

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

To: Mel Folden
Fortress Mountain Resort
Twp21 – Rge 9 – West of the 5th Meridian
Kananaskis Alberta

Fortress Mountain Holdings Ltd.
Corporate Access # 2013869777

Charles Joseph O'Brien
800, 933 – 17 th Avenue, SW
Calgary, Alberta T2T 5R6

Thomas Heath
999 Valley Stream Circle NW
Calgary, Alberta T3B 5W2

John Lamacchia
139 Signal Hill Court SW
Calgary, Alberta T3H 2G8

Rob Falconer
3851F – 21st Street NE
Calgary, Alberta T2E 6T5

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

Unregistered RV Trailer located at Fortress Mountain Resort
Twp 21 – Rge 9 – West of the 5th Meridian
Kananaskis, 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. Raw, untreated sewage is being discharged directly onto the ground beside the Fortress Mountain Resort Chalet Buildings.

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

- a. Raw, untreated sewage is being discharged directly onto the ground beside the Fortress Mountain Resort Chalet Buildings, which is in contravention of the Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003, section 2.

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

1. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Immediately cease discharging raw sewage waste onto the ground on Fortress Mountain Resort.

Dated at Canmore, Alberta, this 3rd day of September, 2009.

Lindsay Sullivan
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.

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Airdrie Public Health Centre
604 Main Street South
Airdrie, AB T4B 3K7
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Fax: 403-912-8410

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303 Lynx Street
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Calgary/Mountain View/Rocky View
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Canmore
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