

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

To: Discovery Hill c/o Unit Management
956 Archwood Road SE
Calgary, Alberta
T2J 1C4

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

Discovery Hill Condos
215 2 Street NE
Calgary Alberta

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 swimming pool has a single main drain and is not equipped with anti-entrapment devices.
- b. Bacteriological water samples are not being submitted to the Provincial Laboratory on a weekly basis.
- c. The flow meter for the swimming pool is not operating.
- d. The responsible person is not available for contact by the Regional Health Authority.
- e. The skimmer in the swimming pool is missing a floating weir.
- f. The alkalinity of the swimming pool measured at 30 parts per million.
- g. The automated monitoring system has not been calibrated.

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 swimming pool has a single main drain and is not equipped with anti-entrapment devices. This is in contravention of Section 19(1) of the Swimming Pool,

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Wading Pool and Water Spray Park Regulation.

- b. Bacteriological water samples are not being submitted to the Provincial Laboratory on a weekly basis. This is in contravention of Section 15 (1) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- c. The flow meter for the swimming pool is not operating. This is in contravention of Section 22 (b) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- d. The responsible person is not available for contact by the Regional Health Authority. This is in contravention of Section 3(3) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- e. The skimmer in the swimming pool is missing a floating weir. This is in contravention of Section 22 (b) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- f. The alkalinity of the swimming pool measured at 30 parts per million. This is in contravention of Section 8 of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- g. The automated monitoring system has not been calibrated. This is in contravention of Section 12 (2)(b) 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 **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. Install an anti-entrapment cover on the main drain that is listed, approved and installed in accordance with ASME (American Society of Mechanical Engineers) A112.19.8M performance requirements, and flow through the drain grate must not exceed 1.5 feet per second.
 - b. Submit a bacteriological water sample to the Provincial Laboratory of Public. Water samples must then be submitted once per week thereafter.
 - c. Repair or replace the swimming pool flow meter.
 - d. Ensure that there is a designated person for contact by the Regional Health Authority.

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- e. Replace the floating weir in the swimming pool skimmer.
 - f. Check the alkalinity of the swimming pool at least once per week.
 - g. Calibrate the automated monitoring equipment such that pool water chemistry can be accurately measured and recorded.
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 12th day of January, 2010 following a verbal order issued the 11th day of January, 2010.

Sarah Yusuf
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
Airdrie Public Health Centre
604 Main Street South
Airdrie, AB T4B 3K7
Phone: 403-912-8400
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
Phone: 403-678-5656
Fax: 403-678-5068

Claresholm
Claresholm Public Health
5221 2nd Street W
PO Box 1391
Claresholm, AB T0L 0T0
Phone: 403-625-4061
Fax: 403-625-4062

Didsbury
Didsbury Health Unit
PO Box 130
1210 -20th Avenue
Didsbury, AB T0M 0W0
Phone: 403-335-7292
Fax: 403-335-7610

Okotoks
Okotoks Public Health Centre
11 Cimarron Commons
Okotoks, AB T1S 2E9
Phone: 403-995-2600
Fax: 403-995-2639

Strathmore
Public Health Building
650 Westchester Road
Strathmore, AB T1P 1H8
Phone: 403-361-7200
Fax: 403-361-7244

www.calgaryhealthregion.ca/envhealth