

IN THE MATTER OF THE PUBLIC HEALTH ACT – ALBERTA
ORDER OF AN EXECUTIVE OFFICER

To: Mark Gales
13084 Coventry Hills Way NE
Calgary, AB T3K 6C1
("the Owner")

Re: The Food Establishment located in Calgary, Alberta and municipally described as:
MacGales Smokin BBQ
1020 Meridian Road NE
Calgary, AB T2A 2N8

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above noted Food Establishment pursuant to the provisions of the **Public Health Act**, RSA 2000, c. P-37, as amended;

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act Food Regulation, Alberta Regulation 31/2006 exist in and about the above noted food establishment, namely:

- a. Operating without a valid and subsisting food handling permit from Alberta Health Services.
- b. Indoor handsink had no plumbing connecting to hot and cold water lines.
- c. Improper plumbing to handsink on outside of trailer. Waste water drain was not connected to waste water tank.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act Food Regulation, Alberta Regulation 31/2006 and the Food Retail and Foodservices Code exist in and about the above noted food establishment, namely:

- a. Operating without a valid and subsisting food handling permit from Alberta Health Services is in contravention of section 3(1)(a)(b) of the Food Regulation.
- b. No plumbing connecting hot and cold running water lines to handsink is in contravention of Section 17 (1) (e) (f) (i) of the Food Regulation.
- c. Improper waste water plumbing is in contravention of Section 17 (1) (ii) of the Food Regulation.

AND WHEREAS by virtue of the foregoing, the above noted premises are hereby declared to be **CLOSED**;

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the Owner immediately **CLOSE** the above noted food establishment

2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted food establishment, namely:
 - a. Obtain a valid food handling permit from Alberta Health Services.
 - b. Provide an adequate supply of hot and cold water to all handsinks. Hot and cold running water must be available at all times while in operation.
 - c. Ensure all plumbing lines are connected.

3. That, until such time as the work referred to in paragraph 2 is completed to the satisfaction of the undersigned, or an executive officer of Alberta Health Services, the above noted premises shall remain closed.

Dated at Calgary, Alberta, this 8th day of September, 2010, in confirmation of a verbal order issued September 7, 2010.

Dianne Brownless
Executive Officer
Alberta Health Services

Section 5(2) of the Public Health Act provides that a person who is directly affected by this Order and considers himself or herself aggrieved hereby may appeal the same to the Public Health Appeal Board, 24th Floor, Telus Plaza North Tower, 10025 Jasper Avenue, Edmonton AB T5J 2N3, within ten (10) days. The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal.

The Owner is advised that the Public Health Act empowers Alberta Health Services to carry out the terms of this Order on the Owner's behalf and at the Owner's expense should the Owner fail to comply with the terms hereof.

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Airdrie Public Health Centre
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Airdrie, AB T4B 3K7
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