SANITARY REGULATIONS 142/59 [Repealed March 31/09 by B.C. Reg. 49/2009]

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SANITARY REGULATIONS 142/59 [Repealed March 31/09 by B.C. Reg. 49/2009]

B.C. Reg. 142/59

[includes B.C. Reg. 266/96 amendments (effective Oct. 4, 1996)]

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[Provisions of the Health Act, RSBC 1996, c. 179, relevant to the enactment of this regulation: section 8]
-- Sections 1 - 5 --

Interpretation

1. “Health district” or “district” in these regulations means any district over which a local board of health has jurisdiction, irrespective of the manner in which such local board is by law constituted or appointed.

Where and how in force

2. The rules and regulations hereinafter contained shall be in force in all parts of British Columbia, and it shall be the duty of the local board of health to enforce, and cause to be enforced, the said rules and regulations; and every such board of health shall have power, whenever and as often as necessary, to call upon any person to assist in the enforcement of the same.

   [am. B.C.Reg. 736/75.]

Repealed

3. Repealed. [B.C. Reg. 736/75]

Officer authorized to act for local board

4. All powers conferred upon local board of health by these or any other regulations of the Provincial Board may be exercised, and the duties imposed by the same be performed, by any officer or agent thereto authorized by the local board.

Duties of the local board

5. (1) Every local board of health shall

   (a) conform to the instructions of the Provincial Board of Health, and observe and execute all lawful orders and directions of the board,
   (b) superintend and see to the execution of, with care and diligence, the regulations of the Provincial Board, or execute or aid in executing the same; also, within their respective jurisdictions, carry out the provisions of any of the Health Acts of the Province as shall apply to the local board; and shall provide all such acts, matters, and things as are necessary for the superintending or aiding in the execution of the regulations of the Provincial Board or the various Health Acts of the Province, or for execution of the same, as the case may require,
   (c) defray the expenses incurred in carrying out such Health Acts or regulations in the manner set forth in sections 8 and 12 or 16 of the Health Act,
   (d) meet and organize as soon as practicable after election or appointment,
   (e) hold regular quarterly meetings, and special meetings whenever considered necessary by its executive officer, also whenever requested by the Provincial Board of Health or the chairman and secretary thereof,
   (f) make and keep a record of all proceedings at its meetings, and of all transactions, doings, orders and regulations of such board,
cause to be made public the provisions of the various *Health Acts* of the Province
and regulations of the Provincial Board of Health,

(h) provide each medical practitioner practising within its district with blank forms, as
recommended by the Provincial Board of Health, on which to report to the said local
board or its medical officer any case of infectious, contagious or epidemic disease of
a character dangerous to the public health, and also with blank forms on which to
report death or recovery from any such disease,

(i) give notice within 24 hours, by telegraph or registered letter, to the Provincial Board
of Health of the first case of such dangerous disease within its district; and shall
further furnish, every 7 days, or oftener if the Provincial Board of Health so requires,
a statement showing the number of new cases developed, the number of those who
have died and the number who have recovered or are still sick,

(j) when applied to by the secretary of the Provincial Board of Health, give to him such
information as it may be able to furnish with respect to any matter to which the
duties of the local board relate.

(2) The secretary of the local board shall, before December 1 in each year, prepare a report
containing a detailed statement of the work of the board during the year, and a report of the
sanitary condition of the district, including any reports rendered to the board by the medical
health officer or sanitary inspector. A copy of such report shall be transmitted by the
secretary to the secretary of the Provincial Board of Health.
Duties of medical health officer

6. The following shall be the duties of the medical health officer in respect of the district for which he is appointed:

(a) He shall inform himself, as far as practicable, respecting all influences affecting or threatening to affect, injuriously, the public health within the district;

(b) He shall inquire into and ascertain, by such means as are at his disposal, the causes, origin and distribution of disease within the district, and ascertain to what extent the same have depended on conditions capable of removal or mitigation;

