

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

To: Lakeview Management Inc. and Maria Clarke, (General Manager)

22 Southridge Drive
Okotoks, Alberta T1S 1N1
(the “**Owner**”)

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

Lakeview Inns & Suites
22 Southridge Drive
Okotoks, 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 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. The owner has not submitted the necessary application for permit approval.
- b. The owner does not hold a permit issued by the Alberta Health Services, Calgary Health Region.
- c. The owner has not submitted the necessary bacteriological water samples.

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 exist in and about the above noted whirlpool, namely:

- a. The owner has not submitted the necessary application for permit approval which is a breach of Section 4(1)(a) and (b) and 4(3).
- b. The owner does not hold a permit issued by the Alberta Health Services, Calgary Health Region which is a breach of Section 4(1)(a)(b).
- c. The owner has not submitted the necessary bacteriological water samples which is in breach of Section 8 and 15(1) and (2).

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 an application for a permit to the Alberta Health Services, Calgary Health Region to operate a pool.
 - b. Submit the required microbiological sampling every week.
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 all necessary approvals have been obtained the **above noted swimming pool shall remain closed and secured from unauthorized entry.**

Dated at Okotoks, Alberta, this 27th day of January, 2009.

Neil Williams
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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