

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

**To:** Acclaim Hotel  
1235949 Alberta Ltd.  
123 Freeport Blvd NE  
Calgary, AB T3N 0A3  
(the "**Owner**")

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

Eastern Whirlpool  
Acclaim Hotel  
123 Freeport Blvd NE  
Calgary, AB T3N 0A3

WHEREAS I, an **Executive Officer** of the **Alberta Health Services**, 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. Two consecutive unsatisfactory bacteriological water sample results have been received for the eastern whirlpool. Water samples taken on April 14, 2010 and April 21, 2010 had *Pseudomonas aeruginosa* isolated.

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 whirlpool, namely:

- a. Two consecutive unsatisfactory bacteriological water sample results have been received for the eastern whirlpool. Water samples taken on April 14, 2010 and April 21, 2010 had *Pseudomonas aeruginosa* isolated. This is 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**:

**ORDER OF AN EXECUTIVE OFFICER**

Re: **Acclaim Hotel Eastern Whirlpool located at 123 Freeport Blvd NE in Calgary, Alberta**

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 whirlpool water and equipment to eliminate any possible source of contamination then chemically balance the water.
  - b. Following treatment, submit a water 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 the Alberta Health Services, and a satisfactory water sample has been received, the above noted whirlpool shall remain closed and secured from unauthorized entry.

Dated at Calgary, Alberta, this 28<sup>th</sup> day of April, 2010, following a verbal order issued on the 27<sup>th</sup> of April, 2010.

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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, 24<sup>th</sup> 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**

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**Calgary/Mountain View/Rocky View**

Alberta Health Services, *Southport*  
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Calgary, AB T2W 3N2  
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**Canmore**

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**Claresholm**

Claresholm Public Health  
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**Didsbury**

Didsbury Health Unit  
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**Okotoks**

Okotoks Public Health Centre  
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**Strathmore**

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