(c) He shall, by examination of the district, both systematically at certain periods (at least once a year) and at intervals, as occasion may require, keep himself informed of the conditions injurious to health existing therein, and shall certify, for the guidance of the local board, as to any matter in regard to which the certificate of the medical health officer or a medical practitioner is required as a basis of action or in aid of sanitary measures;

(d) He shall be prepared to assist and advise the local board and its officers in matters relating to the public health, and to advise on all questions of sanitation involving action on the part of the board; and he shall also advise on any point relating to health involved in the framing and subsequent working of bylaws and regulations as the local health authorities have power to make or enforce;

(e) On receiving information of the outbreak of any contagious, infectious or epidemic disease of a dangerous character within the district, he shall visit without delay the spot where the outbreak has occurred and inquire into the causes and circumstances of such outbreak, and in case he is not satisfied that all due precautions are being taken, he shall advise the persons competent to act as to the measures which may appear to him to be required to prevent the extension of the disease, and, so far as he may be able, assist in the execution of the same;

(f) He shall direct or superintend the work of the public health inspector, in the way and to the extent that he shall deem necessary; and on receiving information from the public health inspector that his intervention or aid is required in consequence of the existence of any nuisance injurious to health, or of any overcrowding in a house, or in connection with the inspection of food, drink or drugs, he shall, as early as practicable, take such steps as he is authorized to take by any statute, bylaw or regulation, or by resolution of the local board, as the circumstances of the case may justify or require;

(g) He shall inquire into any offensive process or trade carried on within the district, and report on the appropriate means for the prevention of any nuisance or injury to health therefrom;

(h) He shall keep a journal, in which he shall enter his visits, inspections and other proceedings, with notes of his observations and any instructions he may give. The dates shall in every case be carefully noted. He shall produce such journal whenever required by the local board. He shall also keep a record of all cases of infectious disease reported to him;

(i) He shall from time to time report, in writing, to the local board his proceedings and the measures which may require to be adopted for the improvement of protection of the public health of the district. He shall report in like manner with respect to sickness and mortality within the district, so far as he has been enabled to ascertain the same;
He shall annually prepare a report, in duplicate, for presentation to the local board, for the year ending December 1, which report shall contain

(i) a general account of the sanitary state of his district and the measures which, in his opinion, should be adopted for its improvement,

(ii) a statement of his inquiries and proceedings, and the matters in regard to which he has given evidence or taken action during the year,

(iii) a statement of the causes, origin and distribution of diseases in the district, and the extent to which the same have depended upon or been influenced by conditions capable of removal or mitigation,

(iv) a summary of the actions taken to prevent the outbreak or spread of infectious disease, and an account of the hospitals or other means of isolation existing within the district, and

(v) a tabular statement of the sickness and mortality within the district,

provided that, if the medical health officer ceases to hold office before December 1, he shall make the like report for so much of the year as shall have expired when he ceases to hold office;

He shall perform all duties imposed upon him by any statute, or by any sanitary or health bylaw or regulation in force in his district, and, in any case in which it may appear to him necessary or advisable, he shall exercise any authority conferred upon him by any such statute, bylaw or regulation, and likewise perform such other duties and lawful acts for the preservation of the public health as may in his opinion be necessary, or as may be required by the board;

In matters not here specifically provided for, he shall observe and execute any instructions issued by the Provincial Board of Health, and lawful orders and directions of the local board.

7. In districts where no public health inspector is appointed, the chief constable of the district shall act as public health inspector, and all the duties and powers assigned to a sanitary inspector may be performed and exercised by him, or by any constable designated by him for that purpose.

[am. B.C.Reg. 33/73.]

