

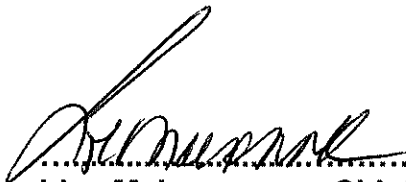
**ONTARIO COURT OF JUSTICE**

***PROVINCIAL OFFENCES ACT***

**IT IS ORDERED**, pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice, that the amount set opposite each of the offences in the attached Items of Schedule 41.4 under the Provincial Statutes and Regulations thereunder is the Set Fine.

This Order comes into effect on the 1<sup>st</sup> day of July 2018

**DATED AT TORONTO** this 20<sup>th</sup> day of June 2018

  
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**Lise Maisonneuve, Chief Justice**  
**Ontario Court of Justice**

Ontario Court of Justice  
July 1, 2018

**Schedule 41.4**

O. Reg. 136/18 made under the *Health Promotion and Protection Act*

<b>Item</b>	<b>Offence</b>	<b>Section</b>	<b>Set Fine</b>
1.	Fail to provide written notification of intention to operate personal service setting at least 14 days before commencing operation	subsection 3 (1)	\$55
2.	Fail to notify of name of intended personal service setting	paragraph 1 of subsection 3 (2)	\$55
3.	Fail to notify of location of intended personal service setting	paragraph 1 of subsection 3 (2)	\$55
4.	Fail to notify of name of person intending to operate personal service setting	paragraph 2 of subsection 3 (2)	\$55
5.	Fail to notify of contact information of person intending to operate personal service setting	paragraph 2 of subsection 3 (2)	\$55
6.	Fail to notify of list of personal services that will be provided at personal service setting	paragraph 3 of subsection 3 (2)	\$55
7.	Fail to provide written notification of intention to provide additional personal services at least 14 days before providing services	subsection 3 (3)	\$55
8.	Fail to provide written notice of reconstruction of personal service setting at least 14 days before commencing reconstruction	subsection 3 (4)	\$55
9.	Fail to provide written notice of renovation of personal service setting at least 14 days before commencing renovation	subsection 3 (4)	\$55
10.	Fail to provide notice of service continuation during reconstruction before commencing reconstruction	subsection 3 (5)	\$55
11.	Fail to provide notice of service continuation during renovation before commencing renovation	subsection 3 (5)	\$55

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12.	Personal service setting operating prior to regulation coming into force — fail to provide required notification within required period	subsection 3 (7)	\$55
13.	Operator fail to post inspection results in accordance with inspector's request	section 4	\$120
14.	Fail to obtain name of person seeking personal service	section 5	\$55
15.	Fail to obtain contact information of person seeking personal service	section 5	\$55
16.	Fail to provide explanation of invasive procedure	subsection 6 (1)	\$120
17.	Fail to provide information about any risks associated with invasive procedure	subsection 6 (1)	\$120
18.	Failure of person providing explanation and information to prepare required records	subsection 6 (2)	\$120
19.	Sell ear candling service	paragraph 1 of section 7	\$465
20.	Offer ear candle service for sale	paragraph 1 of section 7	\$465
21.	Provide ear candling service	paragraph 1 of section 7	\$465
22.	Sell ear coning service	paragraph 1 of section 7	\$465
23.	Offer ear coning service for sale	paragraph 1 of section 7	\$465
24.	Provide ear coning service	paragraph 1 of section 7	\$465
25.	Sell personal service involving live aquatic species	paragraph 2 of section 7	\$465
26.	Offer personal service involving live aquatic species for sale	paragraph 2 of section 7	\$465
27.	Provide personal service involving live aquatic species	paragraph 2 of section 7	\$465
28.	Fail to ensure personal service setting free from condition that may constitute health hazard	paragraph 1 of subsection 8 (1)	\$465
29.	Fail to ensure personal service setting free from condition that may adversely affect sanitary operation	paragraph 1 of subsection 8 (1)	\$465
30.	Personal service setting — floor not in good repair	paragraph 2 of subsection 8 (1)	\$55
31.	Personal service setting — floor not easily cleanable	paragraph 2 of subsection 8 (1)	\$55
32.	Personal service setting — floor not of smooth, impermeable material	paragraph 2 of subsection 8 (1)	\$55
33.	Personal service setting — floor not	paragraph 2 of	\$55

