

IN THE MATTER OF THE PUBLIC HEALTH ACT – ALBERTA
ORDER OF AN EXECUTIVE OFFICER

**To: Wesley Care Bears Childcare Centre
c/o Laura Allen**

And

**Wesley First Nations
c/o Hopeton Louden**

**Re: The Drinking Water Supply located in M.D. of Bighorn, Alberta and municipally described
as:**

**Wesley Care Bears Childcare Centre
NW 14-26-6-W5M
M.D. of Bighorn, Alberta**

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above noted Drinking Water Supply pursuant to the provisions of the **Public Health Act**, RSA 2000, c. P-37, as amended;

AND WHEREAS such inspection disclosed that the following conditions exist in and about the above noted Drinking Water Supply which are or may become injurious or dangerous to the public health or which might hinder the prevention or suppression of disease, namely:

- a. A water sample taken on August 4, 2011, from the kitchen tap at the Wesley Care Bears Childcare Centre showed the presence of total coliform and E. coli bacteria.
- b. The cistern for the drinking water supply is in an area that is accessible to farm animals on the property.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003 exist in and about the above noted Drinking Water Supply, namely:

- a. A water sample taken on August 4, 2011, from the kitchen tap at the Wesley Care Bears Childcare Centre showed the presence of total coliform and E. coli bacteria which is in contravention of the Nuisance and General Sanitation Regulation Section 11, which states "Where a person provided a source of water that the person intends to be used or realizes or ought to realize will be used by the public for human consumption, the person shall ensure that the water is potable".

- b. The cistern for the drinking water supply is in an area that is accessible to farm animals on the property which is in contravention of Section 14 (a) of the above noted Regulation which states that 'The owner of a cistern that is used to hold a potable water supply intended for consumption by the public shall ensure that the cistern is maintained in a clean and sanitary condition.

AND WHEREAS by virtue of the foregoing, the above noted Source of Water is hereby declared **unfit for human consumption**;

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the Owner immediately issue an Advisory to all users of the Drinking Water Supply for Wesley Care Bears Childcare Centre to refrain from drinking the water from the cistern whether by not allowing access to the facility or providing an alternate potable water supply for drinking purposes and providing instructions to the water users that are deemed satisfactory to the undersigned, and
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted Drinking Water Supply, namely:
 - a. Chlorinate or otherwise disinfect the water in the cistern.
 - b. Submit a water sample for bacteriological analysis after the water has been disinfected and the cistern has been drained and refilled with potable water.
 - c. Fence off the area around the cistern to prevent farm animals from gaining access to the area.
3. That, until such time as the work referred to in paragraph 2 is completed and the Source of Water is shown to be potable and the sample submitted under 2 b. has been shown to be satisfactory to the satisfaction of the undersigned, or an executive officer of Alberta Health Services, that this order shall remain in effect.

Dated at Calgary, Alberta, this 9th day of August, 2011 following a verbal order issued on August 8, 2011.

Marc Vanhoutteghem
Executive Officer
Alberta Health Services

Section 5(2) of the Public Health Act provides that a person who is directly affected by this Order and considers himself or herself aggrieved hereby may appeal the same to the Public Health Appeal Board, 24th Floor, Telus Plaza North Tower, 10025 Jasper Avenue, Edmonton AB T5J 2N3, within

ten (10) days. The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal.

The Owner is advised that the Public Health Act empowers Alberta Health Services to carry out the terms of this Order on the Owner's behalf and at the Owner's expense should the Owner fail to comply with the terms hereof.

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www.calgaryhealthregion.ca/envhealth

RESCINDED