

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

**To: Smoking Joe's #00230**  
302 3 Ave SW  
Calgary, Alberta T2P 0C1

**749092 Alberta Ltd.**  
416 Meridan Rd SE  
Calgary, Alberta T2G 0H1

**Goudie, Meaghan**  
416 Meridan Rd SE  
Calgary, Alberta T2G 0H1

**Fiddler, Scott**  
302 3 Ave SW  
Calgary, Alberta T2P 0C1

**Re:** The Food Establishment located in Calgary, Alberta and municipally described as:

**Smoking Joe's #00230**  
302 3 Ave SW  
Calgary, Alberta

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 conditions exist in and about the above noted food establishment which are or may become injurious or dangerous to the public health or which might hinder the prevention or suppression of disease, namely:

- a. There was no supply of running, hot water to the cart;
- b. The waste water tank was leaking on the ground;
- c. No water samples from the holding tank had been submitted to the Provincial Laboratory of Public Health since January 13, 2010.

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. There was no supply of running, hot water to the cart, which is in contravention of Section 17(1)(f)(i) of the Food Regulation;
- b. The waste water tank was leaking on the ground, which is in contravention of Section 17 (1) of the Food Regulation and Section 2.11 (b) of the Food Retail and Foodservices Code;
- c. No water samples from the holding tank had been submitted to the Provincial Laboratory of Public Health since January 13, 2010, which is in contravention of Section 2.10(c) of the Alberta Food Retail and Foodservices Code;

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. Restore an adequate supply of hot water to the cart. Hot water must be available at all times while the cart is in operation;
  - b. Repair, or replace the waste water tank and/or plumbing system to ensure no wastewater accumulates on the ground;
  - c. A water sample from water in holding tank of this mobile hot dog cart must be submitted to the Provincial Laboratory of Public Health.
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 12<sup>th</sup> day of March, 2010, in confirmation of a verbal order issued on the 11<sup>th</sup> day of March, 2010.



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Jeremy Donaldson, BSc, BTech, CPHI(C)  
Executive Officer  
Alberta Health Services – Calgary Zone

***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, 24<sup>th</sup> 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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**ORDER OF AN EXECUTIVE OFFICER**

**Re: The Food Establishment Smoking Joe's, located in Calgary, Alberta and municipally described as 302 3 Ave. S.W. Calgary, Alberta**

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**Airdrie**

Airdrie Public Health Centre  
604 Main Street South  
Airdrie, AB T4B 3K7  
Phone: 403-912-8400  
Fax: 403-912-8432

**Banff**

Banff Health Centre  
303 Lynx Street  
PO Box 1266  
Banff, AB T1L 1B3  
Phone: 403-762-2990  
Fax: 403-762-5570

**Calgary/Mountain View/Rocky View**

Alberta Health Services, *Southport*  
10101 Southport Road SW  
Calgary, AB T2W 3N2  
Phone: 403-943-2288  
Fax: 403-943-8056

**Canmore**

Canmore Public Health  
#104, 800 Railway Avenue  
Canmore, AB T1W 1P1  
Phone: 403-678-5656  
Fax: 403-678-5068

**Claresholm**

Claresholm Public Health  
5221 2<sup>nd</sup> Street W  
PO Box 1391  
Claresholm, AB T0L 0T0  
Phone: 403-625-4061  
Fax: 403-625-4062

**Didsbury**

Didsbury Health Unit  
PO Box 130  
1210 -20th Avenue  
Didsbury, AB T0M 0W0  
Phone: 403-335-7292  
Fax: 403-335-7610

**Okotoks**

Okotoks Public Health Centre  
11 Cimarron Commons  
Okotoks, AB T1S 2E9  
Phone: 403-995-2600  
Fax: 403-995-2639

**Strathmore**

Public Health Building  
650 Westchester Road  
Strathmore, AB T1P 1H8  
Phone: 403-361-7200  
Fax: 403-361-7244

[www.calgaryhealthregion.ca/envhealth](http://www.calgaryhealthregion.ca/envhealth)

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