

The Health Hazard Regulations

being 

Chapter P-37.1 Reg 10 (effective December 5, 2002) as
amended by Saskatchewan Regulations 57/2007.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER P-37.1 REG 10
The Public Health Act, 1994

Title

- 1 These regulations may be cited as *The Health Hazard Regulations*.

Interpretation

- 2(1) In these regulations:

- (a) **“Act”** means *The Public Health Act, 1994*;
- (a.1) **“limited-scope water pipeline”** means a pipeline that:
- (i) is used to distribute a supply of water that is intended to be used for drinking or personal hygiene purposes;
 - (ii) is connected to at least three but less than 15 service connections;
 - (iii) is not directly connected to a municipal waterworks that is the subject of a permit issued pursuant to *The Environmental Management and Protection Act, 2002*; and
 - (iv) does not receive water directly from a surface water source, ground water source or other raw water source;
- (b) **“public building”** means a building or structure to which the public has access as of right or by express or implied invitation, and includes a public accommodation;
- (c) **“public place”** means a place to which the public has access as of right or by express or implied invitation, and includes a public building;
- (d) **“public water supply”** means a supply of water to which sections 5 to 9 apply;
- (e) **“recreational area”** means an area intended for use by the public for enjoyment or appreciation of the natural environment in the out-of-doors, and includes sports grounds, playgrounds and beaches;
- (f) **“service connection”** means a connection between a distribution system and premises;
- (g) **“special event”** means:
- (i) a theatre production;
 - (ii) a fair or festival;
 - (iii) an exhibition;
 - (iv) a concert;
 - (v) an art or craft show; or
 - (vi) a multicultural event;

(h) “**wayside area**” means an area of land that is adjacent to a public thoroughfare and is used or permitted to be used by the travelling public for rest periods of less than 24 hours, but does not include a campground.

(2) In these regulations, a reference to a local authority is a reference to the local authority that has jurisdiction in the area in which the public water supply, the limited-scope water pipeline, the public place, the personal service facility or the dead animal, as the case may be, is located.

13 Dec 2002 cP-37.1 Reg 10 s2; 13 Jly 2007 SR 57/2007 s3.

Application to public water supply

3(1) Subject to subsection (2), sections 5 to 9 apply to a supply of water that is intended to be used for drinking or personal hygiene purposes and:

- (a) is provided at any of the following places:
 - (i) a facility as defined in *The Child Care Act*;
 - (ii) an approved home as defined in *The Mental Health Services Act*;
 - (iii) a hospital approved pursuant to *The Hospital Standards Act* or a facility designated as a hospital or health centre pursuant to *The Regional Health Services Act*;
 - (iv) a personal care home as defined in *The Personal Care Homes Act*;
 - (v) a private-service home or a residential-service facility, as defined in *The Residential Services Act*;
 - (vi) a special-care home as defined in *The Housing and Special-care Homes Act* or a facility designated as a special-care home pursuant to *The Regional Health Services Act*;
 - (vii) any facility, establishment, business or premises that is required to be licensed by any regulations pursuant to *The Public Health Act, 1994*;
 - (viii) a school or an independent school, as defined in *The Education Act, 1995*;
 - (ix) a recreational area;
 - (x) a special event;
 - (xi) a wayside area;
 - (xii) an itinerant use accommodation as defined in *The Public Accommodation Regulations*;
 - (xiii) a multi-dwelling unit owned by the Saskatchewan Housing Corporation;
- (b) is a well or other supply of water intended for public use that is not connected to a distribution system; or

- (c) is provided from a distribution system that:
 - (i) is connected to at least three but less than 15 service connections; and
 - (ii) receives water directly from a surface water source, ground water source or other raw water source.
- (2) Subsection (1) does not apply to:
 - (a) commercially bottled water;
 - (b) a supply of water that is a waterworks within the meaning of *The Environmental Management and Protection Act, 2002*;
 - (b.1) a supply of water to which section 9.1 applies;
 - (c) a supply of water to which subsection 10(1) applies; or
 - (d) a supply of water that, for the purposes of section 15 of the Act, is posted as being not potable water.

13 Dec 2002 cP-37.1 Reg 10 s3; 13 Jly 2007 SR 57/2007 s4.

Duties, etc., on more than one person

4 Where a provision of these regulations imposes a duty or requirement on more than one person, the duty or requirement applies to all of those persons, but the duty or requirement is imposed primarily on the person with the greatest degree of control over the matters that are the subject of the duty or requirement.

