to be known as the District Officer of Health for each such District, but a city, having a population of 50,000 or over, according to the last census of Canada, shall not be included in any such District.

(2) Every District Officer of Health shall be paid an annual salary not exceeding $2,500 and his actual and necessary travelling and other expenses incurred in the discharge of his duties, and such salary and expenses shall be payable in the first instance out of the Consolidated Revenue Fund.

(3) The council of every county forming part of a health district shall annually, on or before the 1st day of February, pay to the Treasurer of Ontario such proportion of the salary and expenses of the District Officer of Health, based upon the population of the county according to the last census of Canada and exclusive of the population of any city or separated town within the county, as may be certified by the Chief Officer.
(4) Every city having a population of less than 50,000 and every town separated from the county for municipal purposes shall pay to the Treasurer of Ontario, on or before the 1st day of February, such proportion of the salary and expenses of the District Officer of Health, based upon the population of such city or town according to the last census of Canada, as may be so certified.

(5) In a provisional judicial district in which there is no organized municipality the salary and expenses of the District Officers of Health shall be borne and paid by the Province.

(6) In a provisional judicial district in which there are one or more organized municipalities the salaries and expenses of the District Officers of Health shall in the first instance be borne and paid by the Province, and the corporations of such municipalities shall respectively repay to the Province the same proportions thereof as would be payable by them if the district were a county.

(7) Every District Officer of Health shall, within his district, enforce this Act and the Regulations and any other Act or Regulations respecting the health of the inhabitants of the district or their protection from communicable disease, and generally do within the district anything which a member of the Provincial Board, medical officer of health or sanitary inspector is authorized or required to do under this Act.

(8) Whenever required so to do by the Board, a District Officer of Health shall have the same authority and shall perform the same duties in any part of Ontario as he might do in the district for which he is appointed.

(9) Every District Officer of Health shall act under the supervision and control of the Board, and shall report to it at least monthly, and at such other times as may be required, and shall in such report give such information as may be required by the Board or by the Regulations. 2 Geo. V. c. 58, s. 13.

**LOCAL BOARDS OF HEALTH.**

14.—(1) There shall be a local board of health for every municipality in Ontario.

(2) In a city, and in every town having a population of 4,000 or over, according to the enumeration of the assessors for the last preceding year, the local board shall consist of the mayor, the medical officer of health, and three resident ratepayers to be appointed annually by the council at its first meeting in every year.

(3) In a town having a population of less than 4,000, according to such enumeration, and in every other municipality, the local board shall consist of the head of the muni-
cipality, the medical officer of health, and one resident ratepayer to be appointed as provided by subsection 2.

(4) There shall be a secretary of the local board, and, unless otherwise provided by the council, the clerk shall be the secretary. 2 Geo. V. c. 58, s. 14.

15. Every local board shall be a corporation by the name of “The Local Board of Health of the City (or as the case may be, inserting the name of the municipality)” of 2 Geo. V. c. 58, s. 15.

16.—(1) A local board shall hold at least four meetings in each year at a time and place to be fixed by resolution of the board, and such other meetings as may be prescribed by the Regulations, or be required by the Board.

(2) At the first meeting of a local board in every year, which shall be held not later than the first day of February, the board shall elect one of its members to be chairman. 2 Geo. V. c. 58, s. 16.

17. Any member of a local board may call a special meeting at any time by giving notice in writing to the secretary and to the remaining members of the board. 2 Geo. V. c. 58, s. 17.

18. The clerk of the municipality shall report to the Provincial Board the names and addresses of the members of the local board in each year, on or before the 1st day of February, and he shall so report any change occurring during the year in the membership of the board. 2 Geo. V. c. 58, s. 18.

19. Whenever a vacancy occurs in any local board of a city or town by the death, resignation or removal of an appointed member the council shall, at its first meeting after such vacancy occurs, appoint a resident ratepayer to fill the same, and in default of such appointment the Provincial Board may appoint a resident ratepayer of the municipality to fill the vacancy. 2 Geo. V. c. 58, s. 19.

20. A majority of the members of a local board shall form a quorum. 2 Geo. V. c. 58, s. 20.

21. In a township every member of a local board and the secretary shall be entitled to the sum of $2 for every attendance at a meeting of the board, and his necessary travelling expenses in going to and returning from the same, and the amount of such remuneration and expenses shall be payable by the treasurer of the municipality upon the order of the chairman of the board. 2 Geo. V. c. 58, s. 21.
22. The treasurer of the municipality shall forthwith upon demand, pay the amount of any account for services performed under the direction of the board and materials and supplies furnished, or for any expenditure incurred by the board or by the medical officer of health or sanitary inspector in carrying out the provisions of this Act or the Regulations, after the board has by resolution approved of the account and a copy of the resolution certified by the chairman and secretary has been filed in the office of the treasurer. 2 Geo. V. c. 58, s. 22.

23.—(1) The proceedings of every local board shall be recorded by the secretary in a book to be kept for that purpose.

(2) The secretary shall annually, on or before the 15th day of December, prepare a report of the work done by the board during the year, and of the sanitary condition of the municipality.

(3) The report as adopted by the local board shall include the annual report of the medical officer of health and shall be transmitted to the Secretary of the Provincial Board. 2 Geo. V. c. 58, s. 23.

24. The secretary of every local board shall report weekly to the Provincial Board the number of cases and deaths from communicable diseases, and the number of deaths from all other causes occurring in the municipality during the preceding week, upon a form to be supplied by the Provincial Board. 2 Geo. V. c. 58, s. 24.

25.—(1) Whenever a local board has authority to direct that any matter or thing shall be done by any person, the board may also, in default of its being done by the person, direct that such matter or thing shall be done at the expense of the person in default, and may recover the expense thereof by action in any court of competent jurisdiction, or the board may direct that the same be added by the clerk of the municipality to the collector’s roll and collected in like manner as municipal taxes. 2 Geo. V. c. 58, s. 25.

(2) Where a local board in any city recommends that sanitary conveniences should be installed in any building, and is of the opinion that the owner of the premises is unable to pay the expense of the same at once, the municipality may install suitable sanitary conveniences at the expense of the owner, and the board may direct that the cost, including interest at five per centum on the deferred payments, be paid by the owner in equal successive annual payments extending over a period not exceeding five years, and that such annual payments be added by the clerk of the municipality to the collector’s roll and collected in like manner as municipal taxes. 3-4 Geo. V. c. 55, s. 1.
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26.—(1) Where an action is brought against a local board or any member, officer or employee of a local board by any person who has suffered any damage by reason of any act or default on the part of such local board or any member, officer or employee thereof, the corporation of the municipality may assume the liability or the defence of the action, and may pay any damages or costs for which such board or the member, officer or employee is liable in respect of such act or default.

(2) In this section the word “employee” shall not include a contractor with the local board. 2 Geo. V. c. 58, s. 26.

27. It shall be the duty of a local board to superintend and see to the carrying out of the provisions of this Act and of the Regulations, or of any by-law of the municipality, and to execute, do and provide all such acts, matters and things as are necessary for that purpose. 2 Geo. V. c. 58, s. 27.

28. Where information is given in writing to the local board by any resident household of the existence of a nuisance or unsanitary condition in the municipality, the local board shall forthwith cause the complaint to be investigated and all necessary steps to be taken as provided by this Act to abate or remedy the same. 2 Geo. V. c. 58, s. 28.

29. Where a medical officer of health is of opinion that the cleansing and disinfecting of any house or part thereof, or of any articles therein likely to retain infection, would tend to prevent or check any communicable disease, he shall, through the sanitary inspector or otherwise, at the cost and charge of the municipality, cleanse and disinfect such house or part thereof and the articles therein contained. 2 Geo. V. c. 58, s. 29.

30. A local board may provide, maintain or hire an ambulance or carriage for the conveyance of persons suffering from disease or accident, and may pay the expense of conveying therein any person so suffering to a hospital or other place. 2 Geo. V. c. 58, s. 30.

31. A local board may provide all necessary apparatus and attendance for the disinfection or destruction of bedding, clothing or other articles which have become infected, and may cause such articles to be disinfected free of charge or may make a reasonable charge for disinfecting them. 2 Geo. V. c. 58, s. 31.

32. A local board may direct the destruction of any furniture, bedding, clothing or other articles which have been exposed to infection, and may give compensation therefor. 2 Geo. V. c. 58, s. 32.
33. Where the order of a local board or medical officer of health involves an expenditure of more than $1,000, the person against whom the order is made, or any person chargeable with such expenditure or any part thereof, may, within four days after being served with a copy of such order, appeal therefrom to the Judge of the County or District Court who shall have power to vary or rescind the order, and any order so varied may be enforced by the board in the same manner as an order originally made by the board or a medical officer of health. 2 Geo. V. c. 58, s. 33.

34.—(1) Where a local board of health has not been established as required by this Act, or where a local board of health or any officer thereof has in the opinion of the Minister refused or neglected to act with sufficient promptness or efficiency in carrying out the provisions of this Act or any order or Regulation of the Provincial Board, or to take such efficient measures as might remove any unsanitary condition or abate any nuisance, the Minister may direct the Chief Officer to carry out such measures as are authorized by this Act, or by any order or Regulation made thereunder.

(2) The expenses so incurred shall be certified by the Minister, and shall be a debt due by the corporation of the municipality, and upon presentation of such certificate the treasurer of the municipality shall pay the same.

(3) Nothing in this section shall prevent the corporation from recovering from any person any money paid by the corporation under this section, as provided by section 59. 2 Geo. V. c. 58, s. 34.

