

# BILL

No. 39 of 1919.

An Act to amend The Public Health Act.

(Assented to , 1919.)

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

*The Public Health Act*, being chapter 17 of the Statutes of Alberta, 1910 (Second Session), is amended as follows:

1. Section 2, clause 2: By striking out the words "rural municipality" and substituting therefor the words "municipal district".

Section 2, clause 11: By repealing the same and substituting therefor the following:

"Where the words 'communicable disease' or 'contagious or infectious disease' occur they shall be taken to mean the following diseases:

"Anthrax; actinomycosis; bubonic plague; chicken-pox; cholera (Asiatic); diphtheria (membranous croup); epidemic cerebro-spinal meningitis; erysipelas; glanders; hydrophobia (rabies); impetigo contagiosa; leprosy; measles; German measles; mumps; acute polio-myelitis (infantile paralysis); pneumonia; puerperal septicemia; smallpox; scarlet fever (scarlatina, or scarlet rash); septic sore throat (epidemic); trachoma; typhoid fever; tetanus; paratyphoid fever; tuberculosis (all forms); venereal diseases (syphilis, chancre and gonorrhoea); whooping cough (acute stage); influenza epidemic. Also the following diseases or conditions of parasitic origin shall be, for the purposes of this Act, as communicable diseases, such as favus; Pediculosis (lice); ringworm; scabies (itch); together with any such other disease as the Provincial Board of Health may, with the approval of the Lieutenant Governor in Council, from time to time declare to be a communicable disease.

Section 2: By adding thereto the following clauses:

"14. 'Lands and premises' include messuages, buildings, lands, hereditaments and easements of any tenure;

"15. 'Person' includes any body of persons, whether incorporated or not;

"16. 'Council' means the council of any city, town, village, or municipal district;

"17. 'House-drain' means any drain used for the drainage of a house or premises and made merely for the purpose of communicating therefrom with a private sewage disposal system or other like receptacle for sewage, or with a sewer situated at the junction of the premises with a street;

"18. 'Sewer' includes sewers and drains of every description except drains to which the word 'house-drain' applies;

"19. 'Waterworks' includes streams, springs, wells, pumps, reservoirs, cisterns, tanks, aqueducts, cuts, sluices, mains, pipes, culverts, engines and all machinery, lands, buildings, and things for supplying or used for supplying water, also the stock-in-trade of any water company;

"20. 'Unorganized territory', for the purpose of this Act, shall mean territory not included in any city, town, village, or municipal district;

"21. 'Public places' shall mean hotels, restaurants, churches, railroad stations, barber shops, saloons, all manufacturing plants, stores, hospitals, theatres and other public places of amusement, public and private schools, public buildings, public institutions, and all other places visited by or accessible to the public."

2. Section 6: By striking out the word "advise" in the sixth line counting from the end of the said section and substituting therefor the word "direct".

By inserting after the word "heating" in the second last line of the section the word "lighting".

By striking out the word "of" in the second last line thereof and substituting therefor the words "to be adopted in respect of".

3. Section 7, clause 1: By inserting after the word "duties" in the first line the following words: "qualifications, appointment, dismissal", and by adding to the said clause the following words "or any class of executive officers".

Clause 3: By inserting after the word "purifying" in the first line thereof the words "lighting, heating".

Clause 4: By inserting after the word "orphanages" in the first line thereof the words "maternity, nursing or children's homes".

Clause 5: By inserting after the word "maintenance" in the first line thereof the word "operation".

Clause 7: By inserting after the word "the" in the first line thereof the word "location", and by inserting after the word "all" in the third line the word "piggeries".

Clause 8: By inserting after the word "funerals" the following: "the licensing of undertakers and embalmers and the prescribing of qualifications for the admission of such persons to practise in the province, the charges that may be made by undertakers for the burial of the dead".

Clause 11: By inserting after the word "all" the words "or any class of".

