

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

**To:** McKenzie Gold's Gym Corp.  
Gold's Gym McKenzie  
Kondwani Nyangulu, Manager  
12686 48 Street SE  
Calgary, AB T2Z 0B1  
(the "**Owner**")

**Re:** The Swimming Pool located in Calgary, Alberta and municipally described as:  
Gold's Gym McKenzie  
12686 48 Street SE  
Calgary, Alberta

WHEREAS I, an **Executive Officer** of the **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. Water samples are not being submitted from the swimming pool on a weekly basis.
- b. Swimming pool operators are unable to display adequate knowledge of pool operations and maintenance.
- c. The total alkalinity in the swimming pool water was 50 ppm at the time of inspection.
- d. Weirs are not provided on two of the skimmers.

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 and the Pool Standards 2006 exist in and about the above noted swimming pool, namely:

- a. Water samples are not being submitted from the swimming pool on a weekly basis. This is in contravention of Section 15(1) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- b. Swimming pool operators are unable to display adequate knowledge of pool operations and maintenance. This is in contravention of Section 7(2)(a) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.

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Re: **Swimming Pool Gold's Gym McKenzie located at 12686 48 Street SE in Calgary, Alberta**

- c. The total alkalinity in the whirlpool water was 50 ppm at the time of inspection. This is in contravention of Section III(3)(3) of the Pool Standards.
- d. Weirs are not provided on two of the skimmers. This is in contravention of Section 22(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 water samples for bacteriological analysis from the swimming pool on a weekly basis.
  - b. Demonstrate that there is a responsible person who meets the qualifications set out in the Pool Standards who can operate and maintain the pool, whether directly on site or available for contact, to the satisfaction of the executive officer.
  - c. Maintain the swimming pool water with a total alkalinity level between 80-120 ppm.
  - d. Ensure that all skimmers are equipped with weirs.
  - e. Ensure that employees responsible for the whirlpool have registered for an approved pool operator's course.
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 the water sample submitted under paragraph 2(a) is deemed to be satisfactory, the above noted swimming pool shall remain closed and secured from unauthorized entry.
4. The course referred to in paragraph 2(e) must be completed by June 1, 2010.

**ORDER OF AN EXECUTIVE OFFICER**

Re: **Swimming Pool Gold's Gym McKenzie located at 12686 48 Street SE in Calgary, Alberta**

Dated at Calgary, Alberta, this 30<sup>th</sup> day of April, 2010 following a verbal order issued the 29<sup>th</sup> day of April, 2010.

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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, 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  
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Airdrie, AB T4B 3K7  
Phone: 403-912-8400  
Fax: 403-912-8410

**Banff**

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**Calgary/Mountain View/Rocky View**

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**Canmore**

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**Claresholm**

Claresholm Public Health  
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**Didsbury**

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**Okotoks**

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