13 Dec 2002 cP-37.1 Reg 10 s4.

Approval re public water supplies

5(1) No person shall establish, extend, renovate or alter a public water supply unless the owner or operator has obtained written approval to do so from the local authority.

(2) Subsection (1) does not apply to the routine maintenance of a public water supply or to any alteration to, or renovation of, a public water supply that is governed by *The Plumbing and Drainage Regulations*.

(3) Nothing in subsection (1) requires the operator of a public water supply in operation on the coming into force of these regulations to obtain written approval to establish that public water supply.

13 Dec 2002 cP-37.1 Reg 10 s5.

Duties of owners, operators of public water supplies

- 6(1)** The owner or operator of a public water supply shall:
- (a) ensure that the water is potable at the place where it is delivered for use;
 - (b) locate, construct and operate the public water supply in a manner that will:
 - (i) reduce the potential of contamination of the water source; and
 - (ii) prevent the contamination of water within the distribution system, including any place where water is collected, stored or treated; and
 - (c) subject to subsections (4) and (5), submit samples of water for analysis to the Provincial Laboratory or another laboratory approved by the minister, in accordance with subsection (3).
- (2) An owner or operator of a public water supply who submits samples of water for analysis as required by clause (1)(c) shall include with the sample a notice advising the laboratory that the sample is taken from a public water supply.
- (3) The owner or operator of a public water supply shall submit samples of water from the supply:
- (a) for bacteriological analysis:
 - (i) in the case of a public water supply that is operated throughout the year, once every three months; and
 - (ii) in the case of a public water supply that is operated on a seasonal basis, once per year, with the sample for a year being taken at a time specified by the local authority; and
 - (b) for major ion analysis:
 - (i) in the case of a ground water supply, at least once in every period of 365 days unless otherwise directed by the local authority; and
 - (ii) in the case of a surface water supply, at least once in every period of 730 days unless otherwise directed by the local authority.
- (4) A local authority may require the owner or operator of a public water supply to submit samples for analysis at more frequent intervals than subsection (3) requires if:
- (a) the results of an analysis indicate that the supply is, or has the potential to become, a health hazard; or
 - (b) for any other reason, the local authority determines that more frequent analysis is appropriate to monitor the safety of the supply.
- (5) A local authority may require the owner or operator of a public water supply to submit samples for analysis other than those mentioned in subsection (3) if the local authority suspects that the supply may be subject to contamination that would not be identified in an analysis required by that subsection.

Reporting of results

7(1) Subject to subsection (2), a laboratory that conducts an analysis of samples of water from a public water supply for the purposes of section 6 must, within seven days after the date of completion of the analysis, report the results of the analysis to:

- (a) the owner or operator of the public water supply; and
- (b) the local authority.

(2) If the results of an analysis indicate the presence of *E. coli* or fecal coliforms in the sample, the laboratory that conducted the analysis shall:

- (a) immediately notify the local authority; and
- (b) within 72 hours after obtaining the results, send a written copy of the results to the owner or operator who submitted the sample and to the local authority.

(3) An owner of a public water supply who receives notice pursuant to subsection (2) must immediately inform any operator and the local authority of the notification.

(4) An operator of a public water supply who receives notice pursuant to subsection (2) must immediately inform the owner and the local authority of the notification.

(5) A local authority may make information available to the public respecting the public water supplies that are located within the jurisdictional area of the local authority, including, without limiting the generality of the foregoing, information respecting:

- (a) the location of a public water supply;
- (b) the owner and the operator of the public water supply;
- (c) the nature of the public water supply;
- (d) the compliance of the owner and operator with the requirements to submit samples for analysis pursuant to section 6;
- (e) the results of analyses carried out pursuant to section 6 on samples from the public water supply; and
- (f) any concerns that the local authority has respecting the safety of the public water supply.

13 Dec 2002 cP-37.1 Reg 10 s7.

Treatment of public water supply

8 If a local authority suspects that a public water supply constitutes a health hazard, the local authority may require the owner or operator to provide ongoing treatment of the kind and to the extent required by the local authority.

13 Dec 2002 cP-37.1 Reg 10 s8.

Notice of breakdown, disruption of treatment

9 The owner or operator of a public water supply shall immediately notify the local authority of any event or situation that may affect the safety of the public water supply, including:

- (a) any malfunction of treatment equipment that could affect the safety of the public water supply;
- (b) any breakdown or contamination of a distribution system; and
- (c) any matter that may affect the safety or suitability of the source water from which the public water supply is derived.

