



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

To: The Cozart Homestead Owners – Condominium Plan 8210785
1001 14 Av SW
Calgary, Alberta T2R 1L2

Accredited Condominium Management Services Ltd.
1 6125 12 St SE
Calgary, Alberta T2H 2K1

Re: The Cozart Condominium 'Sky Club' whirlpool located in Calgary, Alberta and municipally described as:

1001 14 Av SW
Calgary, Alberta

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

- a. The chlorination system for disinfecting the whirlpool is not functioning.
- b. The chlorination system for disinfecting the whirlpool uses stabilized chlorine.
- c. The design of the whirlpool does not allow thorough draining for maintenance purposes.
- d. The basin of the whirlpool is in poor condition due to cracking.
- e. The wooden decking around the whirlpool is in poor condition and is structurally unsound.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Swimming Pool, Wading Pool and Water Spray Park Regulation, Alberta Regulation 293/2006 and the accompanying Pool Standards exist in and about the above noted swimming pool, namely:

- a. The chlorination system for the whirlpool is not functioning which is in contravention of section 10(1) which states a pool must be continuously disinfected when in use.
- b. The chlorination system for the whirlpool uses stabilized chlorine which is in contravention of section 10(3) which states the free chlorine residual must be achieved using a mechanical feeder that utilizes non-stabilized chlorine products.
- c. The whirlpool does not have a main drain system at the bottom to allow thorough drainage which contravenes section 22 (b) which states a pool must be

- maintained in a state of repair that provides for safe and sanitary operation.
- d. The basin of the whirlpool has cracks which contravenes section 22 (a) (iii) which states a pool must be maintained so that the basins and liners are structurally sound and maintained in good repair.
 - e. The wooden decking around the whirlpool is in poor condition which contravenes section 22 (b) which states a pool and the buildings, equipment and premises used in connection with it must be maintained in a state of repair that provides for the safe and sanitary operation of the pool.

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

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

1. That the Owner **immediately close** the above noted swimming pool and secure it from unauthorized entry.
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted swimming pool, namely:
 - a. Install and operate a mechanical chlorination system to disinfect the whirlpool in accordance with the Swimming Pool, Wading Pool and Water Spray Park Regulation.
 - b. Provide anti-entrapment device(s) in the whirlpool in accordance with the Swimming Pool, Wading Pool and Water Spray Park Regulation 293/2006 and the Pool Standards, 2006.
 - c. Repair or replace the pool basin in the whirlpool to ensure it has adequate drains and is in good repair.
 - d. Repair or replace the pool deck to ensure it is structurally sound, impervious to moisture, easily cleaned and easily maintained.
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 swimming pool shall remain closed and secured from unauthorized entry.

Dated at Calgary, Alberta, this 9th day of January, 2007.

Marc Vanhoutteghem
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

ORDER OF AN EXECUTIVE OFFICER

Re: The Swimming Pool located in [municipality], Alberta and municipally described as [street address], [municipality],
Alberta

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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 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: 403-934-3454
Fax: 403-934-3827