

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

To: **Hugh & Shirley Pepper**
Box 633
Cochrane, AB
T4C 1A8

Re: The Food Establishment located in the Municipal District of Bighorn, Alberta and municipally described as:
Center on the Ridge Bed and Breakfast
NE ¼-3-27-7 W5M
MD of Bighorn, AB

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above noted Food Establishment 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 food establishment which are or may become injurious or dangerous to the public health or which might hinder the prevention or suppression of disease, namely:

- a. Operating without a valid and subsisting food handling permit from Alberta Health Services.
- b. Water supply for the food establishment is obtained from a shallow (2-3 metres deep), dug well located in a river valley.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act Food Regulation, Alberta Regulation 31/2006 and the Food Retail and Foodservices Code exist in and about the above noted food establishment, namely:

- a. Operating without a valid and subsisting food handling permit from Alberta Health Services, which is in contravention of section 3(1)(a)(b) of the Food Regulation which states that no person shall operate a food establishment unless the person is an operator who holds a valid and subsisting permit for the operation of the food establishment, and the food establishment is identified on the permit as approved by the regional health authority that issued the permit.
- b. Water supply for the establishment is obtained from a shallow (2-3 metres deep), dug well located in a river valley. This is in contravention of Section 52 (a) of the Food Regulation which states that the operator of a bed and breakfast must ensure that an adequate supply of hot and cold **potable** water is available.”

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Re: The Food Establishment located in the MD of Bighorn, Alberta and municipally described as NE ¼-3-27-7-W5M, MD of Bighorn, Alberta

AND WHEREAS by virtue of the foregoing, the above noted premises are hereby declared to be **closed**;

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

1. That the Owner immediately close the above noted food establishment
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted food establishment, namely:
 - a. Obtain a valid food handling permit from Alberta Health Services.
 - b. Discontinue advertising the bed and breakfast until such time as a valid food handling permit from Alberta Health Services is obtained.
 - c. Provide a potable source of water for the food establishment acceptable to Alberta Health Services.
3. That, until such time as the work referred to in paragraph 2 is completed to the satisfaction of the undersigned, or an executive officer of Alberta Health Services, the above noted premises shall remain closed.

Dated at Canmore, Alberta, this 23rd day of February 2010.

Diane Luka
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.

Airdrie
Airdrie Public Health Centre
604 Main Street South
Airdrie, AB T4B 3K7
Phone: 403-912-8400
Fax: 403-912-8432

Banff
Banff Health Centre
303 Lynx Street
PO Box 1266
Banff, AB T1L 1B3
Phone: 403-762-2990
Fax: 403-762-5570

Calgary/Mountain View/Rocky View
Alberta Health Services, *Southport*
10101 Southport Rd SW
Calgary, AB T2W 3N2
Phone: 403-943-2288
Fax: 403-943-8056

Canmore
Canmore Public Health
#104, 800 Railway Avenue
Canmore, AB T1W 1P1
Phone: 403-678-5656
Fax: 403-678-5068

Claresholm

Didsbury

Okotoks

Strathmore

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Re: The Food Establishment located in the MD of Bighorn, Alberta and municipally described as NE ¼-3-27-7-W5M, MD of Bighorn, Alberta

Claresholm Public Health
5221 2nd Street W
PO Box 1391
Claresholm, AB T0L 0T0
Phone: 403-625-4061
Fax: 403-625-4062

Didsbury Health Unit
PO Box 130
1210 -20th Avenue
Didsbury, AB T0M 0W0
Phone: 403-335-7292
Fax: 403-335-7610

Okotoks Public Health Centre
11 Cimarron Commons
Okotoks, AB T1S 2E9
Phone: 403-995-2600
Fax: 403-995-2639

Public Health Building
650 Westchester Road
Strathmore, AB T1P 1H8
Phone: 403-361-7200
Fax: 403-361-7244

www.calgaryhealthregion.ca/envhealth