13 Dec 2002 cP-37.1 Reg 10 s9.

Limited-scope water pipeline

9.1(1) If a supply of water intended to be used for drinking or personal hygiene purposes is provided from a limited-scope water pipeline, the owner or operator of the pipeline shall, at least once every three months:

- (a) take samples of the water;
- (b) submit the samples to a laboratory mentioned in clause 6(1)(c) for bacteriological analysis; and
- (c) include with the samples a notice advising the laboratory that the samples are taken from a limited-scope water pipeline.

(2) The local authority may require the owner or operator of a limited-scope water pipeline to submit samples of water for analysis at more frequent intervals than are required by subsection (1) if:

- (a) the results of an analysis indicate that the supply of water distributed by the pipeline is, or has the potential to become, a health hazard; or
- (b) for any other reason, the local authority determines that more frequent analysis is appropriate to monitor the safety of the supply of water distributed by the pipeline.

(3) Subject to subsection (4), a laboratory that conducts an analysis of samples of water from a limited-scope water pipeline for the purposes of this section must, within seven days after the date of completion of the analysis, report the results of the analysis to:

- (a) the owner or operator of the limited-scope water pipeline; and
- (b) the local authority.

(4) If the results of an analysis indicate the presence of *E. coli* or fecal coliforms in the sample, the laboratory that conducted the analysis shall:

- (a) immediately notify the local authority; and
- (b) within 72 hours after obtaining the results, send a written copy of the results to the local authority and the owner or operator who submitted the sample.

(5) An owner of a limited-scope water pipeline who receives notice pursuant to subsection (4) must immediately inform any operator and the local authority of the notification.

(6) An operator of a limited-scope water pipeline who receives notice pursuant to subsection (4) must immediately inform the owner and the local authority of the notification.

13 Jly 2007 SR 57/2007 s5.

Delivery of potable water by bulk tank

10(1) Subject to subsection (2), if potable water intended to be used for drinking or personal hygiene purposes is delivered by way of a bulk water tank, the person who delivers the water shall ensure that:

- (a) the water being delivered is potable at the point of delivery; and
 - (b) unless otherwise approved by the local authority with jurisdiction over the place where the water is being delivered, the water is obtained from a waterworks that is the subject of a permit, issued pursuant to *The Environmental Management and Protection Act, 2002*, authorizing the operation of a waterworks supplying water intended or used for human consumptive use.
- (2) Subsection (1) does not apply if the person is delivering water to:
- (a) that person's place of residence; or
 - (b) a private function hosted by that person.
- (3) A local authority may require a person mentioned in subsection (1):
- (a) at intervals specified by the local authority, to take samples of the water;
 - (b) to submit the samples for any analysis that the local authority may direct to a laboratory mentioned in clause 6(1)(c); and
 - (c) to report the results of the analyses to the local authority.
- (4) A person mentioned in subsection (1) who submits samples of water for analysis pursuant to clause (3)(b) shall include with the sample a notice:
- (a) advising the laboratory that the sample is taken from a bulk water tank containing water intended to be used for drinking or personal hygiene purposes; and
 - (b) setting out the name of the local authority that required the person to submit the samples for analysis.

- (5) Subject to subsection (6), a laboratory that conducts an analysis of samples of water from a bulk water tank for the purposes of this section must, within seven days after the date of completion of the analysis, report the results of the analysis to:
- (a) the person mentioned in subsection (1); and
 - (b) the local authority.
- (6) If the results of an analysis indicate the presence of *E. coli* or fecal coliforms in the sample, the laboratory that conducted the analysis shall:
- (a) immediately notify the local authority; and
 - (b) within 72 hours after obtaining the results, send a written copy of the results to the local authority and the person mentioned in subsection (1).
- (7) A person mentioned in subsection (1) who receives notice pursuant to subsection (6) must immediately inform the local authority of the notification.
- (8) A local authority may make information available to the public respecting the delivery of water by bulk water tank within the jurisdictional area of the local authority, including, without limiting the generality of the foregoing, information respecting:
- (a) the locations to which the water is delivered;
 - (b) the persons who deliver water by bulk water tank within the jurisdictional area;
 - (c) the nature of the water being delivered by bulk water tank;
 - (d) the compliance of a person mentioned in subsection (1) with the requirements to submit samples for analysis pursuant to this section;
 - (e) the results of analyses carried out pursuant to this section on samples from a bulk water tank; and
 - (f) any concerns that the local authority has respecting the safety of water being delivered by bulk water tank.
- (9) If a local authority suspects that a supply of water mentioned in this section constitutes a health hazard, the local authority may require the person delivering the water to take any steps directed by the local authority to remedy the hazard.

