

**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 Whirlpool 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. Bacteriological water samples are not being submitted to the Provincial Laboratory on a weekly basis.
- b. The pH was measured at 8.
- c. A responsible person is not available for contact by the Regional Health Authority.
- d. The spa rules are not on display.
- e. No one on site is properly monitoring or recording pH on a daily basis.
- f. The alkalinity of the swimming pool measured at 50 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. 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.

The Whirlpool located in Calgary, Alberta and municipally described as Discovery Hill Condos 215 2 Street NE, Calgary, Alberta

- b. The pH was measured at 8. This is in contravention of Section 11 (3) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- c. A 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.
- d. The spa rules are not on display. This is in contravention of Section 20 (1) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- e. No one on site is properly monitoring or recording pH on a daily basis. This is in contravention of Section 14(1) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- f. The alkalinity of the swimming pool measured at 50 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. Submit a bacteriological water sample to the Provincial Laboratory of Public. Water samples must then be submitted once per week thereafter.
  - b. Manually check the water chemistry as often as necessary to ensure that the water quality is maintained.
  - c. Ensure that there is a designated person for contact by the Regional Health Authority.
  - d. Post signage on the rules of the whirlpool.
  - e. 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

The Whirlpool located in Calgary, Alberta and municipally described as Discovery Hill Condos 215 2 Street NE, Calgary, Alberta

water sample has been received, the above noted swimming pool shall remain closed and secured from unauthorized entry.

Dated at Calgary, Alberta, this 12<sup>th</sup> day of January, 2010 following a verbal order issued on the 11<sup>th</sup> of January, 2010.

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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, 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**

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 2<sup>nd</sup> 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  
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**Strathmore**

Public Health Building  
650 Westchester Road  
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[www.calgaryhealthregion.ca/envhealth](http://www.calgaryhealthregion.ca/envhealth)