

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

To: Silvertip Holdings (1990) Ltd.
Box 1655
Banff, Alberta, Canada
T1L 1B5
c/o Ghada Wirth, General Manager
(the "Owner")

Re: The whirlpool located in Banff National Park, Alberta and municipally described as:

Castle Mountain Chalets
Hwy 1-A at Castle Junction
Banff National Park, Alberta

WHEREAS I, an **Executive Officer** of **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. The presence of *Pseudomonas aeruginosa* in two consecutive microbiological samples collected on September 7, 2010 and September 13, 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 whirlpool, namely:

- a. The presence of *Pseudomonas aeruginosa* in two microbiological samples collected on September 7, 2010 and September 13, 2010. This is in contravention of Section 16(b) of the 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*."

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 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 the whirlpool water so that the water is microbiologically, chemically and physically safe to use.
 - b. Submit a water sample for bacteriological analysis to the Provincial Laboratory of Public Health (Microbiology) for testing that is of satisfactory microbiological quality.

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 whirlpool shall remain closed and secured from unauthorized entry.

Dated at Banff, Alberta, this 16th day of September, 2010.

Zara Zychowicz 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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