

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

To: Waymarker Management (Silver Creek) Inc.
3408-114th Avenue S.E.
Calgary, Alberta T2Z 3V6

Silver Creek Lodge
1818 Mountain Avenue
Canmore, Alberta T1W 3M3

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

Silver Creek Lodge: Hot Tub #2
1818 Mountain Avenue
Canmore, Alberta T1W 3M3

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. A Heterotrophic plate count of 140 CFU/ml in the microbiological sample submitted on April 20, 2009.
- b. The presence of *Pseudomonas aeruginosa* in the microbiological sample submitted on April 27, 2009.
- c. An alkalinity of 30ppm for the pool water as tested on April 30, 2009.

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. A Heterotrophic plate count of 140 CFU/ml in the microbiological sample submitted on April 20, 2009. This is in contravention of Section 16(b) of the Swimming Pool, Wading Pool and Water Spray Park Regulation, Alberta Regulation 293/2006, which states "the quality of water in a pool must be maintained so that samples of the water do not have a heterotrophic plate count of more than 100 bacteria per

millilitre.”

- b. The presence of *Pseudomonas aeruginosa* in the microbiological sample collected on April 27, 2009. This is in contravention of Section 16(b) of the Swimming Pool, Wading Pool and Water Spray Park Regulation, Alberta Regulation 293/2006, which states “the quality of water in a pool must be maintained so that samples of the water do not show the presence of *Pseudomonas aeruginosa*.”
- b. The alkalinity of the pool water as tested on April 30, 2009 was 30ppm. This is in contravention of Section 3(3) of the Alberta Pool Standards (2006), which states “To assist in maintaining proper pH, the alkalinity must be maintained at 80-120ppm.”

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 the whirlpool water to eliminate any possible source of contamination and then chemically balance the whirlpool.
 - b. Submit a water sample from the whirlpool following treatment to the Provincial Laboratory of Public Health (Microbiology) for microbiological testing.
 - c. Ensure the pool water chemistry meets the parameters required by the Swimming Pool, Wading Pool, and Water Spray Park Regulation (AR 293/2006) and Alberta Pool Standards (2006).
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 2b is confirmed to be satisfactory, the above noted whirlpool shall remain closed and secured from unauthorized entry.

Dated at Canmore, Alberta, this 4th day of May, 2009.

Diane Luka
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.

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