

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

To: Delta Calgary South
135 Southland Drive SE
Calgary, Alberta T2J 5X5
(the “Owner”)

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

Delta Calgary South Atrium Whirlpool
135 Southland Drive SE
Calgary, Alberta T2J 5X5

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 free available chlorine residual was measured at approximately 100 ppm at the time of inspection.
- b. Chemical parameter readings from the automation system were not accurate with readings taken from the whirlpool basin at the time of inspection.

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 free available chlorine residual was measured at approximately 100 ppm at the time of inspection. This is in contravention of section 8 of the Swimming Pool, Wading Pool and Water Spray Park Regulation, Alberta Regulation 293/2006.
- b. Chemical parameter readings from the automation system were not accurate with readings taken from the whirlpool basin at the time of inspection. This is in contravention of section 10(4) of the Swimming Pool, Wading Pool and Water Spray Park Regulation, Alberta Regulation 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**:

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. Ensure the whirlpool water chemistry meets and is maintained at the parameters required by the Swimming Pool, Wading Pool, and Water Spray Park Regulation (AR 293/2006) and Alberta Pool Standards (2006).
 - b. Ensure the automated chemical feeding and monitoring equipment is calibrated and serviced by a qualified person to ensure it is in good working 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, the above noted whirlpool shall remain closed and secured from unauthorized entry.

Dated at Calgary, Alberta, this 21th day of October, 2010, confirming the verbal order issued on October 20, 2010.

Dana East, B.Sc., B.Tech, 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.

Airdrie

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Fax: 403-912-8410

Banff

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Calgary/Mountain View/Rocky View

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Okotoks

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