MEDICAL OFFICERS OF HEALTH.

35.—(1) The council of every municipality shall appoint a legally qualified medical practitioner to be the medical officer of health for the municipality, and shall also appoint such number of sanitary inspectors for the municipality as may be deemed necessary by the local board, and as may be prescribed by the Regulations.

(2) Where the council refuses or neglects to make any of such appointments, or to fill any vacancy, the Provincial Board shall, by registered letter addressed to the clerk of the municipality, require the council to make the appointment or to fill the vacancy forthwith, and if the council continues in default for five days after the receipt of such letter the Lieutenant-Governor in Council, upon the recommendation of the Provincial Board, may make the appointment or fill the vacancy. 2 Geo. V. c. 58, s. 35.

36. Every sanitary inspector appointed by the council shall hold office during the pleasure of the council, and if appointed by the Lieutenant-Governor in Council shall hold
office until the first day of February in the year following that of his appointment. 2 Geo. V. c. 58, s. 36.

37. Every medical officer of health appointed by the council shall hold office during good behaviour and his residence in the municipality, or in an adjoining municipality, and, if appointed by the Lieutenant-Governor in Council, shall hold office until the first day of February in the year following that of his appointment, and no medical officer of health shall be removed from office except for cause and with the approval of the Provincial Board. 2 Geo. V. c. 58, s. 37.

38. The medical officer of health shall be the executive officer of the local board, and with the local board shall be responsible for the carrying out of the provisions of this Act, and of the Regulations, and of the by-laws of the municipality. 2 Geo. V. c. 58, s. 38.

39. Every medical officer of health, whether appointed by the council or by the Lieutenant-Governor in Council, shall be paid by the municipal corporation a reasonable salary to be fixed by by-law. 2 Geo. V. c. 58, s. 39.

40. Sanitary inspectors shall be paid such annual sum as may be determined by the council of the municipality. 2 Geo. V. c. 58, s. 40.

41. Where a vacancy occurs in the office of medical officer of health, the council shall forthwith appoint another medical officer of health in his stead. 2 Geo. V. c. 58, s. 41.

42.—(1) There shall be an annual conference of all the medical officers of health, and it shall be the duty of every medical officer of health to attend the same.

(2) The expenses of the attendance of each medical officer of health shall be borne by the corporation of the municipality, and shall be payable in addition to his salary on the certificate of the Secretary of the Provincial Board.

(3) The conference shall be held at such time and place as may be determined by the Provincial Board. 2 Geo. V. c. 58, s. 42.

ISOLATION HOSPITALS.

43.—(1) The corporation of a municipality may establish, erect and maintain one or more isolation hospitals for the reception and care of persons suffering from any communicable disease.

(2) The corporations of two or more adjacent municipalities may join in establishing, erecting and maintaining such a hospital.
(3) A corporation may borrow money by the issue of debentures for the purposes mentioned in subsections 1 or 2, and it shall not be necessary to obtain the assent of the electors to any by-law for raising money for such purpose.

(4) Debentures issued under this section shall be payable within twenty years from the date of the issue thereof.

(5) Any such hospital may be established in a municipality or in one of the municipalities providing for the same or in an adjoining municipality.

(6) The powers conferred by this section shall be subject to the provisions of sections 44 to 48, but an isolation hospital shall not be established, maintained or kept by a municipal corporation upon lands in another municipality which were selected, purchased or contracted for, or upon which the corporation had secured an option before the 1st day of January, 1912, and upon which an isolation hospital had not before that date been erected, without the consent of the council of the municipality in which such lands are situated, and unless such consent had been obtained before the 16th day of May, 1912, such land shall not be used for that purpose. 2 Geo. V. c. 58, s. 43.

44. No such isolation hospital and, except as provided by The Sanatoria for Consumptives Act, no 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 provided. 2 Geo. V. c. 58, s. 44.

45.—(1) Every municipal corporation and every person desiring to establish, maintain or keep any such isolation hospital, sanatorium, institution or place in a municipality, shall make application in writing to the local board of health of such municipality for permission to do so.

(2) The local board shall give notice of the application and of the meeting at which the same will be considered by advertisement once a week for two successive weeks in a newspaper published in the municipality or, if there is no such newspaper, in a newspaper published in an adjoining municipality.

(3) The local board shall take such application into consideration at its next general meeting after the last publication of such notice, or at a special meeting to be called for the purpose within one month after that date.

(4) The local board shall hear the applicant for such permission in person or by counsel, and shall hear any person opposed to the granting of such permission, and shall within one month thereafter determine by resolution of the board whether or not such application shall be granted.
(5) If the local board determines not to grant such permission notice in writing of their decision shall forthwith be given to the applicant by registered letter, and the applicant may appeal from such decision to a board of appeal to be composed of the head of the municipality, the Sheriff of the county or district in which the municipality is situate, and the Secretary of the Provincial Board of Health.

(6) The appeal shall be by notice in writing addressed to the Secretary of the Provincial Board, and sent by registered post to him within seven days after the receipt of notice of the decision of the local board.

(7) The Secretary of the Provincial Board shall appoint a time and place for the consideration of the appeal, and at least seven days' notice of the time and place of hearing the appeal shall be given by registered letter addressed to the secretary of the local board and to the applicant, and by advertisement in a newspaper published in the municipality in which it is sought to establish such hospital, sanatorium, institution or place of reception, or, if there is no such newspaper, in a newspaper published in the county or district town of the county or district in which such municipality is situate.

(8) The board of appeal shall hold a sitting at such time and place and shall hear what may be alleged for and against such appeal on behalf of the applicant and the local board of health or any ratepayer of the municipality who may object to the granting of such permission.

(9) The board of appeal may adjourn the proceedings for the purpose of visiting any building or proposed site and determining upon its suitability or procuring such further information as the board may deem necessary.

(10) The decision of the board of appeal or a majority of the members thereof shall be given in writing and shall be final.

(11) Each of the members of the board of appeal shall be entitled to a fee of $10 per day for each day during which he is necessarily engaged in connection with the appeal and reasonable and necessary expenses, and the same and any other costs and expenses incurred in hearing the appeal shall be payable by the appellant upon the written order of the Secretary of the Provincial Board to the persons entitled thereto.

(12) Nothing in this section or in section 44 contained shall apply to any public general hospital in which persons suffering from other diseases as well as persons suffering from consumption or tuberculosis are received and treated.

46. Every person who erects, establishes or maintains any such isolation hospital, sanatorium, institution or place, or
who takes part in the superintendence or management thereof, until permission has been given as provided by the next preceding section, shall incur a penalty not exceeding $25 for every day on which such offence is continued. 2 Geo. V. c. 58, s. 46.

47.—(1) No isolation hospital shall be established by the corporation of any municipality until the plans and the proposed equipment thereof shall have been submitted to and approved by the Provincial Board.

(2) Every municipal corporation establishing such an isolation hospital shall from time to time make such alterations therein and such changes or improvement in the equipment thereof as may be directed by the Provincial Board. 2 Geo. V. c. 58, s. 47.

48. Subject to the Regulations the local board of the municipality, by the corporation of which an isolation hospital is established, shall have the management and control of it, and of the conduct of the physicians, nurses, attendants and patients. 2 Geo. V. c. 58, s. 48.

EMERGENCY HOSPITALS.

49. Where any communicable disease, to which this section is by the Regulations made applicable, becomes prevalent in a municipality, and the municipal corporation has not already provided proper hospital accommodation for such cases, the medical officer of health of a local board shall immediately provide, at the cost of such corporation, such a temporary hospital, hospital tent, or other place or places of reception for the sick and infected as may be deemed best for their accommodation and the safety of the inhabitants, and for that purpose may,—

(a) Erect such hospital, hospital tent, or place of reception;

(b) Contract for the use of any existing hospital, hospital tent, or place of reception; or,

(c) Enter into an agreement with any person having the management of any such hospital, subject to the approval of the medical officer of health of the local municipality in which such hospital is situate, for the reception and care of persons suffering from such communicable disease, and for the payment of such remuneration therefor as may be agreed upon. 2 Geo. V. c. 58, s. 49.

ACQUIRING LAND.

50.—(1) Where an outbreak of any of the diseases, to which the next preceding section applies, occurs or is apprehended, the local board of health may enter upon and take
and use for the purposes mentioned in that section any land or unoccupied building without prior agreement with the owner of the same and without his consent, and may retain the same for such period as may appear to the board to be necessary.

(2) Written notice, Schedule A., shall, within five days after the taking or obtaining possession, be given by the board to the clerk of the municipality wherein the land or unoccupied building is situate; such notice shall be given whether possession is taken or obtained with the consent of the owner or otherwise.

(3) Where possession is taken without the consent of the owner, the board shall, within five days after taking possession, give the like notice to the owner.

(4) If the owner is not known, or is not a resident in Ontario, or if his residence is unknown to the board, the board shall cause the notice to be published in two successive issues of some local newspaper having a circulation within the municipality where the property is situate, and shall send by registered post to the last known address, if any, of the owner a copy of the notice, and such publication shall be sufficient notice to the owner.

(5) The owner shall be entitled to compensation from the corporation of the municipality wherein the land or building is situate, for the use and occupation thereof, including any damages arising from such use and occupation, such compensation to be agreed upon between the council of the municipality and the owner; and in case they do not agree, the Judge of the County or District Court of the county or district in which the property is situate shall summarily determine the amount of the compensation, and the terms of payment, in such manner and after giving such notice as he sees fit. 2 Geo. V. c. 58, s. 50.

