

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

To: L.R.I. Investments
Rundlestone Lodge
Box 1198
T1L 1B2

(the “**Owner**”)

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

Small whirlpool
Rundlestone Lodge, 537 Banff Ave
Banff, 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 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. Three consecutive unsatisfactory bacteriological samples. Sample submitted on January 26/09 was positive for *Pseudomonas* and had a Heterotrophic Plate Count of greater than 57,000 bacteria per ml. Sample submitted on February 2/09 had a Heterotrophic Plate Count of 340 bacteria per ml. Sample submitted on February 9/09 was positive for total coliforms, positive for *Pseudomonas*, and had a Heterotrophic Plate Count of 1900 bacteria per ml.

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. Unsatisfactory consecutive bacteriological samples 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 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. Treat whirlpool water to eliminate any possible source of contamination.
 - b. Submit a satisfactory bacteriological 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 Alberta Health Services, Calgary Health Region, the above noted swimming pool shall remain closed and secured from unauthorized entry.

Dated at Banff, Alberta, this 12 day of February, 2009 confirming a verbal order issued on February 11, 2009.

Kori Woodard
Executive Officer
Alberta Health Services, 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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