

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: Gerald Sickel
"the Owner"

RE: The food establishment located in Calgary, Alberta and municipally described as:
4093 Ogden Road SE

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above noted premises 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 premises which are or may become injurious or dangerous to the public health or which might hinder in any manner the prevention or suppression of disease, namely:

- a. There was a strong odour of spoilt meat and an abundance of flies around the premises, including at the front doorway, and the back exterior area.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Food Regulation, Alberta Regulation 31/2006 and the Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003 exist in and about the above noted premises, namely:

- a. Operating without a valid and subsisting food handling permit from Alberta Health Services, which is in contravention of the Food Regulation of AR 31/2006 section 3(1) (a) (b), which states that no person shall operate a food establishment unless the person is an operator who holds a valid and subsisting permit for the operation of the food establishment, and the food establishment is identified on the permit as approved by the regional health authority that issued the permit.
- b. There was a strong odour of spoilt meat and an abundance of flies around the premises, including at the front doorway, and the back exterior area, which is in contravention of the Nuisance and General Sanitation Regulation AR 243/2003 section 2 (1), which states that no person shall create, commit or maintain a nuisance.

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 premises.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Obtain a valid food handling permit from Alberta Health Services.
 - b. Remedy the odor and pest presence at the premises by ceasing all food operations, removing all foods and waste from the facility, and obtaining the services of a pest

management company as needed

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

The above conditions were noted at the time of inspection and may not necessarily reflect all deficiencies. You are advised that further work may be required to ensure full compliance with the Public Health Act and regulations, or to prevent a public health nuisance.

DATED at Calgary, Alberta, July 13th 2023

Confirmation of a verbal order issued to Gerald Sickel on July 12th 2023.

Executive Officer
Alberta Health Services

You have the right to appeal

A person who a) is directly affected by a decision of a Regional Health Authority, and
b) feels himself aggrieved by the decision

may appeal the decision by submitting a Notice of Appeal form within ten (10) days after receiving the order to:

Public Health Appeal Board
c/o Central Reception
Main Floor, ATB Place North Tower
10025 Jasper Avenue NW
Edmonton, Alberta, T5J 1S6
Phone: 780-222-5186
Fax: 780-422-0914
Email: HealthAppealBoard@gov.ab.ca
Website: <https://www.alberta.ca/public-health-appeal-board.aspx>

A Notice of Appeal form may be obtained by contacting the Public Health Appeal Board or visiting their website.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Health Legislation and regulations are available for purchase. Please contact Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Copies of standards are available by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

Calgary • Southland Park III • Environmental Public Health
10101 Southport Road SW, Calgary, Alberta, Canada, T2W 3N2
<https://www.ahs.ca/eph>