51. Where any resistance or forcible opposition is offered or apprehended to possession being taken of the land or building, the Judge of the County or District Court may, without notice to any person, issue his warrant to the Sheriff of the county or district, or to any other person, as he may deem most suitable, requiring him to put and maintain the board, its agents or servants in possession, and to put down such resistance or opposition, which the Sheriff or other person, taking with him sufficient assistance, shall accordingly do. 2 Geo. V. c. 58, s. 51.

MEDICAL CARE OF INDIGENTS.

52.—(1) The corporation of every municipality shall enter into an agreement with the medical officer of health or some other legally qualified medical practitioner resident in the municipality or in a municipality adjacent thereto for his medical attendance upon and care of persons suffering...
from the result of injury or disease who, in the opinion of the head of the municipality or of its relief officer, if any, are unable through poverty to pay for the necessary attendance, and who are not cared for in a public or private hospital.

(2) This section shall not impose any duty on the medical officer of health in respect to such cases, unless an agreement has been entered into with him, as provided in subsection 1.

(3) Every such agreement shall provide for fair and reasonable remuneration for the service rendered. 2 Geo. V. c. 58, s. 52.

PROVISIONS AS TO COMMUNICABLE DISEASE.

53.—(1) Whenever any householder knows or has reason to suspect that any person within his family or household, or boarding or lodging with him, has any communicable disease, he shall, within twelve hours, give notice thereof to the secretary of the local board or to the medical officer of health.

How given.

(2) The notice may be given to the secretary or to the medical officer of health at his office, or by letter addressed to either of them and mailed within the time above specified. 2 Geo. V. c. 58, s. 53.

54. No householder, in whose dwelling there occurs any communicable disease, shall permit any person suffering from such disease to leave, or any clothing or other property to be removed from his house without the consent of the medical officer of health, who may forbid such removal or prescribe the conditions thereof. 2 Geo. V. c. 58, s. 54.

55.—(1) Whenever any legally qualified medical practitioner knows, or has reason to suspect, that any person whom he is called upon to visit is infected with any communicable disease, he shall within twelve hours give notice thereof to the medical officer of health of the municipality in which such diseased person is.

(2) This section shall apply to the medical superintendent or person in charge of any general or other hospital in which there is known to him to be a patient suffering from any communicable disease. 2 Geo. V. c. 58, s. 55.

56.—(1) Where any communicable disease is found to exist in any municipality, the medical officer of health and local board shall use all possible care to prevent the spread of infection or contagion by such means as in their judgment is most effective for the public safety.

(2) The medical officer of health or local board, when it is considered necessary to prevent the spread of any communicable disease, may direct that any school or seminary of
learning, or any church or public hall or other place used for public gatherings or entertainment in the municipality shall be closed, and may prohibit all public assemblies in the municipality; and no such school, seminary, church, hall or public place shall be kept open after such direction for the admission of the public, nor re-opened without the permission of the medical officer of health. 2 Geo. V. c. 58, s. 56.

57. The medical officer of health, or the local board, or a committee thereof, shall isolate any person having any communicable disease, to which this section is by the Regulations made applicable, and shall forthwith cause to be posted up on or near the door of the house or dwelling, in which any such person is, a notice stating that such disease is within the house or dwelling. 2 Geo. V. c. 58, s. 57.

58.—(1) If any person coming from abroad, or residing in any municipality within Ontario, is infected, or has recently been infected with, or exposed to, any communicable disease to which this section is by the Regulations made applicable, the medical officer of health or local board shall make effective provision for the public safety by removing such person to a separate house, or by otherwise isolating him, and by providing medical attendance, medicine, nurses and other assistance and necessaries for him.

(2) The corporation of the municipality shall be entitled to recover from such person the amount expended in providing such medical attendance, medicine, nurses and other assistance and necessaries for him, but not the expenditure incurred in providing a separate house or in otherwise isolating him. 2 Geo. V. c. 58, s. 58.

59. Where, owing to the refusal or neglect of the medical officer of health, the local board or the corporation of any municipality, any communicable disease is brought into another municipality, the corporation of which incurs expense in preventing the spread of such communicable disease, the corporation of the municipality in default shall pay to the corporation of the municipality incurring such expense the whole amount thereof, and the same shall be recoverable as a debt in any court of competent jurisdiction. 2 Geo. V. c. 58, s. 59.

60. No person suffering from any communicable disease shall be removed at any time except by permission and under direction of the medical officer of health, nor shall any occupant of any house in which there exists any such communicable disease change his residence to any other place without the consent of the medical officer of health, or without complying with such conditions as he may prescribe. 2 Geo. V. c. 58, s. 60.
61. The medical officer of health, or a legally qualified medical practitioner appointed by him in writing for that purpose, may enter in and upon any house, out-house or premises, in the day time, for the purpose of making enquiry and examination with respect to the state of health of any person therein, and cause any person found therein, who is infected with any communicable disease, to be removed to a hospital or some other proper place. 2 Geo. V. c. 58, s. 61.

62.—(1) Where there is any reason to suspect that any person suffering from a communicable disease to which this section is by the Regulations made applicable is in or upon any railway car, street railway car, steamboat, vessel, stage, or other conveyance, the medical officer of health or sanitary inspector of the municipality, or any member of the local board, may enter such conveyance and cause such person to be removed therefrom, and may detain the conveyance until it is properly disinfected; or such officer or member may, if he thinks fit, remain on, or in, or re-enter and remain on or in such conveyance, with any assistance he may require, for the purpose of disinfecting it; and his authority shall continue in respect of such person and conveyance notwithstanding that the conveyance is taken into another municipality.

(2) The expense incurred for medical attendance, care, nursing, maintenance and all costs for disinfection shall be paid by the owner of the conveyance in which such person is found.

(3) Any legally qualified medical practitioner or sanitary inspector authorized by the Provincial Board shall have the same authority as a medical officer of health under this section. 2 Geo. V. c. 58, s. 62.

63. Where any communicable disease is reported or discovered in a dwelling house or out-house occupied as a dwelling, and such house or out-house is in a filthy and neglected state, the medical officer of health may, at the expense of the corporation of the municipality, compel the inhabitants of such dwelling house or out-house to remove therefrom, and may place them in sheds or tents, or other proper shelter, in some more suitable situation, until measures can be taken, under the direction and at the expense of the municipal corporation, for the immediate cleansing, ventilation, purification and disinfection of such dwelling-house or out-house. 2 Geo. V. c. 58, s. 63.

64. No person recovering from any communicable disease, to which this section is by the Regulations made applicable, and no nurse who has been in attendance on any such person, shall leave the premises or expose himself in any public place, street, shop, inn or public conveyance until he has received from the medical officer of health a certificate that in his
opinion such person or nurse has taken such precautions as to his person, clothing and all other things which he proposes to bring from the premises as are necessary to insure the immunity from infection of other persons with whom such person or nurse may come in contact. 2 Geo. V. c. 58, s. 64.

65. Every such person and nurse shall adopt for the disinfection and disposal of excreta, and for the disinfection of utensils, bedding, clothing and other things which have been exposed to infection, such measures as may be prescribed by the Regulations or by the medical officer of health. 2 Geo. V. c. 56, s. 65.

66. No person suffering from or having recently recovered from any communicable disease, to which this section is by the Regulations made applicable, shall mingle with the general public, and no person having access to any such person, except the attending physician and clergyman, shall do so, until such sanitary precautions as may be prescribed by the medical officer of health have been complied with. 2 Geo. V. c. 58, s. 66.

67.—(1) No person suffering from, or having recently recovered from any communicable disease, to which this section is by the Regulations made applicable, shall expose himself, nor shall any person expose any one under his charge, who is so suffering from any such disease, in any railway car, street railway car, steamboat, vessel, stage or other conveyance, without having previously notified the owner or person in charge of such conveyance of the fact of his having such disease.

(2) The owner or person in charge of any such conveyance shall not, after the entry of any infected person into his conveyance, allow any other person to enter it, without having sufficiently disinfected it under the direction of the medical officer of health or sanitary inspector. 2 Geo. V. c. 58, s. 67.

68. No person shall give, lend, transmit, sell or expose bedding, clothing, or other article likely to convey any communicable disease, without having first taken such precautions as the medical officer of health may direct for removing all danger of communicating such disease to others. 2 Geo. V. c. 58, s. 68.

69. No person shall let or hire, or permit to be occupied, any house or room in a house in which any communicable disease has recently existed without having caused the house and premises used in connection therewith to be disinfected to the satisfaction of the medical officer of health, and, for the purposes of this section, the keeper of an inn or house for the reception of lodgers shall be deemed to let for hire
70. 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, animal or thing suffering from or liable to be infected by any communicable disease, shall knowingly make a false answer to such question. 2 Geo. V. c. 58, s. 70.

71.—(1) No common carrier shall knowingly accept for transportation or carry within Ontario, except under and subject to the Regulations, any person suffering from any communicable disease, to which this section is by the regulations made applicable, or any infected article or articles of clothing, bedding or other property whatsoever.

(2) No carrier shall knowingly accept for transportation or carry within Ontario the body of any person who has died of any communicable disease, except under and subject to the Regulations.

(3) Every person contravening the provisions of subsection 1 or of subsection 2 shall incur a penalty of $100. 2 Geo. V. c. 58, s. 71.

72.—(1) Whenever a communicable disease exists in any house or household in which there is a person who is a student or pupil in, or a teacher, or other person employed in any capacity in or about a university, college, school or other institution of learning, the householder shall, within twelve hours after the time such disease is known to exist, notify the principal, superintendent, head teacher or other person in charge of such institution, and also the medical officer of health, of the existence of such disease; and the person suffering therefrom shall not attend or be employed at such institution until a certificate has been obtained from the medical officer of health that he may safely do so.

