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THE CORPORATION OF THE CITY OF
NORTH BAY

BY-LAW NO. 2323

Being a By-law to license and regulate bake shops.

WHEREAS The Bread Sales Act R.S.O. 1960 Chapter 39 Section 3 requires every municipality to enact a By-law to license and regulate bake shops;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. For the purposes of this By-law and Schedule "A" thereto:

- (a) "Bake Shop" means a building, premises, work-shop, room or place in which bread is made for sale or sold.
- (b) "City" means the Corporation of the City of North Bay.
- (c) "Council" means the Council of The Corporation of the City of North Bay.
- (d) "Licence Inspector" shall mean the Licence Inspector for the time being of the Corporation of the City of North Bay.
- (e) "Medical Officer of Health" means the Medical Officer of Health for the time being of the North Bay Area Health Unit.
- (f) "Municipality" means The Corporation of the City of North Bay.
- (g) "Person" shall include firm, partnership, company or corporation.

2. The provisions of this By-law shall be applicable to and have full force and effect within the territorial limits of the City.

3. (a) No person shall conduct a bake shop in the City without first obtaining a licence so to do.

(b) The granting of any such licence shall be subject to strict compliance with the regulations and conditions set forth in Schedule "A" to this By-law and which shall be deemed to be incorporated in and form a part of this By-law.

(d) Any licence as aforesaid may be revoked by Council.

4. (a) The application for a licence shall be in writing on forms to be provided by the City and shall be fully completed and signed by the applicant.

(b) Licences under this By-law shall be issued by the Licence Inspector subject to the approval of Council.

5. The annual licence fee as aforesaid is hereby fixed and set at a sum of \$1.00.

6. (a) The applicant for a licence shall pay the prescribed licence fee prior to the issue thereof.

(b) A Licence issued under this By-law shall be kept conspicuously posted up by the licensee in the bake shop so licenced.

7. The licence shall be for the current year of issue and shall expire on the 31st day of December of such year.

8. A licence shall not be transferable.

9. (a) The Sanitary Inspectors of The North Bay Area Health Unit are hereby appointed Inspector to enforce the provisions of The Bread Sales Act aforesaid and the provisions of this By-law.

(b) The Inspector aforesaid shall seize and destroy all tainted and unwholesome bread contained in any bake shop.

10. The following provisions of The Bread Sales Act aforesaid shall be deemed to be incorporated in and form a part of this By-law.

Section 4 - (1) Except as provided in subsection 2, no person shall make bread for sale or sell or offer for sale bread except in loaves weighing 16, 24 or 48 ounces avoirdupois.

(2) Small-bread may be made for sale, offered for sale and sold in any weight not exceeding 12 ounces avoirdupois.

Section 5 - Every person making bread for sale shall keep in a conspicuous and convenient place in the bake shop scales and weights suitable for weighing bread, and shall weigh the bread offered for sale by him at the request of any person desiring to purchase the bread, and the inspector may use such scales at any time for the purpose of weighing bread found by him in the bake shop.

Section 7 - (1) Every person who uses an adulterant or deleterious material in the making of bread for sale, or who knowingly sells or offers for sale any bread containing adulterant or deleterious material, is guilty of an offence, and is also liable as part of the costs of conviction to pay any expenses incurred in procuring an analysis of such bread.

(2) The keeping in any place where bread is made for sale of any adulterant or deleterious material that may be used in the making of bread is prima facie evidence of an offence against subsection 1.

Section 8 - Every person who refused the inspector admittance to his bake shop or who interferes with the inspector in the performance of his duties is guilty of an offence.

Section 9 - (1) An inspector may at any time prior to the delivery to a purchaser, weigh any bread made or offered for sale, and may take away any bread and cause it to be tested for the purpose of determining if any adulterant or deleterious material has been used in the making thereof.

9 (2) If the bread is found to contain any such adulterant or deleterious material, the inspector shall destroy it.

(3) Where the inspector, upon weighing the bread, finds that it is of less than the prescribed weight, he shall seize and remove it and hand it over to some charitable institution.

Section 10 - It is the duty of the inspector to see that this Act is complied with, and he shall make a report quarterly to the council showing the prosecutions taken and the quantity of bread seized or tested under this Act.

Section 11 - No person is liable to the penalties prescribed by this Act for making or offering for sale short-weight bread unless in the case of a manufacturer there are found at least ten short-weight loaves and in the case of a retailer there are found at least five short-weight loaves, at one time, but all short-weight loaves are nevertheless liable to seizure as hereinbefore provided.

Section 12 - In any prosecution under this Act, the certificate of the analyst or assistant analyst of the Department of Health in writing stating the result of any test made by him under this Act and purporting to be signed by him is prima facie evidence of the facts therein set forth and is receivable without proof of the signature or of the official character of the person who appears to have signed it.


11. Any person who contravenes any of the provisions of this By-law shall be guilty of an offence and on summary conviction shall be liable to a fine of not less than \$10.00 and not more than \$100.00 for the first offence and not less than \$25.00 and not more than \$200.00 for any subsequent offence.

12. This By-law shall take effect upon the final passing thereof and shall remain in full force and effect from year to year until amended or repealed.

READ A FIRST TIME IN OPEN COUNCIL THIS 8TH DAY OF AUGUST, 1966.

READ A SECOND TIME IN OPEN COUNCIL THIS 11TH DAY OF OCTOBER, 1966.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS 11TH DAY OF OCTOBER, 1966.