8. The following are the duties of the public health inspector in respect to the district for which he is appointed:

(a) He shall perform, either under the special direction of the local board or under the directions of the medical health officer, or, in cases where no directions are required, without such directions, all the duties specially imposed upon a public health inspector, by any statute or bylaw or regulation in force in the district, or by the instructions of the Provincial Board of Health, so far as the same apply to his office;

(b) He shall, by inspection of his district, both systematically at certain periods (at least once a year) and at intervals as occasion may require, keep himself informed in regard to the nuisances existing therein that require abatement; such inspection shall include inspection from time to time of all shipping within his district;

(c) On receiving notice of the existence of any nuisance within the district, or the breach of any bylaws or regulations made for the suppression of nuisances, he shall, as early as practicable, visit the spot, and inquire into such alleged nuisance or breach of
bylaws or regulations;

(d) He shall report to the local board any noxious or offensive businesses, trades or manufactories established within the district, and the breach or non-observance of any statute, bylaw or regulation in respect to the same;

(e) He shall from time to time, and forthwith upon complaint, visit and inspect the shops and places kept or used for the preparation or sale of butcher’s meat, poultry, fish, fruit, vegetables, corn, bread, flour, milk or other articles to which the provisions of any statute dealing with the public health or of these or any other regulations or bylaws in force in the district shall in this behalf apply, and examine any animal, carcass, meat, poultry, game, flesh, fish, fruit, vegetables, corn, bread, flour, milk or other articles as aforesaid which may be therein; and in case any such article appear to him to be intended for food for man and to be unfit for such food, he shall cause the same to be seized and take such other proceedings as may be necessary in order to have the same dealt with according to law; provided that, in case of doubt arising under this clause, he shall report the matter to the medical health officer with the view of obtaining his advice thereon;

(f) He shall, when and as directed by the local board or medical health officer, procure and submit samples of food, drink or drugs suspected to be adulterated, for analysis by any competent analyst (named or appointed by the local or Provincial Board of Health), and upon receiving a certificate stating that the articles of food, drink or drugs are adulterated, cause a complaint to be made and take such other proceedings as may be necessary to procure conviction, after which he shall cause all the adulterated articles to be destroyed;

(g) He shall give immediate notice to the medical health officer of the occurrence within the district of any contagious, infectious or epidemic disease, and whenever it appears to him that the intervention of such officer is necessary, in consequence of the existence of any nuisance injurious to health, or of any overcrowding in a house, he shall forthwith inform the medical health officer thereof;

(h) He shall attend to the instructions of the medical health officer with respect to any measures, such as the quarantining or disinfecting of a house or any infected person or thing, or any other measures that may be lawfully taken by a public health officer or inspector for preventing the spread of any contagious, infectious or epidemic disease of a dangerous character;

(i) He shall enter from day to day, in a book to be provided by the local board, particulars of his inspections and of the action taken by him in the execution of his duties. He shall also keep a book or books so arranged as to form, as far as possible, a continuous record of the sanitary condition of each of the premises inspected, or in respect to which any action has been taken, and shall keep any other systematic records required. He shall produce any such book whenever requested by the local board or medical health officer, and give any information required that he may be able to furnish with respect to any matter to which the duties of public health inspector relate. He shall also attend all meetings of the local board when so required. He shall from time to time report in writing to the local board his proceedings and the matters in regard to which action should be taken by the board.

[am. B.C.Reg. 33/73.]

Deposits endangering public health forbidden

9. No person shall suffer the accumulation upon or escape from his premises, or deposit or permit the deposit, upon any land belonging to him or under his control, of anything so as to endanger the public health, or shall deposit, or suffer or permit to be deposited, in, upon,
on or into any street, square, lane, byway, wharf, dock, slip, lake, pond, bank, harbour, river, stream or water, any manure or other refuse, or vegetable or animal matter, or filth of any kind, or any dead animal.

Duty of sanitary inspector as to lands, etc.

10. It shall be the duty of the local board or public health inspector to keep a vigilant supervision over all streets, lanes, byways, lots or premises upon which any such accumulation as aforesaid may be found, and at once to notify the parties who own or occupy such lots or premises, or who, either personally or through their employees, have deposited such manure, refuse, matter, dirt or filth in any street, lane or byway, or who permit or suffer the accumulation thereof, to cleanse the same and to remove what is found thereon; and such parties shall forthwith remove the same, and if the same be not removed within 24 hours after such notification, the local board or public health inspector may cause the parties so offending to be prosecuted, and may also cause the same to be removed at the expense of the person or persons so offending. The local board may inspect, or cause to be inspected by the public health inspector, at intervals, all premises occupied by persons residing within its jurisdiction.

