

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

To: International Fitness Inc.
7222 Edgemont Boulevard N.W.
Calgary, Alberta T3A 2X7
(the “**Owner**”)

Re: The whirlpool located in Calgary, Alberta and municipally described as:

World Health Sport Club
Women’s Whirlpool
7222 Edgemont Boulevard N.W.
Calgary, Alberta

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. There was no detectable level of chlorine in the whirlpool.
- b. Total alkalinity was measured at 50ppm.
- c. The water quality was not monitored.
- d. The whirlpool operating records were incomplete.
- e. There was no response plan in place to respond when parameters are not met.
- f. There was no knowledgeable person on site to supervise the operation of the whirlpool.

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 Alberta Pool Standards, 2006 for the Swimming Pool, Wading Pool and Water Spray Park Regulation exist in and about the above noted swimming pool, namely:

- a. There was no detectable level of chlorine in the whirlpool. This is in contravention to Section 11(1)(b) of the Regulation which states:

The free chlorine residual level in a pool must be sufficient to maintain the pool water in a bacteriologically safe condition but that level shall not be less than the following:

- (b) 2.0 milligrams per litre in a pool with an operating water temperature of more than 30 degrees Celsius*

- b. Total alkalinity was measured at 50ppm. This is in contravention to Section 3(3) of the Standards which states:

To assist in maintaining proper pH, the alkalinity must be maintained at 80-120ppm and measured weekly.

- c. The water quality was not monitored. This is in contravention to Section 14(2) of the Regulation which states:

Tests for free chlorine, combined chlorine and pH must be conducted during the normal operating hours of a pool as often as is necessary to enable the responsible person to demonstrate water quality.

- d. The whirlpool operating records were incomplete. This is in contravention to Section 14(1) of the Regulation and Section 3(4)(1) of the Standards which state:

Section 14(1) of Regulation

A responsible person must monitor pool water quality routinely and keep proper records of testing results.

Section 3(4) (1) of Standards

Operating records must be maintained in a written form to provide information regarding:

- a. Quantities and dates of all chemicals used;*
- b. Time and result of pH tests;*
- c. Time and result of all free chlorine residual tests;*
- d. Time and result of all combined chlorine residual tests;*
- e. Temperature of the water, recorded at least once every 24 hours.*

- e. There was no response plan in place to respond when parameters are not met. This is in contravention to Section 4(1)(2) of the Standards which states:

Section 4(1)

The responsible person must develop and implement a response plan which outlines the steps to be taken when:

- a. Standards for ORP, free chlorine, combined chlorine, cyanuric acid, pH and turbidity are not being met,*
- b. Blood, food or chemicals foul the pool, and*
- c. Fecal material or vomitus foul the pool. This plan must adhere to the requirements in Schedule A: "Fecal Contamination Management for Swimming Pools".*

Section 4(2)

The response plan must outline the persons responsible, emergency contact numbers, and the steps required to respond to each scenario.

- f. There was no knowledgeable person on site to supervise the operation of the whirlpool. This is in contravention to Section 7(1) of the Regulation which states:

The responsible person must ensure that the pool is equipped, operated and maintained in compliance with

- (a) *this Regulation,*
- (b) *the Pool Standards,*
- (c) *the policies referred to in section 20,*
- (d) *the permit, and*
- (e) *the approvals, if any.*

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. Ensure the whirlpool water chemistry meets the required parameters.
 - b. Maintain accurate daily chemical testing records.
 - c. Provide and implement a written response plan when operating standards are not being met
 - d. Ensure a knowledgeable person is on site to supervise the operation of whirlpool.
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 whirlpool shall remain closed and secured from unauthorized entry.

Dated at Calgary, Alberta, this 7th day of March, 2008, confirming a verbal order issued on the 6th day of March, 2008.

Joan E. Fung, 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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