	maintained in sanitary condition	subsection 8 (1)	
34.	Personal service setting — wall not in good repair	paragraph 2 of subsection 8 (1)	\$55
35.	Personal service setting — wall not easily cleanable	paragraph 2 of subsection 8 (1)	\$55
36.	Personal service setting — wall not of smooth, impermeable material	paragraph 2 of subsection 8 (1)	\$55
37.	Personal service setting — wall not maintained in sanitary condition	paragraph 2 of subsection 8 (1)	\$55
38.	Personal service setting — ceiling not in good repair	paragraph 2 of subsection 8 (1)	\$55
39.	Personal service setting — ceiling not easily cleanable	paragraph 2 of subsection 8 (1)	\$55
40.	Personal service setting — ceiling not of smooth, impermeable material	paragraph 2 of subsection 8 (1)	\$55
41.	Personal service setting — ceiling not maintained in sanitary condition	paragraph 2 of subsection 8 (1)	\$55
42.	Personal service setting — fixture not in good repair	paragraph 2 of subsection 8 (1)	\$55
43.	Personal service setting — fixture not easily cleanable	paragraph 2 of subsection 8 (1)	\$55
44.	Personal service setting — fixture not of smooth, impermeable material	paragraph 2 of subsection 8 (1)	\$55
45.	Personal service setting — fixture not maintained in sanitary condition	paragraph 2 of subsection 8 (1)	\$55
46.	Personal service setting — furniture not in good repair	paragraph 2 of subsection 8 (1)	\$55
47.	Personal service setting — furniture not easily cleanable	paragraph 2 of subsection 8 (1)	\$55
48.	Personal service setting — furniture not of smooth, impermeable material	paragraph 2 of subsection 8 (1)	\$55
49.	Personal service setting — furniture not maintained in sanitary condition	paragraph 2 of subsection 8 (1)	\$55
50.	Personal service setting — room or part of room used as dwelling	paragraph 3 of subsection 8 (1)	\$55
51.	Personal service setting not equipped with potable hot and cold running water under pressure	paragraph 4 of subsection 8 (1)	\$465
52.	Fail to ensure one sink used only for hand washing in personal service setting	paragraph 5 of subsection 8 (1)	\$465
53.	Personal service setting — handwashing sink not conveniently located to work area	subparagraph 5 i of subsection 8 (1)	\$120

54.	Personal service setting — handwashing sink not accessible at all times	subparagraph 5 ii of subsection 8 (1)	\$305
55.	Personal service setting — handwashing sink not continuously supplied with potable hot and cold running water	subparagraph 5 iii of subsection 8 (1)	\$465
56.	Personal service setting — fail to ensure soap in dispenser in close proximity to handwashing sink	paragraph 6 of subsection 8 (1)	\$120
57.	Personal service setting — fail to ensure single-service hand drying products or hot air dryer in close proximity to handwashing sink	paragraph 6 of subsection 8 (1)	\$120
58.	Fail to ensure lighting sufficient to enable sanitary operation of personal service setting	paragraph 7 of subsection 8 (1)	\$55
59.	Fail to ensure lighting sufficient to enable sanitary maintenance of personal service setting	paragraph 7 of subsection 8 (1)	\$55
60.	Fail to ensure lighting sufficient to safely provide personal services at personal service setting	paragraph 7 of subsection 8 (1)	\$55
61.	Fail to ensure ventilation sufficient to enable sanitary operation of personal service setting	paragraph 7 of subsection 8 (1)	\$120
62.	Fail to ensure ventilation sufficient to enable sanitary maintenance of personal service setting	paragraph 7 of subsection 8 (1)	\$120
63.	Fail to ensure ventilation sufficient to safely provide personal services at personal service setting	paragraph 7 of subsection 8 (1)	\$120
64.	Fail to ensure personal service setting equipped with waste receptacles appropriate for sanitary operation	paragraph 8 of subsection 8 (1)	\$465
65.	Fail to ensure personal service setting equipped with waste receptacles appropriate for sanitary maintenance	paragraph 8 of subsection 8 (1)	\$465
66.	Personal service setting — fail to ensure work surfaces of form and material that can be readily cleaned	paragraph 9 of subsection 8 (1)	\$120
67.	Personal service setting — fail to ensure work surfaces of form and material that can be readily disinfected	paragraph 9 of subsection 8 (1)	\$120
68.	Personal service setting — fail to ensure work surfaces of form and material that	paragraph 9 of subsection 8 (1)	\$120

