



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

To: **905753 Alberta Ltd.**
200, 201 Bear St.
Banff, Alberta T1L 1B9

And to: **Robert Henderson (Director)**
1001, 300 Meredith Rd NE
Calgary, Ab T2E 7A8

And to: **Lynne Henderson (Director)**
1001, 300 Meredith Rd NE
Calgary, Ab T2E 7A8

And to: **Jason Henderson (Director and Manager)**
453 Marten Street, Box 1387
Banff, Alberta T1L 1B3

Re: The Whirlpool located in Banff, Alberta and municipally described as:

Best Western Siding 29 Lodge, 453 Marten St.
Banff, Alberta T1L 1B3

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

- a. Three consecutive unsatisfactory bacteriological water samples: the sample collected on July 28, 2008 had an heterotrophic plate count of 230 CFU per mL, sample collected on August 5, 2008 had an heterotrophic plate count of 80 CFU per mL and the sample collected on August 11, 2008 had an heterotrophic plate count of 550 CFU per mL.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Swimming Pool Regulation, Alberta Regulation 247/85 exist in and about the above noted whirlpool, namely:

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- a. The last three consecutive bacteriological water samples were unsatisfactory as a result of high heterotrophic plate counts. This is in contravention of section 16 of the Swimming Pool Regulation, Alberta Regulation 247/85.

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 whirlpool 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 whirlpool, namely:
 - a. Treat the whirlpool water to eliminate any possible source of contamination and chemically balance the whirlpool.
 - b. Submit two consecutive bacteriological water samples to the Provincial Laboratory for Public Health.
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, **AND** the samples from 2(b) above have been received and confirmed as satisfactory the above noted whirlpool shall remain closed and secured from unauthorized entry.

Dated at Banff, Alberta, this 15 day of August, 2008 confirming the verbal order given on the 14 day of August, 2008.

Zara Zychowicz CPHI(C)
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.

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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
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Strathmore

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

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