

PUBLIC HEALTH ACT
CONSOLIDATION OF GENERAL SANITATION REGULATIONS
R.R.N.W.T. 1990,c.P-16

(Current to: January 7 2020)

AS AMENDED BY NUNAVUT REGULATIONS:

R-042-2019

In force January 1, 2020

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GLOSSARY OF TERMS USED IN CONSOLIDATIONS

Miscellaneous

c.	means "chapter".
CIF	means "comes into force".
NIF	means "not in force".
s.	means "section" or "sections", "subsection" or "subsections", "paragraph" or "paragraphs".
Sch.	means "schedule".

Citation of Acts

R.S.N.W.T. 1988,c.D-22	means Chapter D-22 of the <i>Revised Statutes of the Northwest Territories, 1988</i> .
R.S.N.W.T. 1988,c.10(Supp.)	means Chapter 10 of the Supplement to the <i>Revised Statutes of the Northwest Territories, 1988</i> . (<i>Note: The Supplement is in three volumes.</i>)
S.N.W.T. 1996,c.26	means Chapter 26 of the 1996 Annual Volume of the Statutes of the Northwest Territories.
S.Nu. 2002,c.14	means Chapter 14 of the 2002 Annual Volume of the Statutes of Nunavut.

Citation of Regulations and other Statutory Instruments

R.R.N.W.T. 1990,c.A-1	means Chapter A-1 of the <i>Revised Regulations of the Northwest Territories, 1990</i> .
R-005-98	means the regulation registered as R-005-98 in 1998. (<i>Note: This is a Northwest Territories regulation if it is made before April 1, 1999, and a Nunavut regulation if it is made on or after April 1, 1999 and before January 1, 2000.</i>)
R-012-2003	means the regulation registered as R-012-2003 in 2003. (<i>Note: This is a Nunavut regulation made on or after January 1, 2000.</i>)
SI-005-98	means the instrument registered as SI-005-98 in 1998. (<i>Note: This is a Northwest Territories statutory instrument if it is made before April 1, 1999, and a Nunavut statutory instrument if it is made on or after April 1, 1999 and before January 1, 2000.</i>)
SI-012-2003	means the instrument registered as SI-012-2003 in 2003. (<i>Note: This is a Nunavut statutory instrument made on or after January 1, 2000.</i>)

GENERAL SANITATION REGULATIONS

Interpretation

1. In these regulations,

"industrial use" means the use of a building for

- (a) manufacturing, processing, preparing, packaging, storing, handling, transporting, distributing or assembling non-food goods,
- (b) activities directly associated with the activities referred to in paragraph (a), other than human habitation or lodging; (*usage industriel*)

"non-food goods" means raw materials and other goods that are not

- (a) food, or
- (b) equipment, materials, vehicles or other things used in the manufacture, processing, preparation, packaging, storage, handling, transportation, distribution or service of food; (*biens non alimentaires*)

"waste disposal ground" means any place used for the disposal of garbage, refuse, excreta or other waste material. (*décharge*)

R-042-2019,s.2.

Application

2. (1) These regulations apply

- (a) to every person;
- (b) to every installation, building, place or thing constructed, made, set up or established after September 1, 1957;
- (c) to every installation, building, place or thing that was constructed, made, set up or established on or before September 1, 1957, and that is used for business, commercial or industrial purposes or where the public has access as of right or by invitation, expressed or implied, except that when compliance with any of the requirements of sections 14, 15, 20 and paragraphs 22(a) and (b) is not practicable with respect to any such installation, building, place or thing, an environmental health officer may, where having regard to local circumstances he or she is of the opinion that this can be done without endangering public health, suspend the application of the requirement with respect to the installation, building, place or thing for a reasonable period of time and may, in his or her discretion, extend the period from time to time as appears to him or her to be justified; and

- (d) to every installation, building, place or thing that was constructed, made, set up or established on or before September 1, 1957, and that is not included among those mentioned in paragraph (c), except however that the requirements of sections 14, 15, 20 and paragraphs 22(a) and (b) shall not apply unless an environmental health officer, having regard to local circumstances, is of the opinion that in the interest of public health, any such installation, building, place or thing should be subject to those sections and so directs by way of a written directive addressed to the person who owns, operates or maintains it as the case may be.

(2) Where an environmental health officer exercises his or her discretion under paragraphs (1)(c) and (d), he or she shall report all the facts of the case to the Chief Public Health Officer. R-042-2019,s.3

General Sanitation

- 3. No person shall create, establish or maintain any insanitary condition.
- 4. (1) Without limiting the generality of section 3, no person shall create, establish or maintain a condition likely to become injurious to public health in or on any
 - (a) premises or part of any premises;
 - (b) highway, lane, path, pool, ditch, gutter, water course, well, sink, water or earth closet, toilet, privy, urinal, septic tank, cesspool, drain, dung pit or soakage pit;
 - (c) stable or other building where birds or animals are kept;
 - (d) building or land used for any work, manufactory, trade or business;
 - or
 - (e) schoolhouse, theatre, factory, church, shop or other public building.

(2) No person shall create, establish or maintain any chimney or smoke stack emitting smoke, fumes or noxious gases in such quantity or of such a nature as to be injurious to public health.

- 5. No person shall accumulate or deposit any refuse, garbage, excreta, manure, offal or other offensive matter, in a manner likely to become injurious to health.

- 6. An environmental health officer may enter any premises at any reasonable hour to inspect the sanitary conditions of the premises and may give such orders and directions as he or she may consider necessary to carry out the purposes of these regulations.

R-042-2019,s.4(1).