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	can be readily sterilized		
69.	Personal service setting — fail to ensure adequate storage space for necessary equipment and supplies	paragraph 10 of subsection 8 (1)	\$55
70.	Personal service setting — fail to ensure sink capable of immersing largest piece of reusable equipment used at the setting	clause 8 (3) (a)	\$465
71.	Personal service setting — fail to ensure sink continuously supplied with potable hot and cold running water under pressure	clause 8 (3) (b)	\$465
72.	Personal service setting — fail to ensure sink has adequate counter space to prepare equipment for use and re-use	clause 8 (3) (c)	\$120
73.	Personal service setting — fail to ensure sink not located in room with toilet	clause 8 (3) (d)	\$305
74.	Personal service setting — fail to ensure sink sufficiently separate from where personal services provided	clause 8 (3) (e)	\$120
75.	Personal service setting — fail to collect and remove waste as often as necessary to maintain sanitary condition	subsection 8 (4)	\$305
76.	Personal service setting — fail to ensure setting kept free from animals	subsection 9 (1)	\$120
77.	Personal service setting — use equipment not maintained in good repair	clause 10 (1) (a)	\$120
78.	Personal service setting — use equipment not maintained in sanitary condition	clause 10 (1) (a)	\$120
79.	Personal service setting — use equipment not maintained in accordance with manufacturer's instructions	subclause 10 (1) (b) (i)	\$305
80.	Personal service setting — use equipment not maintained in accordance with directions	subclause 10 (1) (b) (ii)	\$305
81.	Personal service setting — fail to follow directions respecting the maintenance of equipment	subsection 10 (2)	\$305
82.	Manufacturer's instructions not kept at personal service setting in location accessible to service provider	subsection 10 (3)	\$55
83.	Reusable equipment not cleaned as often as necessary to prevent disease	subsection 10 (4)	\$465

	transmission		
84.	Reusable equipment not disinfected as often as necessary to prevent disease transmission	subsection 10 (4)	\$465
85.	Reusable equipment not sterilized as often as necessary to prevent disease transmission	subsection 10 (4)	\$465
86.	Reusable equipment not cleaned and disinfected or sterilized between each use	clause 10 (4) (a)	\$465
87.	Personal service setting — equipment not covered with single-use disposable cover	clause 10 (4) (b)	\$120
88.	Personal service setting — single-use disposable cover not discarded immediately after each use	clause 10 (4) (b)	\$120
89.	Personal service setting — single-use equipment not discarded immediately after use	subsection 10 (5)	\$305
90.	Personal service setting — single-use instrument not discarded immediately after use	subsection 10 (5)	\$305
91.	Personal service setting — equipment made of specified materials not discarded immediately after use	subsection 10 (5)	\$305
92.	Personal service setting — instrument made of specified materials not discarded immediately after use	subsection 10 (5)	\$305
93.	Personal service setting — use non-sterile, sharps for invasive procedure	paragraph 1 of subsection 10 (6)	\$465
94.	Personal service setting — use multi-use sharps for invasive procedure	paragraph 1 of subsection 10 (6)	\$465
95.	Personal service setting — use sharps from previously opened packaging	paragraph 2 of subsection 10 (6)	\$465
96.	Personal service setting — use sharps from damaged packaging	paragraph 2 of subsection 10 (6)	\$465
97.	Personal service setting — use sharps from compromised packaging	paragraph 2 of subsection 10 (6)	\$465
98.	Fail to ensure all sharps disposed of immediately after use in sharps container in close proximity to where personal service provided	subsection 10 (7)	\$465
99.	Sharps containers not compliant with	clause 10 (8) (a)	\$305

