

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

**To:** Celina Jones  
6131 Bow Crescent NW  
Calgary, Alberta T3B 2C2  
(the “**Owner**”)

**And To:** All Occupants (the “**Occupants**”) of those premises located in Calgary, Alberta and municipally described as:

Basement suite, 4820 20 Ave NW,  
Calgary, Alberta, T3B 0V3

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

Basement suite, 4820 20 Ave NW, Calgary, Alberta

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, 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. There is sewage contamination on the floors of the suite. This poses a serious health hazard.
- b. The sewage has backed up into the plumbing fixtures, including the kitchen sink, bathtub, and washing machine. This poses a serious health hazard.
- c. The sewer pipes are blocked from the property, therefore plumbing fixtures are not able to be utilised.
- d. The odour created by the sewer problem is significant and causing a nuisance.

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 and the Nuisance and General Sanitation Regulation 243/2003 exist in and about the above noted premises, namely:

- a. There is sewage contamination on the floors of the suite. This poses a serious health hazard. This is a breach of the Nuisance and general Sanitation Regulations, specifically section 2(1).
- b. The sewage has backed up into the plumbing fixtures, including the kitchen sink, bathtub, and washing machine. This poses a serious health hazard. This is a

breach of the Nuisance and general Sanitation Regulations, specifically section 2(1).

- c. The sewer pipes are blocked from the property, therefore plumbing fixtures are not able to be utilised. This is a breach of the Minimum Housing and Health Standards, specifically section 6(a).
- d. The odour created by the sewer problem is significant and causing a nuisance. This is a breach of the Nuisance and general Sanitation Regulations, specifically section 2(1).

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be **unfit for human habitation;**

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

1. That the above noted premises be **vacated immediately.**
2. That, if the above noted premises are to be reoccupied, the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Clear the drains, and ensure the sewer system is working properly.
  - b. Dispose of all soft furnishing and absorbent materials that have been affected by the sewage, including carpet, underlay and the effected laminate flooring.
  - c. Clean and sanitise all the floors and washable surfaces including the kitchen sink and bathroom fixtures, to ensure the sewage has been properly removed.
  - d. Effectively deal with the odour problem that has been created.
  - e. Service the furnace system that heats the whole house.
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 vacant and secured from unauthorized entry.**

ORDER OF AN EXECUTIVE OFFICER

Re: Those premises located in Calgary, Alberta and municipally described as Basement suite, 4820 20 Ave NW, Calgary, Alberta

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Dated at Calgary, Alberta, this 26<sup>th</sup> day of November, 2009, confirming the verbal order given on the 24<sup>th</sup> day of November, 2009.

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Sarah L Nunn  
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, 24<sup>th</sup> 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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**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**

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**

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

**Didsbury**

Didsbury Health Unit  
PO Box 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

[www.calgaryhealthregion.ca/envhealth](http://www.calgaryhealthregion.ca/envhealth)