

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

To: Banff Gate Mountain Resort
Box 8113
Canmore, Alberta
T1W 2T8

Andrea Spiess
Box 8113
Canmore, Alberta
T1W 2T8

Re: The Swimming Pool located in the Municipal District of Bighorn, Alberta and municipally described as:

Banff Gate Mountain Resort Swimming Pool
S06 TWP 24 RGE 09 W5M
Municipal District of Bighorn

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 might become injurious or dangerous to the public health or which might hinder in any manner the prevention or suppression of disease, namely:

- a. A pH reading of 8 during inspection on September 15, 2010 and September 23, 2010.
- b. Automated monitoring equipment was not calibrated properly on September 15, 2010 and September 23, 2010.

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 pH reading of 8 during inspection on September 15, 2010 and September 23, 2010, which is in contravention of section 11(3) of the Swimming Pool, Wading Pool and Water Spray Park Regulation, Alberta Regulation 293/2006.
- b. Automated monitoring equipment was not calibrated properly on September 15, 2010 and September 23, 2010. This is in contravention of Section 12(2)(b) of the Pool Standards, 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. Chemically balance the swimming pool to ensure the swimming 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).
 - b. Calibrate the automated monitoring equipment.
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, the above noted swimming pool shall remain closed and secured from unauthorized entry.

Dated at Canmore, Alberta, this 24th day of September, 2010 confirming a verbal order given on the 23rd day of September, 2010.

Lindsay Sullivan
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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