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	Canadian Standards Association standards		
100.	Sharps containers not disposed of in accordance with applicable Ontario law	clause 10 (8) (b)	\$465
101.	Personal service setting — fail to ensure sterilizers used are suitable for sterilizing used equipment	subsection 10 (9)	\$465
102.	Personal service setting — fail to ensure sterilizers used meet established standards	subsection 10 (9)	\$465
103.	Fail to follow directions with respect to sterilizers used at personal service setting	clause 10 (10) (a)	\$465
104.	Personal service setting — fail to ensure used sterilizers checked at least once every two weeks to ensure adequate sterilization to destroy microorganisms	clause 10 (10) (b)	\$305
105.	Personal service setting — fail to ensure used sterilizers tested at least once every two weeks to ensure adequate sterilization to destroy microorganisms	clause 10 (10) (b)	\$305
106.	Personal service setting — fail to notify in writing of sterilizer failure	subsection 10 (11)	\$465
107.	Personal service setting — fail to provide direction to prevent disease transmission in event of sterilizer failure	subsection 10 (11)	\$465
108.	Personal service setting — operator fail to use alternate method of sterilization as specified	clause 10 (11) (a)	\$465
109.	Personal service setting — operator fail to use alternate method of sterilization or procedure to prevent disease transmission	clause 10 (11) (b)	\$465
110.	Personal service setting — fail to ensure every product used is stored and dispensed in manner which prevents contamination	subsection 11 (1)	\$120
111.	Personal service setting — fail to ensure disinfectants used are accompanied by a Health Canada drug identification number or natural product number	clause 11 (2) (a)	\$305
112.	Personal service setting — fail to ensure disinfectants are used per manufacturer's instructions	clause 11 (2) (b)	\$305

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113.	Operator fail to ensure service provider maintains good personal hygiene	subsection 12 (1)	\$55
114.	Operator fail to ensure service provider refrains from smoking while providing personal services	subsection 12 (1)	\$55
115.	Operator fail to ensure service provider cleans hands to remove visible soil as often as necessary to prevent disease transmission	subsection 12 (2)	\$305
116.	Operator fail to ensure service provider cleans hands to kill transient microorganisms as often as necessary to prevent disease transmission	subsection 12 (2)	\$305
117.	Operator fail to ensure service provider cleans hands to remove visible soil before and after providing personal service	subsection 12 (2)	\$305
118.	Operator fail to ensure service provider cleans hands to kill transient microorganisms before and after providing personal service	subsection 12 (2)	\$305
119.	Operator fail to undertake required health and safety training related to personal service setting operation and maintenance	section 13	\$120
120.	Fail to keep sterilization records of personal service setting as required	paragraph 1 of subsection 14 (1)	\$305
121.	Fail to keep disinfection records of personal service setting as required	paragraph 2 of subsection 14 (1)	\$305
122.	Fail to keep invasive procedure records of personal service setting as required	paragraph 3 of subsection 14 (1)	\$305
123.	Fail to keep accidental exposure records of personal service setting as required	paragraph 4 of subsection 14 (1)	\$305
124.	Fail to ensure required records stored in secure location at personal service setting for required period	clause 14 (2) (a)	\$120
125.	Personal service setting — fail to ensure required records retained for at least two years	clause 14 (2) (b)	\$120
126.	Personal service setting — fail to ensure required records kept readily available for required period	clause 14 (2) (b)	\$120
127.	Personal service setting — fail to provide record on request	subsection 14 (3)	\$120

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