



THE CORPORATION OF THE CITY OF THUNDER BAY  
BY-LAW NUMBER BL 119/2016

A By-law to amend By-law 155-2005, to provide for the Licensing and Regulation of Eating Establishment and/or Food Shops for health and safety reasons in the City of Thunder Bay, in the District of Thunder Bay.

Recitals

1. By-law 155-2005, enacted and passed December 19, 2005, is a by-law providing for the licensing and regulation of eating establishments and/or food shops for health and safety reasons in the City of Thunder Bay.
2. On December 5, 2016, City Council approved the recommendations of Committee of the Whole dated November 21, 2016, arising out of Report No. R 132/2016 (Licensing and Enforcement). The resolution relates to amendments to the City's Eating Establishment and/or Food Shops Licensing and Regulation By-law No. 155-2005.
3. City Council deems it necessary and expedient to amend By-law No. 155-2005.

ACCORDINGLY, THE COUNCIL OF THE CORPORATION OF THE CITY OF THUNDER BAY ENACTS AS FOLLOWS:

1. Item 3 of the Recitals is amended by deleting the phrase "From a safety standpoint, licensing enables regular inspections to facilitate compliance with safety legislation including the *Fire Protection and Prevention Act, 1997*" and replacing it with the phrase "From a safety standpoint, licensing enables regular inspections to facilitate compliance with safety legislation including the *Fire Protection and Prevention Act, 1997*, and the *Health Protection and Promotion Act R.S.O. 1990*, as amended."
2. **Article 1.01 (Definitions)** is amended by adding the following definitions, in alphabetical order:

**"Thunder Bay District Health Unit Food Safety Inspection Report"** means an original copy of an inspection report that corresponds to an inspection conducted by a Public Health Inspector, that has been completed, signed and dated by a Public Health Inspector, and that has been issued to an operator of a Business, pursuant to the *Health Protection and Promotion Act, R.S.O. 1990*, as amended.

**"Thunder Bay District Health Unit Inspection Score Card"** means the summary inspection score card completed by a Public Health Inspector.

**"Public Health Inspector"** means Public Health Inspector acting under the direction of a Medical Officer of Health for the District of Thunder Bay.

**"Sign Holder"** means a device used to affix, fasten and hold a Thunder Bay District Health Unit Food Safety Inspection Report as approved by the Thunder Bay District Health Unit.

“Public Entrance” means the main ingress used by the public to enter the food premise or pick-up or take-out orders at a food premise.

“Pick-Up Window” means the area at which food is obtained from the exterior of an Eating Establishment or Food Shop.

3. **ARTICLE 2.00 (ADMINISTRATION OF THIS BY-LAW)** is amended by adding the following Articles, in alphabetical order:

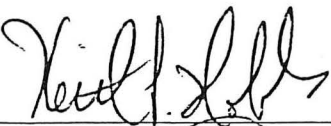
2.18 **Posting Inspection Score Card** – Every operator of a Business shall keep posted the most recent Thunder Bay District Health Unit Inspection Score Card posted at the Business in a conspicuous location at or near the Public entrance(s) or Pick-up Windows(s) in order that it is clearly visible to members of the public from the exterior of the Business. Where the Business does not have a Public Entrance(s), then the Operator shall ensure that the Thunder Bay District Health Unit Inspection Score Card is posted at or near the Pick-up Window or similar location that it is clearly visible to members of the public.

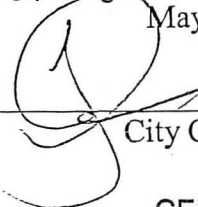
2.19 **Copy of Food Safety Inspection Report Available** – Every operator of a Business shall keep a copy of the most recent Thunder Bay District Health Unit Food Safety Inspection Report readily available on-site and shall produce same for viewing by a Public Health Inspector, members of the public or Municipal Law Enforcement Officer upon request.

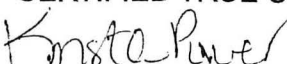
2.20 **Property of Thunder Bay District Health Unit** – Every Thunder Bay District Health Unit Inspection Score Card shall remain the property of the Thunder Bay District Health Unit. Operators are permitted to use Sign Holders, subject to the approval of the Thunder Bay District Health Unit, provided that they in no way impair or obscure the public’s visibility of the Thunder Bay District Health Unit Inspection Score Card. In addition, the Operator shall ensure that the Thunder Bay District Health Unit Inspection Score Card is not defaced, altered or removed.

4. This By-law shall come into force and take effect on the date it is passed.

Enacted and passed this 5th day of December, A.D. 2016 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

  
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Mayor

  
\_\_\_\_\_  
City Clerk

CERTIFIED TRUE COPY  
  
\_\_\_\_\_  
Deputy City Clerk