(2) Whenever a local board of health, or any of its officers or members, are aware of the existence in any house of any communicable disease, they shall at once notify the principal, superintendent, head teacher or other person in charge of any university, college, school or other institution of learning at which any member of the household is in attendance, either as a student or pupil, or in or about which he is employed as a teacher, or in any other capacity, and none of such last mentioned persons shall after such notice be permitted to attend, or be employed or be in or about such institution, until the certificate mentioned in subsection 1 is obtained and presented.
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(3) Whenever a professor, lecturer, instructor or teacher in any such institution of learning has reason to suspect that any other professor, lecturer, instructor or teacher in, or any student or pupil of, or any person employed in or about, such institution, is suffering from a communicable disease, or that there exists in any household of which he is a member any communicable disease, such first mentioned person shall notify the medical officer of health thereof, and shall not permit the attendance of the person suffering from such disease if under his direction or control until the medical officer of health certifies that such attendance may be safely allowed.

(4) No student or pupil having suffered from a communicable disease shall be allowed to attend any such institution of learning within the minimum period prescribed by the Regulations.

(5) Whenever a communicable disease exists in any boarding school or other institution in which pupils are received for tuition, and boarded or lodged, the head of the institution, or the person in charge thereof, shall immediately isolate the person suffering from such disease and any person in attendance upon him, and, within twelve hours after the disease is known to exist, shall notify the medical officer of health, and shall not permit the person so suffering or any person in attendance upon him to mingle with the other pupils or inmates of the institution until the medical officer of health has certified that he may safely do so. 2 Geo. V. e. 58, s. 72.

NUISANCES.

Removal, Abatement, etc.

73. Any condition existing in any locality which is or may become injurious or dangerous to health or prevent or hinder in any manner the suppression of disease shall be deemed a nuisance within the meaning of this Act. 2 Geo. V. e. 58, s. 73.

74. Without restricting the general application of the next preceding section and for greater particularity it is declared that the following shall be deemed nuisances within the meaning of this Act:

(a) Any premises or part thereof so constructed or in such a state as to be injurious or dangerous to health;

(b) Any street, pool, ditch, gutter, water-course, sink, cistern, water or earth closet, privy, urinal, cess-pool, drain, dung pit or ash pit, so foul or in such a state, or so situated as to be injurious or dangerous to health;

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(c) Any well, spring or other water supply injurious or dangerous to health;

(d) Any stable, byre or other building in which animals are kept in such a manner or in such numbers as to be injurious or dangerous to health;

(e) Any accumulation or deposit of refuse, wherever situate, which is injurious or dangerous to health;

(f) Any deposit of offensive matter, refuse, offal or manure contained in uncovered trucks or waggon's at any station or siding or elsewhere so as to be injurious or dangerous to health;

(g) Any work, manufactory, trade or business so situated as to be injurious or dangerous to health;

(h) Any house or part of a house so overcrowded as to be injurious or dangerous to the health of the inmates or in which insufficient air-space is allowed for each inmate to comply with the Regulations;

(i) Any school house, public or private, factory, shop or other building, which is not in a cleanly state or free from effluvia arising from any drain, privy, water or earth closet, urinal or other nuisance; or is not ventilated in such a manner as to render harmless so far as practicable any gases, vapours, dust or other impurities generated therein which are injurious or dangerous to health, or is so overcrowded as to be injurious or dangerous to the health of those employed or being therein;

(j) Any fireplace or furnace the fires of which do not, so far as practicable, consume the smoke arising from the combustible matter used therein for working engines, or used in any mill, factory, dye-house, brewery, bakehouse or gas works, or in any manufacturing or trade process whatever;

(k) Any chimney emitting smoke in such quantity as to be injurious or dangerous to health;

(l) Any burial ground, cemetery or other place of sepulture so located or so crowded or otherwise so arranged or managed as to be offensive or injurious or dangerous to health. 2 Geo. V. c. 58, s. 74.

75. Every medical officer of health shall see that the municipality or locality for which he is appointed is regularly inspected in order to prevent nuisances or to abate any existing nuisance. 2 Geo. V. c. 58, s. 75.
76. The medical officer of health or the sanitary inspector of a municipality or a member of a local board may, in the day time, as often as he thinks necessary, enter into and upon and examine any premises, and if upon such examination he finds that the premises are in a filthy or unclean state, or that any matter or thing is there which, in his opinion, may endanger the public health, he may order the owner or occupant of the premises to cleanse the same and to remove or destroy what is so found therein. 2 Geo. V. c. 58, s. 76.

77. Where the owner of any premises wherein a nuisance exists is unknown or does not reside in the municipality, and the premises are unoccupied or the occupant is unable to remove the nuisance, the medical officer of health or the local board may, without previous notice, immediately cause the nuisance to be abated. 2 Geo. V. c. 58, s. 77.

78. Where under the provisions of this Act, or of the Regulations, or of any municipal by-law, a local board or any medical officer of health or sanitary inspector removes anything which is likely to be injurious to or to become or cause or is a nuisance, such thing shall be subject to the disposition of the local board, or, if the officer is acting under a by-law of a municipal council, shall be subject to the disposition of the council, and the owner of such thing shall have no claim in respect thereof. 2 Geo. V. c. 58, s. 78.

79.—(1) Wherever the local board of health or medical officer of health is satisfied of the existence of a nuisance, the medical officer of health shall serve a notice on the person by whose act, default or sufferance the nuisance arises or continues, or, if such person cannot be found, on the owner or occupier of the premises on which the nuisance exists or from which the same 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.

(2) Where the nuisance arises from the want or the defective construction of any structural convenience, or where there is no occupier of the premises, notice shall be served on the owner.

(3) Where the person causing the nuisance cannot be found, and it is clear that the nuisance does not arise or continue by the act or default of the owner or occupier of the premises, and it is therefore improper that such owner or occupier should be required to abate it, the local board shall abate the nuisance at the expense of the corporation of the municipality. 2 Geo. V. c. 58, s. 79.

80. Where a nuisance appears to be wholly or partially caused by some act or default committed or taking place without the municipality, the local board of the municipality...
affected thereby shall cause an inspection to be made, and when necessary shall take or cause to be taken against the person by whose act or default the nuisance is caused in whole or in part any proceedings in relation to nuisances by this Act authorized with the same incidents and consequences as if such act or default were committed or took place wholly within its jurisdiction. 2 Geo. V. e. 58, s. 80.

81.—(1) If, on investigation by the local board, any nuisance is found to exist, and if after the board has required the removal or abatement of the same within a specified time, the board finds that default in removal or abatement has been made, and the case appears to the local board to involve the expenditure or loss of a considerable sum of money, or serious interference with any trade or industry, or other considerations of difficulty, the Provincial Board at the request of the local board may investigate and report upon the case.

(2) If the report of the Provincial Board recommends the removal or abatement of the nuisance, the local board or any ratepayer residing in the municipality, or within a mile thereof, may apply to a Judge of the Supreme Court for an order for the removal or abatement of the nuisance, and to restrain the proprietors of any such industry from carrying on the same until the nuisance has been abated to the satisfaction of the Provincial Board; and the Judge may make such order upon the report of the Provincial Board or upon such further evidence as he may deem meet.

(3) The Judges' Orders Enforcement Act shall apply to every order made by a Judge under this section. 2 Geo. V. e. 58, s. 81.

Expenses in Respect of Abatement of Nuisance.

82.—(1) Where the owner or occupier of any premises in which a nuisance exists fails, after due notice, to abate the same, the medical officer of health or sanitary inspector may enter upon the premises and take such steps as may be necessary to abate the nuisance.

(2) All reasonable costs and expenses incurred in abating a nuisance shall be deemed to be money paid for the use and at the request of the person by whose act, default or sufferance the nuisance was caused, but shall be recoverable from both the owner and the occupier for the time being of the premises.

(3) If the costs and expenses incurred in abating the nuisance are not paid by the owner or occupier within one month after a demand of payment, a statement of the amount of the costs and expenses, and of the person by whom and the premises in respect of which the same are payable, shall be
delivered to the clerk of the municipality who shall insert the amount in the collector’s roll, and the same may be collected in like manner as municipal taxes.

(4) The occupier for the time being of the premises may deduct any money recovered or collected from him which, as between him and the owner, the latter ought to pay, out of the rent then due or from time to time becoming due in respect of the premises.

(5) An occupier shall not be required to pay any further amount than the amount of rent for the time being due from him, or which, after demand of such costs or expenses, and after notice not to pay his landlord any rent without first deducting the amount of such costs or expenses, becomes payable by such occupier, unless he refuses truly to disclose the amount of his rent and the name and address of the person to whom it is payable; and the burden of proof that the sum demanded from such occupier is greater than the rent due by him at the time of such notice, or which has since accrued, shall be on such occupier. 2 Geo. V. c. 58, s. 82.

When Application to Supreme Court Necessary.

83.—(1) No determination or order of the Provincial Board or of a local board for the removal or abatement of a nuisance shall be enforced except by order of a Judge of the Supreme Court where such removal or abatement involves the loss or destruction of property to the value of $2,000 or upwards.

(2) The order may be made upon the application of the Provincial Board or of the local board. 2 Geo. V. c. 58, s. 83.

OFFENSIVE TRADES.

