

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

To: Rexcourt Properties
505 5th Ave SW
Calgary, Alberta T2P 0J8

Len Howland
(Property Manager)
London House
505 4th Ave SW
Calgary, Alberta T2P 0J8

Robert Taylor
(Maintenance Manager)
London House
505 4th Ave. SW
Calgary, Alberta T2P 0J8

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

London House
505 4th Ave. SW
Calgary, Alberta T2P 0J8

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. No bacteriological water samples have been submitted to the Provincial Laboratory of Public Health since July 18, 2008.
- b. The pH of the swimming pool was measured at 8.4.
- c. The alkalinity of the swimming pool was measured at 150ppm.
- d. No one on site is properly monitoring or recording the amount of free chlorine and pH on a daily basis.
- e. No one on site is properly trained in pool operation, water chemistry, pool filtration, and maintenance.

- f. The swimming pool is not equipped with automatic chemical feeding and monitoring equipment for pH and chlorine.
- g. The circulation system of the pool is not equipped with a functional flow meter.
- h. The single main drain of the swimming pool is not equipped with an anti-entrapment, anti-entanglement device.
- i. There are no written policies respecting safety and supervision of the public, response to water quality issues, including fecal contamination, or a general sanitation plan.

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

- a. No bacteriological water samples have been submitted to the Provincial Laboratory of Public Health since July 18, 2008. This is in contravention of Section 15 (1) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- b. The pH of the swimming pool was measured at 8.4. This is in contravention of Section 11 (3) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- c. The alkalinity of the swimming pool was measured at 150ppm. This is in contravention of Section 3 (3) of the Alberta Pool Standards.
- d. No one on site is properly monitoring or recording the amount of free chlorine and pH on a daily basis. This is in contravention of Section 14 (1) and (2) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- e. No one on site is properly trained in pool operation, water chemistry, pool filtration, and maintenance. This is in contravention of Section III (1) of the Alberta Pool Standards.
- f. The swimming pool is not equipped with automatic chemical feeding and monitoring equipment for pH and chlorine. This is in contravention of Section 12 (3) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- g. The circulation system of the pool is not equipped with a functional flow meter. This is in contravention of Section 22 (b) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- h. The single main drain of the swimming pool is not equipped with an anti-entrapment, anti-entanglement device. This is in contravention of Section 19 (1) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.

- i. There are no written policies respecting safety and supervision of the public, response to water quality issues, including fecal contamination, or a general sanitation plan. This is in contravention of Section 20 (1) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.

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 an approved anti-entrapment, anti-entanglement device on the main drain.
 - b. Install automatic chemical feeding and monitoring equipment for pH and chlorine.
 - c. Install a functioning flow meter.
 - d. Establish and maintain written records for both the manual pH and free chlorine test results as well as corresponding values from automated monitoring equipment. Records must also be completed of any other test which the Executive Officer requires to ensure the maintenance of the swimming pool's water quality.
 - e. Develop written policies respecting safety and supervision of the public, response to water quality issues, including fecal contamination, and a general sanitation plan.
 - f. Provide written information regarding the pool volume, type of disinfection system, filter type, turnover rate, and a schematic drawing of the circulation system.
 - g. Designate and then register a responsible person in an approved pool safety course.
 - h. Manually check the water chemistry as often as necessary to ensure that the water quality is maintained.
 - i. Following the completion of the work listed above, a water sample must be submitted to the Provincial Laboratory of Public Health for analysis and the results of that sample must be satisfactory. Water samples must then be submitted once per week thereafter.
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 lab results show that a water sample taken after the above work is done meets the standards outlined

in Section 16 of the Pool, Wading Pool and Water Spray Park Regulation, Alberta Regulation 293/2006, the above noted swimming pool shall remain closed and secured from unauthorized entry.

Dated at Calgary, Alberta, this 24th day of February, 2009 following a verbal order issued February 23, 2009.

Jeremy Vaughan
Executive Officer
Alberta Health Services, Calgary 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.

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, *Southport*
10101 Southport Rd SW
Calgary, AB T2W 3N2
Phone: 403-943-2288
Fax: 403-943-8056

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