.....
MAYOR


.....
CITY CLERK

REGULATIONS AND CONDITIONS RELATING TO BAKE SHOPS

CONSTRUCTION OF BAKE SHOPS

1. Each bake shop shall be so constructed that it is free from every condition which may:
 - (a) Be dangerous to health;
 - (b) Injurious affect the sanitary operation of the bake shop;
 - (c) Injurious affect the wholesomeness of the bread prepared, served, stored or sold therein.
2. No sleeping-quarters shall open directly into any room in which bread is prepared, served, stored or sold.
3. A separate room, compartment, locker or cupboard shall be provided for keeping wearing apparel of employees and others working in the bake shop.
4. The floors and floor-coverings shall be tight, smooth and non-absorbent in rooms where:
 - (a) Bread is prepared, served, stored or sold;
 - (b) Utensils are washed;
 - (c) Washing and toilet-fixtures are located.
5. The walls and ceilings of the rooms and passage-ways shall be such that they may be readily cleaned and the painting, decorating or treatment maintained in good condition.
6. All rooms and passage-ways shall be well lighted and ventilated.
7. No toilet room shall open directly into any room used for the preparation or storage of bread and the toilet rooms shall be fitted with full-length, self-closing doors.
8. All openings to the outside shall be screened or fitted with other devices to repel or prevent the entrance of flies, insects, rodents and vermin.

EQUIPMENT OF BAKE SHOPS

9. Any article or any equipment which is used in the preparation, service, storage, display or sale of bread shall be of sound and tight construction and kept in good repair.
10. Every bake shop shall be provided with:
 - (a) A supply of water adequate for efficient operation, the quality of which is satisfactory to the Medical Officer of Health for the City;
 - (b) Separate hand-washing facilities for employees in a convenient location;
 - (c) Adequate refrigerated space for the safe storage of perishable food products.
 - (d) Sufficient metal containers with metal covers for storing garbage and waste in a sanitary manner.
11. No non-potable water supply shall be used in any room where bread is prepared, served, stored or sold.
12. Suitable racks or shelves shall be provided for the storage of bread and no shelves or racks shall be placed less than ten inches above the floor.

13. All refrigerators and refrigerated space shall have removable racks and trays.

14. (a) Proper and adequate equipment and facilities shall be provided for the proper cleansing and sterilizing of utensils.

(b) No utensil in such condition as to prevent effective cleansing and sterilizing shall be used in the preparation, service, storage or sale of bread.

MAINTENANCE OF BAKE SHOPS

15. All furniture, equipment and appliances in any room in which bread is prepared, served, stored or sold shall be so constructed and arranged as to permit thorough cleaning and the maintenance of the room in a clean and sanitary condition.

16. Every room where bread is prepared, served, stored or sold shall be kept free from materials and equipment not regularly used in the room.

17. No person shall:

(a) Use any room for sleeping purposes where bread is prepared, served, stored or sold.

(b) Place any wearing apparel in any room in which bread is prepared, served, stored or sold unless in a separate cupboard or locker.

(c) Permit any live animal, live bird or live fowl in any room in which bread is prepared, served, stored or sold.

18. Every bake shop shall be swept in such manner as to prevent contamination of bread prepared, served, stored or sold therein and the contamination of flour and other ingredients used in the manufacture of bread.

19. All necessary steps shall be taken to protect the bread, flour and other ingredients used in the manufacture of bread and any other food products contained in the bake shop against filth, flies, dust, dirt, insects, vermin, rodents and contamination from foreign substance.

20. Food products used in the manufacture of bread which are readily susceptible to spoilage and the action of toxin-producing organisms shall be kept under refrigeration.

21. Refrigerated space shall be maintained at a temperature no higher than 50 degrees Fahrenheit.

22. Refrigerators and storage rooms shall be kept clean and in a sanitary condition and all interior surfaces, racks and trays shall be thoroughly cleansed at least once a week.

23. Garbage containers shall be kept in such a place and manner as to preclude odours on the bake shop premises.

24. All garbage and wastes shall be removed from the premises at least twice weekly and oftener if necessary to maintain a sanitary condition.

PERSONNEL

25. (a) Every operator or employee who handles or comes into contact with any utensil or with any bread during its preparation, service, storage or sale shall:

- (i) Be clean;
- (ii) Wear clean outer garments;
- (iii) Be free from and not a carrier of any disease which may be spread through the medium of bread;

- (iv) Satisfy the Medical Officer of Health for the City as to his or her freedom from the diseases mentioned in clause (iii) immediately preceding;
 - (v) Submit to such medical examination and test as the Medical Officer of Health aforesaid may require.
- (b) No person shall work in a bake shop who has any abrasion or any other skin condition which may contaminate the bread.

SANITARY FACILITIES

26. Every bake shop shall provide wash-rooms and toilet-rooms, one or more for sales and one or more for females.
27. The wash-rooms shall be equipped with:
- (a) A basin;
 - (b) An adequate supply of potable water;
 - (c) A constant supply of soap in a suitable container or dispenser;
 - (d) Clean towels for the use of each person using the washing facilities;
 - (e) A suitable receptacle for used towels and waste material.
28. The toilet-rooms shall be equipped with a water closet in good working order and a supply of toilet paper.
29. Every wash-room and toilet-room shall be:
- (a) Provided with proper and adequate lighting and ventilation;
 - (b) Provided with facilities for removal of odours;
 - (c) Kept clean, sanitary and in good repair.