

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

To: Condo Corp Plan #0112575 (Chateau World)

Banff Gate Mountain Lodge/Spa
1200 Harvie Heights Road
Harvie Heights, AB T1W 2W2

Arek Rachfael

Banff Gate Mountain Lodge
1200 Harvie Heights Road
Harvie Heights, AB T1W 2W2

Re: The Swimming Pool and Whirl Pool located in Harvie Heights, Alberta and municipally described as:

Banff Gate Mountain Lodge Swimming Pool and Whirl Pool

1200 Harvie Heights Road
Harvie Heights, AB T1W 2W2

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. Bacteriological water samples are not being collected and submitted to the Provincial Laboratory at appropriate intervals. No water samples were submitted for bacteriological analysis during the week of July 21, 2008.
- b. The bacteriological water samples collected on July 14, 2008 and July 28, 2008 were deemed invalid by the Provincial Laboratory of Public Health because they were received without the time of collection indicated on the sample form.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act, the Swimming Pool Regulation (AR 293/2006) and the Pool Standards (2006) exist in and about the above noted swimming pool, namely:

- a. Bacteriological water samples are not being collected and submitted to the Provincial Laboratory at appropriate intervals. No water samples were submitted for bacteriological analysis during the week of July 21, 2008, which is in contravention of section 15 (1) of the Swimming Pool, Wading Pool, and Water Spray Park Regulation (AR 293/2006).

- b. The bacteriological water samples collected on July 14, 2008 and July 28, 2008 were deemed invalid by the Provincial Laboratory of Public Health because they were received without the time of collection indicated on the sample form, which is in contravention of section 15 (1) of the Swimming Pool, Wading Pool, and Water Spray Park Regulation (AR 293/2006).

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. Submit swimming pool and whirl pool water samples for bacteriological analysis every week of operation to the Provincial Laboratory of Public Health (Microbiology) for microbiological testing.
 - b. Properly submit the required paperwork for each water sample sent in to the Laboratory of Public Health (Microbiology) for microbiological testing.
3. That until such time as a water sample from paragraph 2a is confirmed to be satisfactory for the swimming pool and the whirl pool, the above noted swimming pool and whirl pool shall remain closed and secured from unauthorized entry.

Dated at Harvie Heights, Alberta, this 30th day of July, 2008, confirming a verbal order issued on the 29th of July, 2008.

Lindsay Sullivan
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 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.

ORDER OF AN EXECUTIVE OFFICER

Re: The Swimming Pool and Whirl Pool located in Harvie Heights, Alberta and municipally described as 1200 Harvie Heights Road, Harvie Heights, AB, T1W 2W2

Page 3

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 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

INACTIVE