



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

To: Tammy-Lynn Patricia Jones
P.O. Box 2678
Claresholm, Alberta T0L 0T0
(the “**Owner**”)

And To: Dan Allibone
P.O. Box 2536
Claresholm, Alberta T0L 0T0
(the “**Tenant**”)

Re: Those premises located in Claresholm, Alberta and municipally described as:

Cabins located on:
Lot 19, Block 16, Plan 147N
308 – 49th Avenue
Claresholm, Alberta

WHEREAS I, an **Executive Officer** of the **Calgary Health Region**, have inspected the above noted premises 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 premises which are or may become injurious or dangerous to the public health or which might hinder the prevention or suppression of disease, namely:

- a. Pane of glass in kitchen window of east cabin is broken;
- b. There is only a single layer of glass in the kitchen windows of either cabin;
- c. There is no waste water drain plumbing for the kitchens;
- d. There is no potable water plumbing for the kitchen sinks in either cabin;
- e. There is no hot or cold potable water provided to the kitchens;
- f. Weather stripping around the exterior doors does not seal the crevice between door and casing;
- g. Doors constructed for interior use are being used for the exterior doors without the protection of a storm door;
- h. There is no operating smoke alarm in east cabin;
- i. There are no fly screens on the kitchen windows;

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the *Housing Regulation, Alberta Regulation 173/99*, and *Minimum Housing and Health Standards* exist in and about the above noted premises, namely:

- a. Pane of glass in kitchen window of east cabin is broken, which is in contravention of the *Minimum Housing and Health Standards S. III (2)(b)(i)*, to wit: “All windows and exterior doors shall be maintained in good repair, free of cracks and weatherproof.”;
- b. There is only a single layer of glass in the kitchen windows of either cabin, which is in contravention of the *Minimum Housing and Health Standards S. III (2 (b)(ii)*, to wit: “In housing premises intended for use during the winter months, windows in habitable rooms shall be protected against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer.”;
- c. There is no waste water drain plumbing for kitchens, which is in contravention of the *Minimum Housing and Health Standards S. IV (6)*, to wit: “Every housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system.”;
- d. There is no potable water plumbing for the kitchen sinks in either cabin, which is in contravention of the *Minimum Housing and Health Standards S. IV (9)*, to wit: “Every housing premises used in whole or in part shall be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants.;
- e. There is no hot or cold potable water provided to the kitchens, which is in contravention of the *Minimum Housing and Health Standards S. IV (14)(i)*, to wit: “Every housing premises shall be provided with a food preparation area, which includes a kitchen sink that is supplied with potable hot and cold water and suitably sized to allow preparation of food, washing utensils and any other cleaning operation, ...;
- f. Weather stripping around the exterior door does not seal the crevice between door and casing, which is in contravention of the *Minimum Housing and Health Standards S. III (2 (b)(i)*, to wit: “All windows and exterior doors shall be; maintained in a waterproof, windproof and weatherproof condition.;
- g. Doors constructed for interior use are being used for the exterior doors without the protection of a storm door, which is in contravention of the *Minimum Housing and Health Standards S. III (2 (b)(i)*, to wit: “All windows and exterior doors shall be; maintained in a waterproof, windproof and weatherproof condition.”;
- h. There are no operating smoke alarm in east cabin, which is in contravention of the *Minimum Housing and Health Standards S. IV (12)(a)*, to wit: “Smoke alarms within dwellings shall be installed between each sleeping area and the remainder of the suite and, where hallways serve the sleeping areas; the smoke alarms shall be installed within the hallway. Smoke alarms shall be operational and in good repair at all times.”;

- i. There are no fly screens on the kitchen windows, which is in contravention of the *Minimum Housing and Health Standards S. III (2 (b)(iii))*, to wit: “During the portion of the year when there is a need for protection against flies and other flying insects, every window or other device intended for ventilation shall be supplied with effective screens.”.

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

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

1. That the Tenant inhabiting the above noted premises be **vacated** no later than 1:00 PM on the 1st day of September, 2008.
2. That, if the above noted premises are to be reoccupied by the public, the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Install double glazed glass windows in the kitchens;
 - b. Connect the kitchen sink drains to the municipal waste water system;
 - c. Ensure all sinks are connected to the municipal drinking water system;
 - d. Supply potable hot and cold water of sufficient volume and pressure to the kitchen sinks. The hot water is to be of a temperature of not less than 46 degrees Celsius and not more than 60 degrees Celsius;
 - e. Ensure weather stripping of exterior doors eliminates the crevice between door and door casing when door is closed;
 - f. Install storm doors or install all-weather exterior doors;
 - g. Ensure all windows that open for ventilation are equipped with fly screens.
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 the Calgary Health Region, the above noted premises shall remain **closed for tenant accommodation purposes**.

ORDER OF AN EXECUTIVE OFFICER

Re: Those premises located in Claresholm, Alberta and municipally described as cabins on 308 – 49 Avenue West, Nanton, Alberta

Dated at Claresholm, Alberta, this 16th day of July, 2008.

Richard Steeves
Executive Officer
Calgary Health Region

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, 21st 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 the Calgary Health Region 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: 403-912-8410

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

Calgary Health Region, Centre 15
1509 Centre Street SW
Calgary, AB T2G 2E6
Phone: 403-943-8060
Fax: 403-943-8090

Canmore

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

Claresholm

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

Didsbury

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

Okotoks

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

Strathmore

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