Sanitary facilities and services – public places

11 Unless the local authority approves otherwise, the owner or operator of a public place shall:

- (a) provide toilets and sinks that are easily accessible to the public; and
- (b) provide garbage receptacles, and use garbage disposal methods, that prevent:
 - (i) access to the garbage by insects, rodents and other animals;
 - (ii) the development and emission of offensive odours; and
 - (iii) contamination of ground water or surface water.

13 Dec 2002 cP-37.1 Reg 10 s11.

Air quality in public buildings

12(1) If a public building or a portion of a public building receives emissions from internal combustion engines, the owner or operator shall:

- (a) ensure that any part of the building to which the public has access has a natural or mechanical ventilation system that prevents or abates a health hazard caused by those emissions; and
- (b) uses and maintains the ventilation system so as to prevent or abate the health hazard.

(2) In the case of a public building that is an ice arena, the owner or operator must ensure that ice-resurfacing equipment used in the building is maintained to a level, and used in a manner, that minimizes air pollution emissions from the equipment.

(3) Where a local authority has reason to believe that the air quality in a public building may pose a health hazard to a member of the public, the local authority may require the owner or operator of the building to conduct any tests specified by the local authority to monitor air quality in the building and to provide the results of those tests to the local authority.

13 Dec 2002 cP-37.1 Reg 10 s12.

Personal service facilities

13(1) For the purposes of subclause 2(aa)(iii) of the Act, the following are prescribed as personal service facilities:

- (a) facilities in which body piercing, bone grafting or scarification services are provided to the public;
- (b) subject to subsection (2), facilities other than those described in clause (a) or in subclause 2(aa)(i) or (ii) of the Act in which a service involving a procedure that is invasive to the body of the person receiving the service is provided to the public.

(2) Clause (1)(b) does not apply to facilities in which a service involving a procedure that is invasive to the body of the person receiving the service is provided by a person acting in his or her capacity as a member in good standing of a professional association that is regulated by an Act.

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- (3) No person shall cause or permit a personal service facility to be operated:
- (a) in an unsanitary manner or under unsanitary conditions; or
 - (b) in a manner that may facilitate the transmission of a communicable disease.

13 Dec 2002 cP-37.1 Reg 10 s13.

Disposal of dead animals

14 Subject to *The Wildlife Regulations, 1981*, when an animal dies or is unintentionally killed, the owner or the person in possession of the animal shall cause the carcass to be removed and buried or disposed of to the satisfaction of the local authority.

13 Dec 2002 cP-37.1 Reg 10 s14.

Posting of signs

15(1) A local authority may post a notice or sign, or require the owner or operator of a public place to post a notice or sign, to notify the public of a potential health hazard within its jurisdictional area.

(2) Without limiting the generality of subsection (1), where a local authority determines that a body of water within its jurisdictional area that is used for swimming poses a health risk to swimmers, the local authority may:

- (a) post a notice stating that the body of water is unfit or unsafe for swimming; or
- (b) require the person who owns or is in possession of land adjacent to or abutting the water and who invites, encourages or permits the public to enter on the land for swimming in the body of water to post a notice stating that the body of water is unfit or unsafe for swimming.

13 Dec 2002 cP-37.1 Reg 10 s15.

Sask. Reg. 420/64 amended

16(1) The Sanitation Regulations, being Saskatchewan Regulations 420/64, are amended in the manner set forth in this section.

- (2) Sections 3 to 5 are repealed.
- (3) Sections 9 to 14 are repealed.
- (4) Sections 18 to 21 are repealed.
- (5) Section 41 is repealed.
- (6) Section 45 is repealed.

13 Dec 2002 cP-37.1 Reg 10 s16.

Sask. Reg. 729/68 repealed

17 Saskatchewan Regulations 729/68, made pursuant to *The Public Health Act*, R.S.S. 1953, c.230, are repealed.

13 Dec 2002 cP-37.1 Reg 10 s17.

Sask. Reg. 213/79 repealed

18 The Regulations Governing Barber and Beauty Culture Establishments, 1979, being Saskatchewan Regulations 213/79, are repealed.

13 Dec 2002 cP-37.1 Reg 10 s18.

Coming into force

19(1) Subject to subsection (2), these regulations come into force on the day on which *The Water Regulations, 2002* come into force.

(2) If these regulations are filed with the Registrar of Regulations after *The Water Regulations, 2002* come into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

13 Dec 2002 cP-37.1 Reg 10 s19.