Clause 12: By adding after the word "of" the words "any or".

Clause 17: By repealing the same and substituting therefor the following:

"17. The providing of penalties, by way of fine of imprisonment or both, for the violation of any rule, order or regulation passed hereunder, and providing procedure for the imposition or recovery thereof."

Clause 18: By inserting after the word "the" in the first line thereof the word "expropriation".

By striking out the word "or" in the last line and inserting after the word "villages" the words "or municipal districts".

Clause 21: By striking out the word "acquiring" and substituting therefor the word "operating".

By adding to the said section 7 the following new clauses:

"23. The methods of preventing and remedying industrial and occupational diseases;

"24. The site, design, construction, maintenance and operation of cemeteries;

"25. The site, design, construction, maintenance and operation of refuse disposal plants, including the alteration, extension or replacement by other structures of any existing refuse disposal plants;

"26. The methods of production, transportation, exposing for sale, inspection, condemnation, and methods of sale of any article whatever, intended as food for man;

"27. The qualifications of civil engineers, sewage disposal superintendents, plumbers, plumbing inspectors or sanitary inspectors doing or performing any work to which the provisions of this Act or of any rule, order or regulation passed thereunder, apply;

"28. The prevention and control of the employment of persons suffering from venereal diseases or tuberculosis, and of persons known to be carriers of communicable diseases;

"29. The prevention of the pollution of soil or water by human excreta or otherwise;

"30. The prevention of the use of any place where food is prepared or offered for sale, as a sleeping apartment;

"31. The prevention of the use by the public of common drinking-cups;

"32. The prevention of the use in any public place of roller-towels and other towels intended for use by more than one person;

"33. Providing a schedule of charges that may be made by medical practitioners in connection with the inoculation of persons for the prevention of communicable diseases;

"34. Providing as to who shall sign any written or printed permit, order, requirement, instruction, warrant, certificate or other document authorized by this Act or regulations of the Provincial Board;

"35. Providing with regard to the employment, maintenance duties and management of one or more public health nurses in any health district as and when required by the Provincial Board."

4. By inserting immediately after section 7, as section 7a, the following:

"7a. The Provincial Board may, subject to the approval and with the consent of the Lieutenant Governor in Council, make and issue any order, rule or regulation that the said board may deem necessary for the prevention, mitigation or suppression of disease, and the same may be made and issued with reference to any municipal district, village, town, or city, or portion thereof, or any portion of the province, and may enforce any such order, rule or regulation at the expense of the municipal district, village, town, or city, in whole or in part affected thereby, or at the expense of any portion of the province covered by any such order, rule or regulation."

5. Section 8: By adding after the word "Printer" in the last line the words "or by the production of a type-written or mimeographic copy certified by a member of the Provincial Board as a true copy"

6. Section 9: By striking out the words "rural municipalities" where they appear therein, and substituting therefor the words "municipal districts".

Subsection 2: By inserting after the word "village" the words "or municipal district".

Subsection 3: By inserting after the word "village" the words "or municipal district".

7. Section 10: By striking out the words "rural municipality" wherever they occur and substituting therefor the words "municipal district".

8. Section 11: By inserting after the word "specifications" in the seventh line the words "together with estimate of cost".

Subsection 2: By striking out the word "such" in the second line and the words "as aforesaid" in the third line.

By striking out the word "proposed" in the sixth line.

By striking out the word "and" in the eighth line and substituting therefor the word "or".

Subsection 3: By striking out the word "such" in the second line thereof and substituting therefor the word "any".

9. Section 12: By inserting after the word "specifications" in the fifth line of the first subsection thereof the words "together with estimate of cost".

10. Section 13a: By inserting after the word "passed" in line ten the words "previous to the first day of April, 1919".

11. By striking out section 15 and substituting therefor the following:

"15. The Provincial Board shall have power to make any condition, set any limitation, or provide any restriction or reservation in any certificate which it may issue to any person for any of the works, matters or things under its jurisdiction."