84.—(1) Any person who without the consent of the local board or of the municipal council establishes any of the following trades or businesses or manufactures—

Blood boiling,
Bone boiling,
Refining coal oil,
Extracting oil from fish,
Storing hides,
Soap boiling,
Tallow melting,
Tripe boiling,
Slaughtering animals,
Tanning hides or skins,
Manufacturing gas,
Manufacturing glue,
Fertilizers from dead animals, from human or animal waste, or
Any other trade, business or manufacture, which is or may become offensive, or which is by the Regulations declared to be a noxious or offensive trade, business or manufacture shall incur a penalty of not less than $100 nor more than $250, in respect of the establishment thereof, and a penalty of not less than $20 for every day on which after notice in writing by the local board, or an officer thereof, to desist, such business, trade or manufacture is carried on, whether there has or has not been any conviction in respect of the establishment thereof. 2 Geo. V. c. 58, s. 84.

Storing rags, bones, etc.

85. Any person who keeps or stores any rags, bones, junk, bottles, scrap iron or other metals, or other refuse within any municipality, except on premises approved of by the medical officer of health, shall incur a penalty of not less than $10 nor more than $50, and the continuance of the offence for each week after conviction shall be considered a separate offence. 2 Geo. V. c. 58, s. 85.

INSPECTION OF LODGING HOUSES, LAUNDRIES, ETC.

86.—(1) The medical officer of health or any sanitary inspector acting under his instructions may, at any time of the day or night, as often as he thinks necessary, enter into a lodging house, tenement where rooms are rented, or a laundry where the owner or employees reside upon the premises, or other building where he has reason to suspect that the same are overcrowded or occupied by more persons than is reasonably safe for the health of the occupants.

(2) If upon such examination it is found that the premises are occupied by more persons than is reasonably safe for the health of the occupants, and that the sleeping rooms are such that 600 cubic feet of air space cannot be provided for each occupant, or that the rooms or premises occupied by them are in a filthy or unclean state, or that any matter or thing is there which, in the opinion of the medical officer of health, founded on his own inspection or on the report of the sanitary inspector, may endanger the public health or the health of the occupants, the medical officer of health may order the owner or occupant to remove the inmates from the premises, or to remove that which causes the premises to be filthy or unclean, and put the rooms in a condition fit for human habitation. 2 Geo. V. c. 58, s. 86; 3-4 Geo. V. c. 55, s. 2.

87. Where, in the opinion of the medical officer of health, any premises are so situated, so constructed or so improperly lighted, or in any other respect of such a character or in such a condition as to be unfit for human habitation or dangerous to health, he may cause such premises to be closed, and may affix a notice thereon in a prominent place.
setting forth the reason for such closing, and that the premises are closed by order of the medical officer of health; and no person shall pull down or deface such notice or use the premises closed as a dwelling or cause the same to be so used. 2 Geo. V. c. 58, s. 87.

INSPECTION OF DAIRIES, CHEESE FACTORIES, DAIRY FARMS, ETC.

88. The medical officer of health may make or cause to be made by a veterinary surgeon or other competent person a periodical inspection of all dairies, cheese factories, and creameries, dairy farms and slaughter-houses, and if upon such examination he finds that the premises are in a filthy or unclean state, or that any matter or thing is there which, in his opinion, may be injurious to or endanger the public health, he may order the owner or occupant of the premises to cleanse the same or to remove any such matter or thing. 2 Geo. V. c. 58, s. 88.

INSTALLATION OF PUBLIC WATER SUPPLY.

89.—(1) Whenever the council of any municipality or any municipal board or commission or any company or person contemplates the establishment of, or the extension of, or any change in an existing waterworks system, they shall submit the plans, specifications and an engineer's report of the water supply and the works to be undertaken, together with such other information as may be deemed necessary to the Provincial Board, and no such works shall be undertaken or proceeded with until the source of supply and the proposed works have been approved by the Board.

(2) The Board upon the application for such approval, may direct such changes to be made in the source of supply in plans, or in the plans submitted as it may deem necessary in the public interest. 2 Geo. V. c. 58, s. 89.

90. The Provincial Board shall have the general supervision of all springs, wells, ponds, lakes, streams or rivers used as a source for a public water supply with reference to their purity, together with the waters feeding the same, and shall examine the same from time to time when the necessity for such examination arises, and inquire what, if any, pollution exists and the causes thereof. 2 Geo. V. c. 58, s. 90.

91.—(1) No garbage, excreta, manure, vegetable or animal matter or filth shall be discharged into or be deposited in any of the lakes, rivers, streams or other waters in Ontario or on the shores or banks thereof. Depositing filth, etc., in Provincial waters.

(2) The owners and officers of boats and other vessels plying upon any such lake, river, stream or other water shall so dispose of the garbage, excreta, manure, vegetable boats.
or animal matter or filth upon such boats or vessels as not to create a nuisance or enter or pollute such lake, river, stream or other water.

(3) Residents of a health resort or summer resort shall so dispose of garbage, excreta, manure, vegetable or animal matter or filth as not to create a nuisance or permit of its gaining entrance to or polluting any such lake, river, stream or other water.

(4) Any person who contravenes any of the provisions of this section shall incur a penalty not exceeding $100. 2 Geo. V. c. 58, s. 91.

92. Water boards, water companies, water commissioners and the proper officers of any municipal corporation making use as a source of water supply of any well or any other source within or partly within Ontario, and distributing the waters thereof for public, domestic or general uses, shall, from time to time, and whenever required by the Provincial Board, make returns to the Board upon forms to be furnished by it of such matters as may be required by the Board and called for by such forms, and any such water board, water company, water commissioner or officer who shall, for the space of thirty days after being furnished with such forms, fail or neglect to make any such reports required shall incur a penalty of $100. 2 Geo. V. c. 58, s. 92.

93.—(1) No sewage, drainage, domestic or factory refuse, excremental or other polluting matter of any kind, 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 in or discharged into the waters, or placed or deposited upon the ice of any such source of water supply, or be placed or suffer to remain upon the bank or shore of any such source of water supply near the place from which the supply of water for domestic use is obtained, nor within such distance thereof as may be considered unsafe by the Provincial Board, after an examination thereof by a member or officer of the Board.

(2) Every person who contravenes any of the provisions of subsection 1 shall incur a penalty of not more than $100 for each offence, and each week's continuance after notice by the Provincial Board or local board to discontinue the offence shall constitute a separate offence. 2 Geo. V. c. 58, s. 93.

94.—(1) Whenever the construction of a common sewer or of a system of sewerage, or an extension of the same, is
contemplated by the council of any municipality, the council shall first submit the plans and specifications of the work together with such other information as may be deemed necessary by the Provincial Board, for its approval.

(2) The Board shall inquire into and report upon such sewer or system of sewerage, as to whether the same is calculated to meet the sanitary requirements of the inhabitants of the municipality, and as to whether such sewer or system of sewerage is likely to prove prejudicial to the health of the inhabitants of the municipality or of any other municipality liable to be affected thereby.

(3) The Board may make any suggestion or amendment of the plans and specifications or may impose any condition with regard to the construction of such sewer or system of sewerage or the disposal of sewage therefrom as may be deemed necessary or advisable in the public interest.

(4) The construction of any common sewer or system of sewerage shall not be proceeded with until reported upon and approved by the Board, and no change in the construction thereof or in the disposal of sewage therefrom shall be made without the previous approval of the Board.

(5) The Board may from time to time modify or alter the terms and conditions as to the disposal of sewage imposed by it, and the report or decision of the Board shall be final, and it shall be the duty of the municipal corporation and the officers thereof to give effect thereto.

(6) Whenever required by the Board, the clerk of every municipal corporation having, using, owning, leasing or controlling a sewerage system or sewage disposal plant shall make returns to the Board upon forms to be furnished by it of such matters as may be required by the Board and called for by such forms, and in case of default the clerk shall incur a penalty of $100. 2 Geo. V. c. 58, s. 94.

BY-LAWS FOR BORROWING FOR WATERWORKS AND SEWERAGE.

95.—(1) No by-law shall be passed for raising money for any of the purposes mentioned in sections 89 and 94 until the proposed water supply or sewerage system, as the case may be, has been approved by the Provincial Board of Health, and such approval has been certified under the hand of the chairman and secretary of the Board.

(2) The by-law shall recite the approval of the Board. By-law to recite approval.

2 Geo. V. c. 58, s. 95.

96.—(1) Where the Provincial Board reports in writing that it is of opinion that it is necessary in the interest of the public health that a waterworks system or an adequate water purification plant, or a sewer or a sewerage system, or an
adequate sewage treatment plant should be established or continued, or that any existing waterworks system, water purification plant, sewer or sewerage system, or sewage treatment plant should be improved, extended, enlarged, altered, renewed or replaced, it shall not be necessary to obtain the assent of the electors to any by-law for incurring a debt for any of such purposes.

(2) Where the Provincial Board has reported as provided by subsection 1, the council of a municipality shall forthwith pass all necessary by-laws for the establishment of the works reported upon and the corporation of the municipality shall immediately commence the work and carry the same to completion without unnecessary delay. 3-4 Geo. V. c. 55, s. 3.

(3) The by-law shall not be finally passed until the approval of the Board has been obtained to the work to be done as hereinbefore provided, and shall recite such approval. 2 Geo. V. c. 58, s. 95 (2).

97. Every waterworks system, water purification plant, sewer or sewerage system and sewage treatment plant established for public use shall at all times be maintained and kept in repair as may be necessary for the protection of the public health and as may be directed by any special order of the Provincial Board or by the Regulations. 3-4 Geo. V. c. 55, s. 4, part.

