

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

To: 353699 Canada Inc.
3828 Macleod Trail
Calgary, Alberta T2G 2R2

Joe Komaric, Days Inn – Calgary South
3828 Macleod Trail South
Calgary, Alberta T2G 2R2

Charlotte Cronin, Days Inn – Calgary South
3828 Macleod Trail South
Calgary, Alberta T2G 2R2

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

Days Inn – Calgary South Swimming Pool and Whirlpool
3828 Macleod Trail S.
Calgary, Alberta

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above noted swimming pool and 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 swimming pool and 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. Safety Vacuum Release Devices for the swimming pool recirculation system were inoperable, thus creating an entrapment hazard in the swimming pool's submerged suction outlet.
- b. Safety Vacuum Release Devices for the whirlpool recirculation system and jet pump system were inoperable, thus creating an entrapment hazard in the whirlpool's submerged suction outlets.

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

- a. Safety Vacuum Release Devices for swimming pool recirculation system are inoperable, thus creating an entrapment hazard in this swimming pool's submerged suction outlet. This is in contravention of Section 19(1) of the Swimming Pool, Wading Pool and Water Spray Park Regulation and Part 3, Section 7 (1) of the Pool Standards.

- b. Safety Vacuum Release Devices for whirlpool recirculation system and jet pump system are inoperable, thus creating an entrapment hazard in this whirlpool's submerged suction outlets. This is in contravention of Section 19(1) of the Swimming Pool, Wading Pool and Water Spray Park Regulation and Part 3, Section 7 (1) of the Pool Standards.

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. Perform work required to remove the existing entrapment hazard created by the swimming pool's submerged suction outlet.
 - b. Perform work required to remove the existing entrapment hazards created by the whirlpool's submerged suction outlets.
3. That until such time as the work referred to in paragraph 2, items a through b, is completed to the satisfaction of the undersigned, or an executive officer of Alberta Health Services, the above noted swimming pool and whirlpool shall remain closed and secured from unauthorized entry.

Dated at Calgary, Alberta, this 1st day of October, 2009 confirming verbal order given on the 30th day of September, 2009.

Jason Feltham
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 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.

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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

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
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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

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