

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

To: Shea Volk

RR 1 Site 11 Box 4
Red Deer, Alberta
(the “**Owner**”)

Re: The Food Establishment located at Calgary, Alberta operating out of:

Lil’ Orbits Donuts
Food Preparation Trailer
Fiestaval 2007, Olympic Plaza
Calgary, Ab.

WHEREAS I, an **Executive Officer** of the **Calgary Health Region**, 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 running water supplied to sinks used for hand washing and dishwashing.

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 running water supplied to sinks used for hand washing and dishwashing. Section 41(1)(i) of the Food Regulation states that “The operator of a temporary food establishment at a special event must ensure that the food establishment has running water, which includes, at a minimum, a portable jug with a turnable spout situated over a waste water collection bucket...”

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 running water.
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 the Calgary Health Region, the above noted premises shall remain **closed**.

Dated at Calgary, Alberta, this 25th day of July, 2007, to confirm a verbal order issued on the 21st day of July, 2007.

Jeremy Vaughan, CPHI(C)
Executive Officer
Calgary Health Region

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 the Calgary Health Region 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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