98. Any municipal corporation or body or person refusing or neglecting to carry out the provisions of either of the two next preceding sections, after notice from the Provincial Board so to do, shall incur a penalty of $100 for every day upon which such default continues. 3-4 Geo. V. c. 55, s. 4, part.

ICE SUPPLIES.

99.—(1) The local board of a municipality in which supplies of ice are obtained, sold and stored may adopt such regulations regarding the source of supply and the place of storage of the same as are, in its opinion, best adapted to secure the purity of the ice and prevent injury to the public health, and for the supervision of ice supplies, whether obtained within or without the municipality, whenever the ice is intended for use within the municipality in which the board has jurisdiction.

(2) No ice shall be cut from any lake, river, stream, pond, or other water for the purpose of being sold, or used for domestic purposes unless a permit therefor has been first obtained from the local board, and no person shall sell or deliver or dispose of in any way any ice for domestic purposes without first obtaining a permit therefor from the local board, and the local board may refuse a permit, or
revoke any granted by it, when in their judgment the use of any ice cut or sold or to be cut or sold for domestic purposes under the same is or would be detrimental to the public health.

(3) Every local board shall enforce the Regulations of the Provincial Board, and may prohibit the sale and use of any ice within the limits of the municipality, when, in its judgment, the same is unfit for use or the use of it would be detrimental to the public health.

(4) The local board may prohibit, and, through its officers, prevent the bringing of any such ice for the purpose of sale or for domestic purposes into the limits of the municipality, and may in the same manner prevent the sale of any such ice for domestic purposes within the limits of the municipality, when, in its judgment, the ice is unfit for use, or the use of it would be detrimental to the public health.

2 Geo. V. c. 58, s. 98.

100. — (1) A medical officer of health or sanitary inspector may at all reasonable times inspect or examine any animal, carcass, meat, poultry, game, flesh, fish, fruit, vegetables, grain, bread, flour, milk or other article exposed for sale or deposited in any place for the purpose of sale, or for preparation for sale, and intended for food for man; and if such article appears to him 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 it may be destroyed or so disposed of as to prevent it from being exposed for sale or used as food for man.

(2) The person to whom the same belongs, or did belong at the time of exposure for sale, or in whose possession or on whose premises the same was found, shall incur a penalty of not less than $10 nor more than $100 for every such article unless he proves that he did not know and had no means of knowing the condition of such article.

(3) Where it is charged upon any prosecution under this section that any animal, or the meat or milk of any animal, is affected with any disease named in section 2 of The Animal Contagious Diseases Act of Canada, or with wens, eyles, actinomycosis or osteosarcoma, or any disease of a cancerous nature, the medical officer of health may make, or cause to be made, or request the Provincial Board to make, such scientific examination of the animal, meat or milk suspected of being diseased as may enable it to be determined whether or not such disease exists; and the Minister may instruct the Chief Officer of Health to make such examination or cause the same to be made.
(4) The expenses of such examination, together with a fee not exceeding $10, shall be certified by the Chief Officer of Health, and shall be payable by the treasurer of the municipality in which such animal, meat or milk is found.

(5) In any prosecution under this section the burden of proof that any article in respect of which the charge is laid is not kept for sale or intended for food for man shall be upon the person charged. 2 Geo. V. c. 58, s. 99.

101.—(1) Whenever any medical officer of health or sanitary inspector knows or has reason to believe that blood, offal or the meat of any dead animal which has not been previously boiled or steamed when fresh or before becoming putrid or decomposed, or which, although boiled or steamed, is putrid or decomposed, has been or is being fed to hogs, he may seize and carry away the hogs, whether dead or alive, or otherwise detain them so as to prevent their removal.

(2) The owner, or person in charge of, or any person found feeding any such blood, offal or meat to hogs shall incur a penalty of not less than $5 nor more than $50, and upon his conviction the medical officer of health shall order the hogs, whether dead or alive, to be destroyed or so disposed of as to prevent them from being exposed for sale or used for food for man.

(3) In every prosecution under this section, where it is proved that such blood, offal or decomposed meat was found upon the premises, the burden of proof that the same was not intended to be fed to hogs shall be upon the person charged. 2 Geo. V. c. 58, s. 100.

102.—(1) Every butcher and other person selling meat shall on the request of the medical officer of health make affidavit as to the place at which the slaughter of his meat is carried on, and where it is without the limits of the municipality such place shall be open to inspection by the medical officer of health or by an inspector appointed by the council of the municipality in which the meat is offered for sale.

(2) In case of the refusal or neglect to make such affidavit or permit such inspection, the local board may give notice in writing to the butcher or other person to discontinue the sale of meat in the municipality.

(3) If after receiving such notice the butcher or other person sells or offers for sale any meat in the municipality he shall incur a penalty not exceeding $20. 2 Geo. V. c. 58, s. 101.

103.—(1) Any person who knowingly sells, or has in his possession with intent to sell as food for man, the meat of any calf less than four weeks old shall incur a penalty of not less than $10 nor more than $50.
(2) In every prosecution under this section, where it is proved that the meat of any calf less than four weeks old was found upon the premises, the burden of proof that the same was not intended as food for man shall be upon the person charged. 2 Geo. V. c. 58, s. 102.

MUNICIPAL SLAUGHTER HOUSES, ABATTOIRS, ETC.

104.—(1) The municipal council of a city or town may by by-law provide for the establishment, within the municipality, or in an adjoining municipality, the council of which has by by-law sanctioned its establishment therein, of a public slaughter-house or abattoir with proper cattle-yards and pens in connection therewith for the proper keeping therein of animals intended for slaughter, and for charging fees for the use thereof.

(2) Every such slaughter-house or abattoir, and cattle-yard and pen, shall be constructed, equipped and regulated in conformity with the Regulations. 2 Geo. V. c. 58, s. 103.

105.—The local board of the city or town by which the slaughter-house or abattoir, cattle-yards or pens are established shall have the supervision of them, and shall be responsible for the due carrying out of the Regulations, and the costs of the supervision and inspection shall be paid from time to time by the treasurer of the city or town out of the fees charged, on the order of the local board of health. 2 Geo. V. c. 58, s. 104.

106. Such local board may employ one or more persons, approved of by the medical officer of health, to inspect at such slaughter-house or abattoir, or at such cattle-yards or pens, all animals, carcasses and meat brought into the municipality and intended for food for man. 2 Geo. V. c. 58, s. 105.

107. Any meat-packing establishment shall be subject to inspection in the same manner as a municipal slaughter-house or abattoir. 2 Geo. V. c. 58, s. 106.

USE OF FORCE—ASSISTANCE BY CONSTABLES, ETC.

108. Any person who obstructs, hinders, or delays or prevents the Provincial Board or Chief Officer of Health or other officer of the Board, or any local board, or a member thereof, medical officer of health or sanitary inspector, or any person employed by or acting under the direction of any of them in the exercise of any of the powers conferred, or performance of any of the duties imposed upon them by this Act or by the Regulations, or in carrying out any order lawfully given by them, shall incur a penalty of not less than $25 nor more than $100. 2 Geo. V. c. 58, s. 107.
109. Whenever a local board or a member thereof, medical officer of health or sanitary inspector is required or empowered by this or any other Act or by the Regulations or by a municipal by-law to do or to prevent or to direct or enforce the doing of anything, such board or member or officer or inspector may use such force and employ such assistance as is necessary to accomplish what is required, and may, when obstructed in so doing, call for the assistance of any constable or other person, and it shall be the duty of every constable so called upon to render such assistance. 2 Geo. V. c. 58, s. 108.

**Penalties and Recovery Thereof.**

110.—(1) Any person who contravenes any of the provisions of sections 53 to 72 for which no other penalty is provided shall incur a penalty of not less than $25 nor more than $100.

(2) Any person who contravenes any other provision of this Act or of the Regulations or of any municipal by-law passed under this Act, or wilfully disobeys or neglects to carry out any order or direction lawfully given by the Provincial Board, a local board, member of a local board, medical officer of health or sanitary inspector unless it is otherwise provided shall incur a penalty of not less than $5 nor more than $20.

(3) Where any person has been convicted of an offence under this Act or under any Regulation or by-law enacted or 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 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 thereof, 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; and in case of a third or subsequent conviction, it shall not be necessary in the information, conviction or other proceedings to make any reference to any conviction except the first, or to any notice except that in respect of which the proceedings are then being taken. 2 Geo. V. c. 58, s. 109.

tions Act before a police magistrate or two justices of the peace. 2 Geo. V. c. 58, s. 110.

112.—(1) Every penalty recovered under this Act where the prosecution is by or at the instance of the corporation of a municipality, or the local board, or the medical officer of health or other health officers of the municipality shall be paid to the treasurer of the municipality in which the offence was committed for the use of the local board of health.

(2) Where the prosecution is at the instance of the Provincial Board or of any Provincial officer or where the offence was committed in territory without municipal organization the penalty shall be paid to the Treasurer of Ontario. 2 Geo. V. c. 58, s. 111.

113. Where any act or omission is a violation of any express provision of this Act and is also a violation of a by-law of a municipality in respect of a matter over which the council of the municipality has jurisdiction, a conviction may be had under either the Act or the by-law, but a conviction shall not be made under both for the same act or omission. 2 Geo. V. c. 58, s. 112.

ALL PROCEEDINGS BARRED BY POVERTY, ETC.

