

Starting a Food Business in Edmonton and Surrounding Areas

Congratulations on deciding to start a food business within Alberta Health Services!

This publication is designed to help those starting a food business with the many steps involved with opening a food establishment, retail food business or a food manufacturing business within Alberta Health Services. The goal is to help new owners, operators and employees understand the many regulatory requirements applicable to their particular business as well as to help produce and distribute safe, high-quality products to the public. This publication identifies the various government and local municipal agencies responsible for the regulation of food businesses and addresses specific license and/or permit requirements.

As a food or food-related business, you will be required to interact with several government agencies. Contacting these agencies in the early stages of planning is required prior to commencement of any construction and will help you understand the specific requirements and regulations that pertain to your operation. Failing to comply with stated requirements might result in penalties, revocation of licenses and/or permits, and the possible closure of your business.

Finally, it is important for you to understand that the information presented here should not be used as a substitute for detailed reference to federal, provincial, or municipal laws and regulations or as a substitute for competent legal advice. Changes in legislation and administrative policies may also change compliance requirements from time to time; consequently, it is important to contact the appropriate regulatory agency for the most up-to-date information.

Codes

Every food business within Alberta must comply with local zoning ordinances and provincial and municipal codes including building, fire, electrical, plumbing, ventilation and licensing.

Please be aware that a special relationship exists between the Alberta Building Code and the Alberta Fire Code with respect to fire safety. Both Codes must be considered in designing a building as well as in the construction and maintenance of that building. The Alberta Building and Fire Codes have been developed as complementary and coordinated documents that reduce the possibility of conflicts in their respective application. Therefore, it is crucial that local authorities be consulted before you begin to actively plan for construction or renovation.

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The local authorities will inform you of the Codes that apply to your particular food business. Failure to comply with any Code will subject your business to severe penalties such as fines or revocation of licenses and/or permits.

Zoning

Zoning ordinances and bylaws determine what specific business activities may be carried out at a chosen location. For example, many zoning ordinances and bylaws prohibit certain commercial establishments in residential areas. Zoning ordinances must be strictly followed by every food business.

One of the first steps in starting your new business should be contacting the zoning office of the municipality in which your food business will be located for information on zoning requirements.

Building Code

The Building Code is a set of minimum standards for the safety of buildings with reference to public health, fire protection and structural integrity. It is not intended to be a textbook on building design, instead it provides a means for the application of uniform building standards to promote public safety. The Building Code includes the following sections:

- Administration
- General Requirements
- Fire Protection
- Structural Design
- Environmental Separation
- Heating/Ventilation/Air Conditioning
- Plumbing Services and Health
- Safety Measures
- Housing, Relocatable Accommodation
- Exterior Acoustic Insulation

Contact the Safety Codes Officer (Building Discipline) in the municipality in which your facility will be located to obtain information on Building Codes, local ordinances and bylaws and plan approval procedures which govern your specific food business. Any building used for your food business must comply with the Alberta Building Code.

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Fire Code

The Fire Code establishes a minimum standard for fire prevention, firefighting and life safety in buildings. These standards include regulation of activities causing fire hazards, maintenance of fire safety equipment and egress facilities, standards for portable extinguishers, limitations of building contents and the establishment of fire safety plans.

Inspection of the facility by a Safety Codes Officer (Fire Discipline) is required prior to opening. Failure to comply with the Fire Code may result in recommendations by the Safety Codes Officer to have your building repaired, altered or even demolished.

Contact your local Safety Codes Officer for information on the Alberta Fire Code and to have your food business inspected. The building in which your business will be located must comply with the Alberta Fire Code and ordinances.

Alberta Health Services – Plan Review, Construction and Permit Approval

After you have made the decision to start a new food business or alter an existing one, one of your top priorities should be to create and submit a plan for review. This review process requires the submission of plans and specifications for approval to Alberta Health Services and local licensing authorities before starting new construction or major alterations* of a food establishment.

Section 16 of the Food Regulation states: “*A person must not construct or make alterations to a commercial food establishment unless plans and specifications for the construction or alterations, as the case may be, have been approved by the executive officer.*”

* Major alteration means an addition to the physical facility or adding major equipment, either of which may also involve changes to the plumbing or ventilation systems. Major alterations do not include redecoration, cosmetic refurbishing, altering seating design or reducing seating capacity.

Submission of Plans and Specifications

When submitting plans, the following information is required prior to the start of construction:

An architectural blueprint or equivalent of the facility, drawn to scale, which includes the location for all areas within the food establishment (kitchen, storage, dishwashing, dining, retail areas, washrooms, garbage area)

- Plumbing schedule
- Lighting schedule
- Ventilation system

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- Location of equipment within the food business
- Interior finishes for ceilings, floors and walls
- A copy of the menu or a written description of foods prepared and sold

Within the City of Edmonton, the majority of plans are reviewed through the Planning & Development office. It is therefore not necessary to submit plans directly to Alberta Health Services in these instances. Where plans have not been submitted to the City of Edmonton (within city limits), it is recommended that AHS be contacted to ensure plans are submitted via the correct means for review and consideration. In all other municipalities, outside the City of Edmonton, check with your local Environmental Public Health office or local licensing authorities as to where to best submit your plans for review.