[am. B.C.Reg. 33/73.]
Examination of buildings or premises by sanitary inspectors

11. Whenever it shall appear to the local board or to any of its officials that it is necessary for the preservation of the public health, or for the abatement of anything dangerous to the public health, or whenever they or he shall have received a notice signed by one or more inhabitant householders of the district, stating the condition of any building in the district to be so filthy as to be dangerous to the public health, or that upon any premises in the district there is any foul or offensive ditch, gutter, drain, privy, cesspool, ash pit or cellar kept or constructed so as to be dangerous or injurious to the public health, or that upon any such premises an accumulation of dung, manure, offal, filth, refuse, stagnant water or other matter or thing is kept so as to be dangerous or injurious as aforesaid, it shall be the duty of the local board or public health inspector to enter such buildings or premises for the purpose of examining the same, and, if necessary, order the removal of such matter or thing as aforesaid. If the occupant or proprietor, or his lawful agent or representative having charge or control of such premises, after having had 24 hours notice from any such officer or board to remove or abate such matter or thing as aforesaid, shall neglect or refuse to remove or abate the same, he shall be subject to the penalties imposed for infraction of these regulations. The local board or public health inspector shall abate or cause to be abated summarily, and by force if necessary, any nuisance likely to be injurious to the public health.

[am. B.C.Reg. 33/73.]

Notice to put premises in proper sanitary condition or to quit same

12. If the local board is satisfied, upon due examination by itself or officer, that a cellar, room, tenement or building within its jurisdiction, occupied as a dwelling place, has become by reason of the number of occupants, want of cleanliness, the existence therein of a contagious or infectious disease or other cause, unfit for such purpose, or that it has become a nuisance or in any way dangerous to the health of the occupants or of the public, it may issue a notice in writing to such occupants, or any of them, requiring the said premises to be put in proper sanitary condition, or, if it sees fit, requiring the occupants to quit the premises within such time as the board may deem reasonable. If the person so notified, or any of them, neglect or refuse to comply with the terms of the notice, every person so offending shall be liable to the penalties imposed for infraction of these regulations, and the board may cause the premises to be properly cleansed at the expense of the owners or occupants, or may remove the occupants forcibly and close up the premises, and the same shall not again be occupied as a dwelling place until put into proper sanitary condition; or the board, if it sees fit, may, subject to the provisions of section 102 of the Health Act, cause such premises to be destroyed, with the consent of 2 Justices of the Peace.

Sale of unwholesome food, etc.

13. No person shall offer for sale as food any diseased animal, or any meat, fish, fruit, vegetables, milk or any other article of food, drink or drugs which, by reason of disease, adulteration or impurity, or any other cause, shall be unfit for use.

Sections 14. to 36. Repealed
Water Supply

Duty of dwelling owner

37. The landlord of a dwelling which is not connected to a waterworks system shall not rent or let that dwelling unless he can provide the tenant with a supply of safe and potable water for domestic purposes.

[en. B.C.Reg. 79/92.]

Complaints, how made, etc.

38. In case the water supply as aforesaid is drawn from a well or spring, any person complaining of the quality of the water therein shall make complaint to the local board or public health inspector, in writing, giving full information as to the location of the well or spring complained of, and an approximate estimate of the number of persons or animals using the water from the said well or spring; and upon receipt of the complaint in writing as aforesaid, the public health inspector shall as soon as practicable procure a sample of the water from such well or spring in the presence of at least one credible witness, which sample shall be immediately sealed up by said inspector in an airtight receptacle, and be given or forwarded by him to an analyst named or appointed by the Provincial or local Board of Health; and on receipt of the report of the analysis the local board shall act in accordance with the report.