12. Section 16: By striking out the words "any district organized under *The Local Improvement Act*" and substituting therefor the words "unorganized territory".

13. By inserting immediately after section 16, as section 16a, the following:

"16a. In unorganized territory, the Provincial Board may do and perform all matters and things required by this Act or by any rule, order or regulation passed hereunder to be done or performed by a local board of health."

14. Section 17: By striking out the words "rural municipality" in lines three and four and substituting therefor the words "municipal district".

15. Section 21, subsection 3: By striking out the words "rural municipality or local improvement district" and substituting therefor the words "or municipal district".

16. Section 22: By striking out the words "rural municipality" and substituting therefor the words "municipal district".

Subsection 3: By striking out the words "rural municipality" and substituting therefor the words "municipal district".

Subsection 5: By striking out the words "every district organized under *The Local Improvement Act*" and substituting therefor the words "unorganized territory".

By striking out the word "districts" and substituting therefor the word "territory".

By adding immediately after subsection 5 of the said section 22, as subsection 6 thereof, the following:

"(6) In the case of a local board of health neglecting or refusing to perform any duty imposed upon the said board by this Act or by any rule, order or regulation passed thereunder, every member of such local board shall be guilty of an offence under this Act:

"Provided, however, that no such member shall be convicted of such offence if he establishes to the satisfaction of the justice of the peace that he was willing and ready at all times to do such things within his power and authority as were necessary for the proper performance by the board of its duties as aforesaid."

By adding to the said section 22, as subsection 7 thereof, the following:

"(7) Should the corporation of any city, town, village or municipal district fail to appoint or organize, as the case may be, its local board of health in the month of January of each year, such corporation shall be liable on summary conviction to a fine of \$50.00 and costs."

By adding to the said section as subsection 8 the following:

"(8) The Provincial Board may, where it deems necessary within any health district, carry out directly the provisions of *The Public Health Act* or the regulations made thereunder."

**17. Section 23:** By striking out the words "rural municipality or district organized under *The Local Improvement Act*" and substituting therefor the following: "or municipal district".

**18. Section 24:** By striking out the words "rural municipality", and substituting therefor the words "municipal district".

**19.** By adding immediately after section 33 the following new sections:

**"34.** No pupil shall be admitted to any school unless and until he produces evidence of successful vaccination for smallpox:

"Provided that in rural districts this regulation shall not apply where by reason of distance from medical attendance its enforcement would work a hardship.

**"35.** Section 34 shall not apply to any pupil who produces a certificate according to schedule L, in the Provincial Board of Health regulations, from a medical practitioner, countersigned by the secretary-treasurer or executive officer of the local board of health, that vaccination for smallpox would be injurious to the health of the pupil, or a certificate according to schedule M, of the Provincial

Board of Health regulations, that said pupil is not susceptible to smallpox vaccine inoculation. The certificate mentioned in schedule L of the Provincial Board of Health regulations shall be valid only for three months from the date of issue.

“(2) The parent or guardian of any pupil who has been refused admittance to any school for non-compliance with section 34 shall cause said pupil to be vaccinated for smallpox within fifteen days after said refusal, and the parent or guardian who fails to comply with this section shall be guilty of an offence under this Act:

“Provided that no such parent or guardian shall be liable to punishment if he produces the certificate mentioned in section 35.

“36. In any dispute as to the diagnosis of any communicable disease the decision of the Provincial Board shall be final.”

No. 39.

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SECOND SESSION  
FOURTH LEGISLATURE  
9 GEORGE V  
1919

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BILL

An Act to amend The Public Health  
Act.

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Received and read the

First time . . . . .

Second time . . . . .

Third time . . . . .

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HON. MR. MACKAY.

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EDMONTON:  
J. W. JEFFERY, KING'S PRINTER  
A. D. 1919.