

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

To: Onyx Investments
Corporate Access Number 202536363
PO Box 4326, Stn. Main
Spruce Grove, Alberta T7X 3B5

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

Canmore Inn and Suites Whirlpool
1402 Bow Valley Trail
Canmore, Alberta T1W 1N5

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. A microbiological sample was not submitted on January 5, 2009.
- b. The presence of *Pseudomonas aeruginosa* in the microbiological sample collected on January 12, 2009.
- c. One of the main drain covers is broken and has a noticeable hole.
- d. Water did not appear to be flowing through one of the whirlpool skimmers.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Swimming Pool Regulation, Alberta Regulation 293/2006 exist in and about the above noted whirlpool, namely:

- a. A microbiological sample was not submitted on January 5, 2009. This is in contravention of section 15 (1) of the Swimming Pool, Wading Pool, and Water Spray Park Regulation (AR 293/2006).
- b. The presence of *Pseudomonas aeruginosa* in the microbiological sample collected on January 12, 2009. This is in contravention of Section 16(b) of the Swimming Pool, Wading Pool and Water Spray Park Regulation (AR 293/2006).
- c. One of the main drain covers is broken and has a noticeable hole. This is in

contravention of section 19 (1) of the Swimming Pool, Wading Pool, and Water Spray Park Regulation (AR 293/2006).

- d. Water did not appear to be flowing through one of the whirlpool skimmers. This is in contravention of Section 9(1) 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 the whirlpool water to eliminate any possible source of contamination and then chemically balance the whirlpool.
 - b. Submit water samples for bacteriological analysis every week of operation to the Provincial Laboratory of Public Health (Microbiology) for microbiological testing.
 - c. Replace the damaged whirlpool main drain cover.
 - d. Ensure water is flowing through all whirlpool skimmers.
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* until such time as a water sample from paragraph 2(b) is confirmed to be satisfactory, the above noted whirlpool shall remain closed and secured from unauthorized entry.

Dated at Canmore, Alberta, this 19th day of January, 2009, confirming a verbal order issued on the 15th of January, 2009.

Lindsay Sullivan
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.

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
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Claresholm

Claresholm Public Health
5221 2nd Street W
PO Box 1391
Claresholm, AB T0L 0T0
Phone: 403-625-4061
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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