

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

To: HL Reit Inc.
201 – 30 Damascus Road
Bedford, Nova Scotia
B4A 0C1

Five Calgary Downtown Suites
618 5 Avenue SW
Calgary, Alberta
T2P 0M7

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

Five Calgary Downtown Suites
618 5 Avenue SW
Calgary, Alberta
T2P 0M7

WHEREAS I, an **Executive Officer** of **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. The free available chlorine of the swimming pool is less than 0.5 ppm.
- b. The chlorine feed pump was in disrepair at time of inspection, and could not continually pump in chlorine.

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. The free available chlorine of the swimming pool is less than 0.5 ppm. This is in contravention of Section 11(1)(a) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- b. The chlorine feed pump was in disrepair at time of inspection, and could not continually pump in chlorine. This is in contravention of Section 12(2)(a) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.

AND WHEREAS by virtue of the foregoing, the above noted premises are hereby declared to be

ORDER OF AN EXECUTIVE OFFICER

Re: **The Swimming Pool located in Calgary, Alberta and municipally described as Five Calgary Downtown Suites
618 5 Avenue SW, Calgary, Alberta.**

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. Increase the free available chlorine to at least 1 part per million.
 - b. Repair or replace the chlorine feed pump so that it is in proper operating condition.
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, and a satisfactory water sample has been received, the above noted swimming pool shall remain closed and secured from unauthorized entry.

Dated at Calgary, Alberta, this 1st day of October, 2010, following a verbal order issued the 29th day of September, 2010.

Sarah Yusuf, B.Sc., BEH, CPHI (C)
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, AB T4B 3K7
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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
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Claresholm
Claresholm Public Health
5221 2nd Street W
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Didsbury Health Unit
PO Box 130
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