[am. B.C.Reg. 33/73.]

Duty of local health authorities

39. Whenever it can be shown that danger exists or may arise to the health of the inhabitants from the insufficiency or unwholesomeness of the existing supply of water, it shall be the duty of the local health authorities to provide the district over which it has jurisdiction with a supply of wholesome water, if a proper supply can be got at reasonable cost, and such local health authority may make reasonable rules respecting and charges for such water supply, and such charges may be collected in a summary manner before one Justice of the Peace.

Compulsory use of public supply

40. When a wholesome public supply of water has been provided, either by the local board or a water company, the board may compel the abandoning of the use of any well, spring or other source of water supply, and require the owner of any house to connect his house with the water mains of such public supply whenever the same extend to or pass by his property.

Wells to be cleaned out, etc.

41. All wells which are in use, whether such wells are public or private, shall be cleaned out on or before the 15th days of March and October in each year; and in case the local board certifies that any well should be filled up, such well shall be forthwith filled up by the owner of the premises.
Distance of wells from possible source of contamination

42. Every well hereafter sunk or dug shall be located at least 100 feet from any probable source of contamination, such as a privy vault, cesspool, manure heap, stable or pigsty, and at least 20 feet from any dwelling house, and at least 400 feet from any cemetery or dumping ground; unless, owing to the physical conformation, contamination of such well be impossible from such cemetery or dumping ground. Any like source of contamination existing within the aforesaid distances from any well now in use shall be removed where possible, or in default the well shall be abandoned and filled up; but this rule shall not apply to wells situated less than 20 feet from a dwelling house, unless other good cause than proximity to such dwelling house can be shown why such well shall be abandoned.

Contaminating wells or public supply forbidden

43. No person shall bathe, wash, cleanse any wool, cloth, leather, skins or animals, or put or cause to be placed any dead animal, or part of the carcass of any dead animal, or any decayed or filthy animal or vegetable matter, in or near any stream or the tributary of any stream, well, spring, reservoir, pond or other source from which water or ice is drawn, taken or used for domestic purposes; or shall cause, permit or suffer any sewage, washing or other offensive matter from any sink, privy closet, cesspool, factory, trade’s establishment, slaughter house, washhouse, tannery or other place over which he shall have control, to flow or percolate thereinto, or into any drain or pipe communicating therewith; or cause any other thing to be done whereby the water supply of any city, town, village, community or household is in anywise tainted or fouled, or rendered unfit for drinking or domestic purposes.

Sections 44. to 47. Repealed

44. Sections 44. to 47. Repealed. [B.C. Reg. 266/96]

Diseased animal

48. No animal affected with an infectious or contagious disease shall be brought or kept within British Columbia.

Repealed

49. Repealed. [B.C. Reg. 34/75]

Repealed

50. Repealed. [B.C. Reg. 411/85]

Sections 51. to 56. Repealed

51. Sections 51. to 56. Repealed. [B.C. Reg. 34/75]
Dwelling Houses

Airspace, ventilation

57. No person shall let, occupy or suffer to be occupied, as a dwelling or lodging, any room which
(a) does not contain at all times at least 384 cubic feet of airspace for each person occupying the same,
(b) has not a window made to open in the manner approved by the local board, or
(c) has not appurtenant to it the use of a water closet or earth closet constructed in accordance with these regulations;
and every room in which a person passes the night, or is found between midnight and 5 o’clock in the forenoon, shall be deemed to be occupied as a dwelling or lodging within the meaning of this rule.

Repealed

58. Repealed. [B.C. Reg. 34/75]

Repealed

59. Repealed. [B.C. Reg. 34/75]

Shutting down of privies

60. All privy closets, privy pits or vaults, cess tanks or cess pools now in use are hereby declared nuisances and the same shall be thoroughly emptied, cleaned and disinfected and filled with clean earth. The contents of such privy vaults or cesspools shall be disposed of as prescribed by the medical health officer.