114. Where any person who is unable from poverty or other sufficient cause to comply with any of the provisions of this Act, or of the Regulations, gives notice of such inability to the medical officer of health, and the local board on examination is satisfied of such inability, the secretary thereof shall give his certificate to that effect, and such certificate shall be a bar to all proceedings against such person for a period of six months. 2 Geo. V. c. 58, s. 113.

STATUTORY BY-LAW.

115.—(1) The by-law set out in Schedule B, hereinafter called the statutory by-law, and every amendment thereof, shall be in force in every municipality as if enacted by the council thereof, and the council of every municipality shall have authority to pass by-laws with the approval of the Provincial Board for making additional requirements in respect to any of the matters dealt with by the statutory by-law.

(2) The Board may permit the council of any municipality to amend the statutory by-law so as to conform to the requirements of the municipality or to meet such special circumstances as in the opinion of the Board may warrant such amendment. 2 Geo. V. c. 58, s. 114.

POSTPONEMENT OF MUNICIPAL AND SCHOOL ELECTIONS.

116.—(1) Where the Provincial Board reports to the Lieutenant-Governor that on account of the prevalence in
any municipality of any communicable disease it would be
dangerous to hold an election in such municipality, the
Lieutenant-Governor in Council may, of his own motion, or
upon the application of the council of the municipality, 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 the proclamation,
name the days for holding the nomination and polling, 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
the days for the nomination and polling. 2 Geo. V. c. 58,
s. 115.

UNORGANIZED TERRITORY.

Sections 118 to 124 shall apply only to territory
without municipal organization. 2 Geo. V. c. 58, s. 116.

118.—(1) The Provincial Board of Health may, with the
approval of the Lieutenant-Governor in Council, make
Regulations:

(a) Respecting any industry and the conditions under
which the same may be carried on for the pur-
pose of preventing nuisances and the outbreak or
spread of disease;

(b) For the cleansing, regulating and inspection of
lumbering camps and of mining camps and rail-
way construction works and of other places
where labour is employed;

(c) For providing for the inspection of houses and
premises;

(d) For providing for the employment of duly qualified
medical practitioners by employers of labour in
lumbering camps and in mining camps and on
railway construction works and other works
where labour is employed, and for the erection
of permanent or temporary hospitals for the
accommodation of persons so employed.

(2) The Regulations may be general in their application
or may be made applicable specially to any particular locality or industry.

(3) The expenses of carrying out the Regulations shall be
paid to the person entitled thereto by the persons, firms or
corporations whose duty it may be to carry out such regula-
tions, and the amount so to be paid shall be apportioned by
the Minister among them as he may deem proper, and every amount so apportioned shall be deemed to be a debt due from the person, firm or corporation, and may be recovered by the person entitled thereto by action in any court of competent jurisdiction.

(4) If default is made in complying with any of the Regulations the Board may direct that what is omitted to be done shall be done at the expense of the person, firm or corporation in default, and if the default is the failure to employ a duly qualified medical practitioner, as provided by clause (d) of subsection 1, the employing person, firm or corporation shall be liable to pay the reasonable expenses incurred by any employee for medical attendance and medicines, and for his maintenance during his illness. 2 Geo. V. c. 58, s. 117.

119. Every police magistrate shall be ex officio a medical officer of health in and for the district or part of a district for which he is appointed. 2 Geo. V. c. 58, s. 118.

120. Every constable shall be ex officio a sanitary inspector for the locality for which he is appointed. 2 Geo. V. c. 58, s. 119.

121. The Superintendent of the Algonquin Park shall be ex officio a medical officer of health for the Park, and for the territory surrounding it for the distance of one mile therefrom or from any part thereof; and all the park rangers, whether employed temporarily or otherwise, shall be ex officio sanitary inspectors under this Act for the Park and such territory. 2 Geo. V. c. 58, s. 120.

122. The Lieutenant-Governor in Council may appoint medical officers of health; and every such officer shall within the locality for which he is appointed have all the powers and perform all the duties by this Act, or any other Act, conferred or imposed upon medical officers of health, or local boards of health, and shall also perform such other duties as the Lieutenant-Governor in Council may direct. 2 Geo. V. c. 58, s. 121.

123. The Provincial Board may also, with the approval of the Lieutenant-Governor in Council, appoint in any of the unorganized districts one or more sanitary inspectors, who shall possess, in addition to the powers conferred upon sanitary inspectors by this Act, all the powers conferred upon local boards of health by section 27. 2 Geo. V. c. 58, s. 122.

124. The medical officer of health and the sanitary inspectors shall be paid such salary or other remuneration as may be determined by the Lieutenant-Governor in Council out of the appropriation made by the Legislature for the purposes of the Provincial Board. 2 Geo. V. c. 58, s. 123.

73 s.—II
EXPENSES OF ENFORCEMENT OF ACT.

125.—(1) The expenses incurred by the Provincial Board in the enforcement of this or any other Act or of the Regulations shall be payable in the first instance by the Treasurer of Ontario out of any money appropriated by this Legislature for the expenses of the Board, and in such manner and upon such certificate and after such audit as the Regulations may prescribe, anything in The Audit Act or any other Act to the contrary notwithstanding.

(2) Whenever an account is certified by the officer designated in the Regulations to be properly payable out of such appropriation, such certificate shall be final and the Provincial Auditor shall thereupon direct the issue of a cheque in payment of the account. 2 Geo. V. c. 58, s. 124.

PROCEEDINGS NOT TO BE QUASHED FOR WANT OF FORM, OR REMOVED INTO SUPREME COURT.

126. No order 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 otherwise into the Supreme Court. 2 Geo. V. c. 58, s. 125.

127. Except in so far as they are inconsistent with this Act all existing Regulations made under any of the Acts repealed by The Public Health Act, being chapter 58 of the Acts passed in the second year of His Majesty’s reign, or under that Act are confirmed and declared to be legal, valid and binding and shall continue in force until altered or repealed by the Provincial Board with the approval of the Lieutenant-Governor in Council. 2 Geo. V. c. 58, s. 126.

SCHEDULE “A.”

(Section 50 (a).)

PUBLIC HEALTH.

Take notice that by virtue of The Public Health Act, and the regulations made thereunder, possession has been taken (or obtained, as the case may be) of the following lands (or building, as the case may be) namely,

(Reasonable Description.)

and further take notice that such land (or building) will be occupied and used for the purposes of the said Act or regulations from and after the date hereof for a period of or such other time as may in the discretion of the undersigned be necessary.

Dated, etc.

(Signature.)
1. It shall be the duty of the Medical Officer of Health to assist and advise the Local Board of Health and its officers in matters relating to public health and to superintend, under the direction of the Board, the enforcement and observance, within this municipality, of health by-laws or regulations, and of Public Health Acts and of any other sanitary laws, and to perform such other duties and lawful acts for the preservation of the public health as may, in his opinion, be necessary, or as may be required by the Local Board of Health. He shall also present to the Board, before the 15th day of November in each year, a full report upon the sanitary condition of the municipality.

2. The sanitary inspector, besides performing the duties imposed by this by-law, shall assist the medical officer of health and perform such other duties as may from time to time be assigned to him by the Local Board of Health or its chairman.

3. The chairman of the Local Board of Health shall, before the 1st day of December in each year, present to this Council of Board of Health a report containing a detailed statement of the work of the Board during the year, and the report of the sanitary condition Council of the municipality, as rendered to the Board by the Medical Officer of Health. A copy of each such report shall be transmitted by the secretary to the Provincial Board of Health.

4. No person shall within the municipality suffer the accumulation upon his premises, or deposit, or permit the deposit, upon any land belonging to him, of anything which may endanger the public health, or deposit upon, on, into, any street, square, lane, by-way, wharf, dock, slip, lake, pond, bank, harbour, river, stream, sewer, or water, any manure or other refuse, or vegetable or animal matter, or other filth.

5. It shall be the duty of the sanitary inspector to keep a vigilant supervision over all streets, lanes, by-ways, lots, or premises upon which any such accumulation may be found, and at once to notify the persons who own or occupy such lots or premises, or who either personally or through their employees have deposited such manure, refuse, matter, or filth, in any street, lane, or by-way, to cleanse the same, and to remove what is found thereon; such persons shall forthwith remove the same, and if the same be not removed within twenty-four hours after such notification the inspector may prosecute the persons so offending, and he may also cause the same to be removed at the expense of the person or persons so offending. He shall also inspect at intervals, as directed by the Local Board of Health, all premises occupied by persons residing within the municipality, and shall report to the Board every violation of any of the provisions of this by-law, or of any other regulation for the preservation of the public health, and shall also report every case of refusal to permit him to make such inspection.

6. Whenever it shall appear to the Local Board, or to any of its officers, that it is necessary for the preservation of the public health, or for the abatement of anything dangerous or injurious to the public health, or whenever a notice signed by one or more inhabitant householders of this municipality is received
stating the condition of any building in the municipality to be so filthy as to be dangerous to the public health, or that upon any premises in the municipality there is any foul or offensive ditch, gutter, drain, privy, cess-pool, ash-plot, or cellar, kept or constructed so as to be dangerous or injurious to the public health or that upon any such premises an accumulation of dung, manure, offal, filth, refuse, stagnant water, or other matter or thing is kept so as to be dangerous or injurious to the public health, it shall be the duty of the sanitary inspector to enter such building or premises for the purpose of examining the same, and, if necessary, he shall order the removal of such matter or thing. If the occupant or owner or his lawful agent or representative having charge or control of such building or premises, after having had twenty-four hours' notice from any such officer to remove or abate such matter or thing, shall neglect or refuse to remove or abate the same, he shall be subject to the penalties mentioned in section 33.

