

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

To: Invest Properties Palliser Nominee LTD.
700, 5090 Explorer Drive
Mississauga, Ontario
T4W 4X6
(the “Owner”)

Re: The Swimming Pool located in Calgary Alberta and municipally described as:
Fairmont Palliser Hotel Whirlpool
133 - 9 Avenue SW
Calgary, Alberta
T2P 2M3

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. Two consecutive unsatisfactory bacteriological water sample results have been received. Water samples taken on August 9, 2010 and August 13, 2010 had *Pseudomonas aeruginosa* isolated.

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. Two consecutive unsatisfactory bacteriological water sample results have been received. Water samples taken on August 9, 2010 and August 13, 2010 had *Pseudomonas aeruginosa* isolated. This is in contravention of Section 16 of the Swimming Pool, Wading Pool and Water Spray Park Regulation (AR 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 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. Treat the whirlpool water so that the water is microbiologically, chemically and physically safe to use.
 - b. Following treatment, submit a water sample for bacteriological analysis to the Provincial Laboratory of Public Health.

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 Calgary, Alberta, this 16 day of August, 2010.

Katarina Arendas
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
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Phone: 403-943-2288
Fax: 403-943-8056

Canmore

Canmore Public Health
#104, 800 Railway Avenue
Canmore, AB T1W 1P1
Phone: 403-678-5656
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Claresholm

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

Didsbury Health Unit
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Didsbury, AB T0M 0W0
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Okotoks

Okotoks Public Health Centre
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Strathmore

Public Health Building
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