

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 Whirlpool 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 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. Water samples are not being submitted from the whirlpool on a weekly basis.
- b. Swimming pool operators are unable to display adequate knowledge of pool operations and maintenance.
- c. The concentration of free available chlorine in the whirlpool water was 0 ppm at the time of inspection.
- d. The pH level in the whirlpool water was 8 ppm at the time of inspection.
- e. The total alkalinity in the whirlpool water was 70 ppm 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 and the Pool Standards, 2006 exist in and about the above noted whirlpool, namely:

- a. Water samples are not being submitted from the whirlpool 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

ORDER OF AN EXECUTIVE OFFICER

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

Swimming Pool, Wading Pool and Water Spray Park Regulation.

- c. The concentration of free available chlorine in the whirlpool water was 0 ppm at the time of inspection. This is in contravention of Section 11(1)(b) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- d. The pH level in the whirlpool water was 8 ppm at the time of inspection. This is in contravention of Section 11(3) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- e. The total alkalinity in the whirlpool water was 70 ppm at the time of inspection. This is in contravention of Section III(3)(3) of the Pool Standards.

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. Submit water samples for bacteriological analysis from the whirlpool 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 whirlpool water with a free chlorine residual at a level not less than 2.0 ppm.
 - d. Maintain the whirlpool water at a pH level of not less than 6.8 ppm and not more than 7.6 ppm.
 - e. Maintain the whirlpool water with a total alkalinity level between 80-120 ppm.
 - f. 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 whirlpool shall remain closed and secured from unauthorized entry.
4. The course referred to in paragraph 2(f) must be completed by June 1, 2010.

ORDER OF AN EXECUTIVE OFFICER

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

Dated at Calgary, Alberta, this 30th day of April, 2010 following a verbal order issued the 29th day of April, 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

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