[en. B.C.Reg. 243/68.]

Repealed

61. Repealed. [B.C. Reg. 243/68]

Repealed


Repealed

63. Repealed. [B.C. Reg. 202/67]
Disposal of Garbage and Refuse

Garbage and remains of food

64. Every householder and every hotel and restaurant keeper, or other person, shall dispose of all garbage for the disposal of which he is responsible, either by burning, by burying at least 3 inches and not more than 30 inches below the surface of the ground, or placing it in a proper covered receptacle, the contents of which shall be removed once a week or more often, if the medical health officer thinks necessary. Remnants of food fit for use of hogs or other animals may, if kept in a separate receptacle, be at once fed to such animals. Other animal or vegetable waste of the kitchen shall, when removed, be disposed of as described by section 67.

Dry refuse and ashes

65. Every person shall dispose of all house sweepings, dust, waste paper, rags and similar dry refuse not liable to putrefaction, either by burning, or placing it in a suitable dustbin or barrel, to be removed at least once a month. All ashes shall be placed in a separate covered receptacle, where they may be kept dry and be removed at least once a month, unless the same be intended for use in a privy closet. No garbage or other waste liable to fermentation or putrefaction shall be placed in any receptacle for ashes or in any dustbin. The contents of the dustbin and ashes shall be ultimately disposed of as prescribed by these regulations. Ashes or any of the above mentioned dry refuse suitable for the purpose may be used for road making or filling in low-lying places.
Pollution of Streams

Deposit refuse and discharging unpurified sewage and other liquids forbidden

66. (1) No solid refuse or waste matter of any kind shall be deposited in any stream so as to obstruct its flow, or put into any stream or lake so as to pollute its waters, and no solid or liquid sewage matter from either public or private sewers shall be discharged into any stream or lake, but if it can be proved that the best means have been adopted to purify the sewage, etc., before it enters the stream or lake, no offence is committed, that is unless the local board has notified the offending parties that the means adopted are insufficient; nor shall any poisonous, noxious or polluting liquid proceeding from any other source be passed into any stream or lake unless the best means have been first adopted to purify the same.

(2) Repealed. [B.C. Reg. 559/82]

(3) Repealed. [B.C. Reg. 559/82]

[am. B.C. Regs. 159/69; 559/82.]
Ultimate Disposal of Waste Materials

Repealed

67. Repealed. [B.C. Reg. 34/75]

Befouling of streets, etc., forbidden

68. No person shall throw, draw off or allow to run into or upon any public ground, street or open drain the contents, or any part thereof, of any vault, water closet, privy, cesspool or sink, or any filthy matter of any kind.

Repealed

69. Repealed. [B.C. Reg. 34/75]

Spitting

70. (1) No person shall spit or expectorate upon the floor or upon any other part of any public building, tramcar, railway car or other public conveyance, or otherwise pollute the same by the deposit of sputum thereon.

(2) Any person who violates or commits a breach of the preceding subsection within any public building or tramcar may be forthwith removed and ejected therefrom by any constable or police officer, or by the person or persons in charge of such public building or tramcar.

Reporting escape of toxic material

70.1 Where any person, whether by accident or design, enables or allows a potentially toxic solid, liquid or gaseous chemical under his control to escape, he shall forthwith report all the circumstances to the nearest medical health officer. [en. B.C.Reg. 5/72.]

Penal Clause

Penalty $100 or imprisonment or both fine and imprisonment

71. Any person who violates any order, direction, bylaw or regulation of a local board, made pursuant to the Act or these regulations, shall be liable, on summary conviction, under the Offence Act, for every such offence to a fine not exceeding $100, with or without costs, or to imprisonment, with or without hard labour, for a term not exceeding 6 months, or to both fine and imprisonment, in the discretion of the convicting Justice.

Spent
72. Spent.

73. Spent.

[Provisions of the Health Act, RSBC 1996, c. 179, relevant to the enactment of this regulation: section 8]