



# Interior Health

## ORDER OF THE MEDICAL HEALTH OFFICER UNDER THE HEALTH ACT

**To:** Donald Mark McCarthy, Businessman  
Carmela Lynn McCarthy, Businesswoman  
2200-20th Avenue SE  
Salmon Arm, BC  
V1E 1L4

as joint tenants

**Address:** Parcel identifier: 007-263-899  
Part of the west 1/2 of the south east 1/4 of section 12 township  
20 range 10 west of the 6th meridian Kamloops division Yale district

### **Re: Ceasing to operate outdoor boilers**

In the matter of an **Order** made pursuant to Section 63 of the *Health Act* of British Columbia, Dr. Digby Horne, Medical Health Officer, Interior Health Authority, Kamloops, BC has reason to believe and do believe that there is, was or may be a "health hazard" caused by the operation of outdoor boilers located at the above address which generate smoke.

This belief is based on the following:

1. Acute symptoms of neighbors consistent with known health effects of woodsmoke (e.g. difficulty breathing, airway and eye irritation, headache and nausea).
2. Secondary health symptoms related to actions taken to avoid smoke such as moving inside and/or closing windows (e.g. excessive heat, disturbed sleep, decreased exercise and anxiety about potential health effects and need to relocate).

Therefore, I hereby order you, pursuant to Section 63 of the *Health Act* that within one week of receipt of this **Order** you:

cease operation of the outdoor boilers at the above address, regardless of purpose.

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**Bus:** (250) 851-7300 **Fax:** (250) 851-7301

**Web:** interiorhealth.ca

PUBLIC HEALTH  
INTERIOR HEALTH AUTHORITY  
519 Columbia Street  
Kamloops, BC, V2C 2T8

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UNDER THE HEALTH ACT**

Section 104 of the *Health Act* provides that it is an offence to contravene an **Order** made pursuant to the *Health Act*. Penalties are:

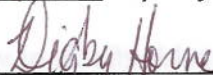
- (a) in the case of an offence that is not a continuing offence, a fine of not more than \$200,000 or imprisonment for not longer than 12 months, or both;
- (b) in the case of a continuing offence, a fine of not more than \$200,000 for each day the offence is continued or imprisonment for not longer than 12 months, or both.

This **Order** is issued by Dr. Digby Horne, Medical Health Officer, Interior Health Authority, Kamloops, BC.

I hereby give notice of Section 102 of the *Health Act*, which gives a person against whom an Order is made the right to appeal to the Supreme Court within 10 days of service.

I request your cooperation with this **Order**. Failure to comply will necessitate further action.

Dated this 16<sup>th</sup> day of June, 2008.

Signed:   
Dr. Digby Horne  
Medical Health Officer  
Interior Health Authority

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