

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

To: JPLPLP 2007 Inc.
#200, 3115 12 Street NE
Calgary, Alberta T2E 7J2

Genesis Land Development Corp.
#200, 3115 12 Street NE
Calgary, Alberta T2E 7J2

And To: Randy McMann and all occupants, of those premises located in and municipality,
Alberta and municipally described as:

254129 Range Road 280, located in the SE ¼ 25-25-28-W4M Rocky View County,
Alberta

Re: Those premises located at 254129 Range Road 280, in the County of Rocky View,
Alberta and municipally described as:

254129 Range Road 280, located in the SE ¼ 25-25-28-W4M Rocky View County,
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. A large amount of pigeon faeces and feathers throughout the attic area.
- b. Pigeon infestation located in the garage and attic area of the home.
- c. Large gaps along the base of the garage door.
- d. Cracked window in the basement, on the south facing wall.
- e. Several windows throughout the home are missing window screens.
- f. Window screen in the living room on the main floor is damaged.
- g. Water sample collected Sept 29, 2010 is positive for Total Coliforms.

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Re: Those premises located in Rocky View County, Alberta and municipally described as 254129 Range Road 280, located in the SE ¼ 25-25-28-W4M Rocky View County, Alberta

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. The large amount of pigeon faeces and feathers throughout the attic area. This is in contravention of Section 5(2) of the Alberta Housing Regulation and Section 2(1) of the Alberta Nuisance and general Sanitation Regulation.
- b. Pigeon infestation located in the garage and attic area of the home. This is in contravention of Section 16(a) of the Minimum Housing and Health Standards.
- c. The large gaps along the base of the garage door. This is in contravention of Section 16(a) of the Minimum Housing and Health Standards.
- d. The cracked window in the basement, on the south facing wall. This is in contravention of 2(b)(i) of the Minimum Housing and Health Standards.
- e. Several windows throughout the home are missing window screens. This is in contravention of Section 2(b)(iii) of the Minimum Housing and Health Standards.
- f. The window screen in the living room on the main floor is damaged. This is in contravention of Section 2(b)(iii) of the Minimum Housing and Health Standards.
- g. The water sample collected Sept 29, 2010 was positive for Total Coliforms. This is in contravention of Section 9 of the Minimum Housing and Health Standards.

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** no later than 8:00am, on the 12th day of October, 2010.
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. Remove all pigeon faeces and contamination in the attic and garage areas.
 - b. Repair/replace all contaminated materials affected in the attic and garage areas.
 - c. Eliminate the pigeon infestation in the garage and upper attic space.
 - d. Eliminate all gaps and access points along or around the garage doors and upper attic space, currently allowing pigeon or pest access.
 - e. Replace the broken window in the basement.
 - f. Install window screens on all windows that can be opened.
 - g. Repair or replace the window screen in the living room on the main floor.
 - h. Submit a bacteriological sample.
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, and the sample from 2(h) has been confirmed satisfactory the above noted premises shall remain **vacant and secured** from unauthorized entry.

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Re: Those premises located in Rocky View County, Alberta and municipally described as 254129 Range Road 280, located in the SE ¼ 25-25-28-W4M Rocky View County, Alberta

Dated at Strathmore, Alberta, this 7th day of October, 2010, confirming the verbal order given on September 30th, 2010.

Norman Kruesel
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: 403-912-8410

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 2nd Street W
PO Box 1391
Claresholm, AB T0L 0T0
Phone: 403-625-4061
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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
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Strathmore

Public Health Building
650 Westchester Road
Strathmore, AB T1P 1H8
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www.calgaryhealthregion.ca/envhealth