Construction

Contact Alberta Health Services if you have any questions during construction and/or to schedule an on-site inspection to ensure you are meeting health requirements.

Once construction is complete, and equipment is in place and operational, operators must contact Alberta Health Services for an initial approval inspection. **Please be aware that opening of the business prior to approval of the facilities and issuance of a Food Handling Permit to the operator could lead to legal action taken against the owner and/or operator.**

Food Handling Permit

An application for a Food Handling Permit must be completed and submitted to Alberta Health Services at least 14 days prior to the proposed opening day of operation.

Upon receiving a completed application, a public health inspector will contact you to arrange an on-site inspection. Initial inspections require that all equipment and fixtures are in place and operating, all construction is complete and the premises are in a clean and sanitary condition.

The Food Handling Permit issued to an operator of an approved facility is not transferable. For change of ownership, the new operator must apply for a new Food Handling Permit two weeks prior to taking over the operation and must contact Environmental Public Health to arrange a date and time to conduct an inspection.

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Approval of the Food Handling Permit is conditional on these requirements as well as the following:

Food Sanitation and Hygiene Training

Section 31 of the Food Regulation requires the following:

A person operating a commercial food establishment shall, at any time when there are 5 or fewer food handlers working on the premises, ensure that at least one individual who has care and control of the commercial food establishment holds a certificate issued by the Minister confirming that individual's successful completion of a food sanitation and hygiene training program or a document that the Minister considers equivalent to such a certificate,

(2) A person operating a commercial food establishment shall, at any time when there are 6 or more food handlers working on the premises, ensure that at least one member of the management or supervisory staff of the commercial food establishment holds a certificate or equivalent document referred to in subsection (1) and that that individual is present at the commercial food establishment at the time.

(3) This section does not apply to a commercial food establishment where

- (a) only unpackaged food that is not potentially hazardous is made available to the public, or
- (b) all the food received by the food establishment for public consumption is received in pre-packaged form and is made available to the public only in the same form in which it was received.

The food establishment must comply with this section and/or provide confirmation that persons working in the premises have been registered in an approved course to be held within 6 months from the approval date.

The Food Handling Permit must be displayed in a conspicuous place in the food business where it may be easily seen by persons served.

Food Handling Permit Fees

Section 4(5) of the Food Regulation states:

“A regional health authority must establish a system and rules for renewals of permits, and those rules must include the requirement to pay to the regional health authority the renewal fee in the amount set by the Minister and any other direction given by the Minister.”

Food permit fees must be renewed annually. Ensure that your Food Handling Permit has a valid date.

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Charitable organizations and food businesses that sell only pre-packaged low-risk food are automatically exempt from the permit fee. In order to be considered for exemption of the permit fee, the food business must be operated for charitable-like purposes by a non-profit organization and an application must be made with Alberta Health Services.

Schedule of Fee for Food Handling Permits

Class I Food Handler (\$100):

Food handlers that process, sell or manufacture non-perishable or pre-packaged products with minimal food handling and processing.

Class II Food Handler (\$175):

Food handlers that are only involved in limited handling, processing, manufacturing, selling or packaging of raw ingredients and cook or prepare foods to order. Hot and cold holding of high-risk food is restricted to single meal service.

Class III Food Handler (\$250):

Food handlers that are involved in extensive handling of raw ingredients, and the processing, manufacturing, selling or packaging of high-risk food (including beef, poultry, foods of animal origin eaten raw or lightly cooked), extensive food handling or serve high-risk clientele.

Class IV Food Handler (\$500):

Food handlers that operate multiple food operations within one building under the same owner/operator.

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Notes:

- Mobile work camp kitchens operated pursuant to section 4(8) of the Food Regulation by the same person shall be considered a Class IV Food Handler for the purposes of this schedule.
- Mobile work camp kitchens operated pursuant to section 4(8) of the Food Regulation where the operator has provided or will provide services, to the same work camp for more than 12 months, requires a single Class III Food Handler Permit for the purposes of this schedule.
- An invoice will be issued to the owner/operator once the initial inspection is complete, the facility is approved and education requirements are met. Payment of the fee is required within 5 working days or the approved Food Handling Permit will not be issued and the premises will be in breach of the Food Regulation.
- Once all of the above conditions are met a permit will be issued. Routine inspections of the food facility will be conducted on a regular basis according to policies set out by Alberta Health Services. Compliance with the Food Regulation and Public Health Act is expected at all times.
- For copies of the relevant legislation, contact the Queen's Printer at their website (<http://www.qp.alberta.ca>) or telephone 780-427-4952.
- Be advised that additional information may be required by other agencies prior to approval. They will review the plans and specifications to determine whether your food business meets their Codes.
- Once the plans have been approved, the construction or renovations can begin. Any changes or deviations from the approved plans will require additional approval

For more information, please contact your nearest Environmental Public Health office.

Edmonton Main Office
Calgary Main Office
Lethbridge Main Office

780-735-1800 Grande Prairie Main Office
403-943-2288 Red Deer Main Office
403-388-6689 www.ahs.ca/eph

780-513-7517
403-356-6366

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