

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

To: Condominium Corp. 0512667
33 Spruce PI SW
Calgary, AB T3C 3X5
(the “**Owner**”)

Consolidated Real Estate Service
602 12 Av SW
Calgary, AB T2R 1J3
(the “**Owner**”)

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

Westgate Park
33 Spruce PI SW
Calgary, Alberta

WHEREAS I, an **Executive Officer** of the **Alberta Health Services**, 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. Two consecutive unsatisfactory bacteriological samples. Specially a sample collected on May 14, 2009 tested positive for *Pseudomonas aeruginosa* and had a Heterotrophic Plate Count of greater than 57,000 CFU per ml, and a sample collected on May 20, 2009 tested positive for *Pseudomonas aeruginosa*.

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 swimming pool, namely:

- a. Two consecutive unsatisfactory bacteriological samples. Specially a sample collected on May 14, 2009 sample tested positive for *Pseudomonas aeruginosa* and had a Heterotrophic Plate Count of greater than 57,000 CFU per ml, and a sample collected on May 20, 2009 tested positive for *Pseudomonas aeruginosa*. This is in contravention of Section 16 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 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 whirlpool water and equipment to eliminate any possible source of contamination then chemically balance the water.
 - b. Following treatment, submit a water sample to the Provincial Laboratory of 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 Alberta Health Services and the water sample submitted under paragraph 2(b) is deemed to be satisfactory, the above noted whirlpool shall remain closed and secured from unauthorized entry.

Dated at Calgary, Alberta, this 25th day of May, 2009 confirming a verbal order issued on May 22, 2009.

Joan Eng Fung CPHI (C). BSc
Executive Officer
Alberta Health Services

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 Alberta Health Services 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
Alberta Health Services, *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

ORDER OF AN EXECUTIVE OFFICER

Re: The Swimming Pool located in Calgary Alberta and municipally described as 33 Spruce PI SW T3C 3X5, Calgary, Alberta

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