7. If the Local Board is satisfied upon due examination that a cellar, room, tenement, or building within the municipality, occupied as a dwelling-place, has become by reason of the number of occupants, want of cleanliness, the existence therein of a communicable disease, or other cause, unfit for such purpose, or that it has become a nuisance, or in any way dangerous or injurious to the health of the occupants, or of the public, the Board may give notice in writing to such occupants, or any of them, requiring the premises to be put in proper sanitary condition, or requiring the occupants to quit the premises within such time as the Board may deem reasonable. If the persons so notified, or any of them, neglect or refuse to comply with the terms of the notice, every person so offending shall be liable to the penalties mentioned in section 33, and the Board may cause the premises to be properly cleansed at the expense of the owners or occupants, or may remove the occupants forcibly and close up the premises, and the same shall not again be occupied as a dwelling-place until put into proper sanitary condition.

8. No person shall at any time use any house, shop or outhouse as a slaughter-house or as a place for slaughtering animals or fowls therein, unless such shop, house or outhouse is distant not less than two hundred yards from any dwelling-house, and not less than seventy yards from any public street.

9. All slaughter-houses within this municipality shall be subject to inspection under the direction of the Local Board of Health; and no person shall keep any slaughter-house unless the permission in writing of the Board for the keeping of such slaughter-house has been first obtained, and remains unrevoked. Such permission shall be granted, after approval of such premises upon inspection, subject to the condition that the slaughter-house shall be so kept as not to impair the health of persons residing in its vicinity, and upon such condition being broken the permission may be revoked by the Board; and all animals to be slaughtered, and all fresh meat exposed for sale in this municipality shall be subject to like inspection.

10. All milk cows, cow byres and dairies, and all places in which milk is sold or kept for general use, and all cheese factories and creameries shall be subject to inspection under the direction of the Board; and the proprietors shall obtain permission in writing from the Board, to keep any such dairy or other place in which milk is so sold or kept, or to keep a cheese factory or creamery, and the same shall not be kept by any person without such permission, which shall be granted after approval of such premises upon inspection, subject to the
condition that all such places are so kept and conducted that
the milk shall not contain any matter or thing liable to produce
disease, either by reason of adulteration, contamination with
sewage, absorption of disease germs, infection of cows, or any
other cause, and upon such condition being broken the said
permission may be revoked by the Board.

11. No person shall offer for sale within this municipality, Sale of
as food, any diseased animal, or any meat, fish, fruit, vegetables, diseased
milk, or other article of food which, by reason of disease,
adulteration, impurity, or other cause is unfit for use.

12. It shall be the duty of the owner of every house within Supply of
this municipality to provide for the occupants of the same a drinking
sufficient supply of wholesome drinking water; and if any
occupant of the house is not satisfied with the wholesomeness
or sufficiency of such supply, he may apply to the Local Board
of Health to determine as to the same; and if the supply is
sufficient and wholesome, the expense incident to such deter-
mination shall be paid by such occupant; and if not, by the
owner; and in either case such expense shall be recoverable in
the same manner as municipal taxes.

13. All wells in this municipality which are in use, whether Wells to be
such wells are public or private, shall be cleaned out before the cleaned
1st day of July in each year, and if the Local Board of Health
certifies that any well should be filled up, such well shall be
forthwith filled up by the owner or occupant of the premises,
and no well shall be used as a privy, privy vault or cess-pool.

14. No privy-vault, cess-pool or reservoir into which a privy,
water-closet, stable or sink is drained, shall be established until
the approval in writing of the medical officer of health has been
obtained.

15. The next preceding section shall not apply to earth privies, No privilege-vaults, cess-pools or reservoirs into which a privy,
water-closet without a vault below the surface of the ground, posts to be
sufficient dry earth, wood-ashes or coal ashes to absorb all
removed.
the fluid parts of the deposit must be thrown upon the contents
of such earth privies and closets daily, and the contents when
removed must be placed in a shed or box with rain-proof cover,
and removed from the premises at least once a year on or before
the 1st day of May.

16. If the exigencies or circumstances of the municipality require that privy-vaults, cess-pools or reservoirs shall be Cleaning out
allowed in accordance with section 14, they shall be cleaned
out at least once a year, on or before the 1st day of May, and
from the 1st day of May to the 1st day of November in each
year they shall be thoroughly disinfected by adding to the con-
tents of the vault, cess-pool or reservoir, once a month, not less
that two pounds of chloride of lime, dissolved in two pailfuls of
water.

17. Within the limits of this municipality no night-soil or Deodorization
contents of any cess-pool shall be removed, unless previously disinfected as provided by section 16, and during its transpor-
tation the material shall be covered with a layer of fresh earth,
unless the removal is by some odourless excavating process.

18. All putrid and decaying animal or vegetable matter must be All putrid and decaying animal or vegetable matter must be
removed from all cellars, buildings, out-buildings and yards
on or before the 1st day of May in each year.
19. Every householder and every hotel and restaurant-keeper or other person shall dispose of all garbage, for the disposal of which he is responsible, either by burning the same or by placing it in a proper covered receptacle, the contents of which shall be regularly removed, at least twice a week.

20. Swine shall not be kept within the limits of this municipality, except in pens, with floors kept free from standing water and regularly cleansed and disinfected, and distant at least one hundred feet from any dwelling house, school house or church.

21. The keeper of every livery or other stable shall keep his stable and stable-yard clean, and shall not permit more than two wagon-loads of manure to accumulate in or near the same at any one time, and shall at all times keep such manure in a proper covered receptacle.

22. No house shall be built upon any site, the soil of which has been made up of any refuse, unless such soil has been removed from such site, and the site disinfected, or unless the soil has been covered with a layer of charcoal or ashes, covered by a layer of concrete at least six inches thick and of such additional thickness as may be requisite under the circumstances to prevent the escape of gases into such proposed house.

23. The drain of every house connected with a sewer or cesspool shall be properly ventilated by means of a pipe extending upward from the highest point of the main soil or waste-pipe, and also by a pipe carried upward from the drain outside the walls of the house. Such pipes shall be of the same dimensions as the main soil or waste-pipe, and shall be constructed of the same material or of stout galvanized iron, and no trap shall intervene between the ventilating pipes. If a trap intervenes between the sewer or cess-pool and the ventilating pipes, then a four-inch ventilating pipe of such material shall be carried from a point between such trap and the sewer. Every ventilating pipe shall be carried above the roof of the house, and shall open above at points sufficiently remote from every window, door, sky-light, chimney or other opening leading into any house to prevent the escape into it of gases from such ventilating pipes.

24. No pipe from any drain or soil-pipe shall be connected with any chimney in a dwelling-house.

25. Every house-drain shall be constructed of vitrified earthenware or iron pipe; and every soil and waste-pipe of iron pipe shall be rendered impervious to gas or liquids, by the joints being run with lead and caulked, or constructed of lead pipe weighing at least six pounds to the square foot; and the waste-pipe from every closet, sink, tub, wash-basin or other service shall have as near as possible to the point of junction with such service a trap so constructed, vented and furnished, that it shall at no time allow or passage of gas into the house. And all joints shall be so constructed as to prevent gas escaping through them.

26. The construction of any closet or other convenience which allows of the escape from it or from the drain or soil-pipe into the house of air or gas is prohibited.

27. No pipe supplying water to a water-closet or urinal shall be directly connected with a pipe supplying water for drinking purposes.
28. Every person who erects or causes to be erected any Plumbing and Drainage building shall, within two weeks after the completion thereof, deposit with the Local Board of Health plans of the drainage and plumbing of the same as executed; and in the case of any alteration of any such plumbing or drainage, it shall be the duty of the owner of the house, within two weeks of the making of the alteration, to deposit in the same manner a plan of any such alteration; if such alteration is made by an occupant it shall be his duty to deposit or cause to be deposited the plan.

29. The Medical Officer of Health or the Secretary of the Rules relating to Local Board of Health shall provide each legally qualified medical practitioner, practising within this municipality, with blank forms on which he shall report cases of communicable diseases to the Medical Officer of Health, Officer or Secretary, and also, with other blank forms on which to report death or recovery from any such disease.

30. All such forms shall be so printed, gummed and folded that they may be readily sealed, without the use of any envelope, kind of, and shall call for the following information:

Report of Communicable Disease.

Christian name and surname of patient: 
Age of patient: 
Locality (giving street, number of house or lot), where patient is: 
Name of disease: 
Name of school attended by children from that house: 
Measures employed for isolation and disinfection: 
(Signature of physician):

Report of Death or Recovery from Infectious Disease.

Christian name and surname of patient: 
Locality (giving street, number of house or lot), where patient is: 
Name of disease: 
How long sick: 
Whether dead or recovered: 
Means of disinfection employed, and when employed: 
(Signature of physician):

31. The Medical Officer of Health within six hours after he has received notice of the existence in any house of any communicable disease in respect of which it is his duty to do so, shall affix or cause to be affixed, near the entrance of such house, a card at least nine inches wide and twelve inches long, stating that such disease exists in the house, and stating the penalty for removal of such card without the permission of the Medical Officer of Health, and no person shall remove such card without his permission.

32. No animal suffering from any communicable disease shall be brought or kept within this municipality, except by permission of the Medical Officer of Health.

33. Any person who violates sections 4, 6, 7, 9, or 11 of this by-law or section 22 or sections 31 or 32, shall for every offence incur a penalty of not less than $5 nor more than $50; and any person who violates any other provision of this by-law shall for every offence incur a penalty of not more than $20; and such penalties shall be recoverable under "The Ontario Summary Convictions Act."