

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

To: Village of Carmangay
119 Carman Street
P.O. Box 130
Carmangay, Alberta T0L 0N0
(the “**Owner**”)

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

232 Whitney Street
Carmangay, 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. Vacant, unoccupied house that is not secured from entry due to a broken window and other openings sufficient in size to allow stray cats, birds, other animals and members of the public to enter the building;
- b. Rotting food in kitchen and other areas of the premises providing a food source and breeding area for vermin;
- c. Heavy accumulation of rodent droppings observed in the kitchen and cat faeces observed in other areas of the premises;
- d. Large amounts of rubbish and other articles throughout the premises providing harbourage and breeding areas for vermin;
- e. Strong cat urine odour throughout the premises.

AND WHEREAS such inspection disclosed that the following breaches the Public Health Act and the Regulations thereunder exist in and about the above noted premises, namely:

- a. Vacant, unoccupied house that is not secured from entry due to a broken window and other openings sufficient in size to allow stray cats, birds, other animals and members of the public to enter the building has created a nuisance in contravention of the Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003, section: 2 which states “No person shall create, commit, or maintain any nuisance”

A person who creates, commits or maintains any premises in a condition that is or

might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance;

- b. Rotting food in kitchen and other areas of the premises providing a food source and breeding area for vermin has created a nuisance in contravention of the Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003, section: 2: which states "No person shall create, commit, or maintain any nuisance";
- c. Heavy accumulation of rodent droppings observed in the kitchen and cat faeces observed in other areas of the premises has created a nuisance in contravention of the Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003, section: 2: which states "No person shall create, commit, or maintain any nuisance";
- d. Large amounts of rubbish and other articles throughout the premises providing harbourage and breeding areas for vermin has created a nuisance in contravention of the Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003, section: 2: which states "No person shall create, commit, or maintain any nuisance";
- e. Strong cat urine odour throughout the premises has created a nuisance in contravention of the Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003, section: 2: which states "No person shall create, commit, or maintain any nuisance".

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 Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. The house be secured to prevent entry of stray cats, birds, rodents, bats and members of the public by means of boarding up exterior windows and doors and sealing crevices or holes large enough to allow entry;
 - b. Remove rotting foods, faeces, rubbish and other articles that may provide food, harbourage or breeding areas for vermin;
 - c. Obtain the services of a licensed pest control operator to control vermin.
2. The work referred to in paragraph 1 shall be completed no later than 8:00 a.m., on the 1st day of June, 2010.

ORDER OF AN EXECUTIVE OFFICER

Re: Those premises located in Carmangay, Alberta and municipally described as 232 Whitney Street, Carmangay, Alberta.

Dated at Claresholm, Alberta, this 29th day of April, 2010.

Richard Steeves, BSc BAA CPHI(C)
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
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
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Strathmore

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