7. No person shall
- (a) spit in any conveyance, premises or place used by the public, except into receptacles provided for the purpose;
 - (b) discharge into any public place, sewer, drain, ditch, water course, stream, river or channel any chemicals, chemical substances or their residues, fuel oil or other inflammable substances which might cause damage from explosion or might in any other way prove dangerous to health; or
 - (c) except as provided in these regulations, deposit any dead animal, manure, excreta, refuse, garbage, offal, liquid waste or other offensive matter in any conveyance, premises or place used by the public.

Housing

8. No building used for human occupancy, other than an industrial use, or for the storage of food shall be
- (a) nearer than 450 m to a waste disposal ground; or
 - (b) on any site, the soil of which has been made up of any refuse, unless the refuse has been removed from the site or has been consolidated or the site has been disinfected in every case and the site has been approved by an environmental health officer.
- R-042-2019,s.4(1)(a),5.

9. Repealed, R-042-2019,s.6.

10. No person shall carry on in a building or part of a building used for human habitation any trade or business involving the storing, sorting, processing or packing of rags, bones or other refuse.

11. (1) A building used for human habitation shall be deemed to be insanitary if there is not in all sleeping rooms an air space of 11 m (for each occupant 10 years of age or over and 5.5 m (for each occupant under 10 years of age and over one year of age.

(2) Where in his or her opinion it is necessary to do so due to special circumstances, an environmental health officer may exempt any class of habitation from the requirements of subsection (1). R-042-2019,s.4(1)(c).

Water Supplies

12. Every incorporated municipality shall provide one or more wells or other sources of water supply for the use of the inhabitants and shall be responsible for the safety of the supply.

13. Repealed, R-042-2019,s.6.

- 14.** Every well shall be
- (a) located at least 30 m distant from any source of pollution and where possible on higher ground;
 - (b) protected from contamination by surface water and from ground water infiltration to a depth of 3 m; and
 - (c) provided with a suitable cover to keep out foreign matter, animals or vermin.
- 15.** The inlet of any pipe to withdraw water for human consumption or ablution from any stream, river or channel shall be located at least 30 m upstream from any sewage outfall or from any other source of pollution, unless an environmental health officer shall otherwise direct. R-042-2019,s.4(1)(e).
- 16.** Ice cut for use as water for human consumption or ablution shall be
- (a) obtained from a source located at least 150 m upstream from any sewage outfall or from any other source of pollution, unless an environmental health officer directs otherwise; and
 - (b) stored in such a manner as to be protected from contamination. R-042-2019,s.4(1)(f).

Disposal of Excreta

- 17. Repealed, R-042-2019,s.6.**
- 18.** Every owner of a building used for human habitation shall provide on the premises adequate toilet facilities to the satisfaction of an environmental health officer. R-042-2019,s.4(1)(g).
- 19.** Every owner of a factory, school, church, theatre, community hall, hospital or nursing station, or of any building where the public has access or in which a trade or business is conducted employing more than two persons, shall provide on the premises adequate toilet facilities to the satisfaction of an environmental health officer. R-042-2019,s.4(1)(h).
- 20.** No sewerage system, septic tank or cesspool shall be so constructed, operated or maintained that the effluent from it discharges
- (a) in a location or in a manner likely to be injurious to health;
 - (b) into any stream, river, channel, water course or lake, unless the written permission of a medical health officer has been obtained; or
 - (c) less than 30 m downstream from the inlet of any pipe withdrawing water for human consumption or ablution. R-042-2019,s.4(3).

- 21.** Every indoor toilet shall be
- (a) screened or otherwise protected against insects or animals;
 - (b) well ventilated; and
 - (c) maintained in a sanitary condition.
- 22.** Every outdoor toilet shall be
- (a) located at least 30 m downstream from any well or the inlet of any water pipe drawing water for human consumption or ablution;
 - (b) located at least 6 m from any building used for human habitation or for the storage, preparation, manufacture or consumption of food;
 - (c) screened or otherwise protected against insects or animals;
 - (d) well ventilated; and
 - (e) maintained in a sanitary condition.
- 23.** Notwithstanding sections 18, 19 and 22, an environmental health officer may prohibit the establishment, operation or maintenance of any outside toilet at a place where, in the opinion of the environmental health officer, the toilet is likely to endanger public health. R-042-2019,s.4(1)(i),(4).

Disposal of Garbage and Other Wastes

- 24. Repealed, R-042-2019,s.6.**
- 25.** The occupant of every factory, school, church, theatre, community hall, hospital and nursing station, and of every building used for human habitation or in which any trade or business is conducted or where the public has access, shall provide an adequate number of containers for the reception of garbage and refuse.
- 26.** Every garbage and refuse container shall be
- (a) constructed of impervious material;
 - (b) so designed as to be easily cleaned;
 - (c) provided with a close-fitting cover capable of keeping out insects or animals;
 - (d) located in such a position in the premises as not to give rise to offensive odours; and
 - (e) emptied at regular intervals and the contents conveyed to a waste disposal ground.
- 27. Repealed, R-042-2019,s.6.**

- 28.** Every waste disposal ground shall be
- (a) located at least 90 m from any public road allowance, railway, right-of-way, cemetery, highway or thoroughfare;
 - (b) located at least 450 m from any building used for human occupancy, other than an industrial use, or for the storage of food; and
 - (c) situated at such a distance from any source of water or ice for human consumption or ablution that no pollution shall take place.
- R-042-2019,s.7.

29. Every person who owns, constructs, operates or maintains, as the case may be, an installation, building, place or thing that is subject to these regulations and that does not comply with any of the requirements of these regulations, shall be deemed to create, establish or maintain an insanitary condition in respect to the installation, building, place or thing.