

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

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

**Re:** The Whirlpool located in Calgary, Alberta and municipally described as:  
Golds 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. Tests for free chlorine, combined chlorine and pH are not being taken during the pool operating hours.
- d. A record book is not being kept of pool water quality testing results.

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. 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 Swimming Pool, Wading Pool and Water Spray Park Regulation.

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- c. Tests for free chlorine, combined chlorine and pH are not being taken during the pool operating hours. This is in contravention of Section 14(2) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- d. A record book is not being kept of pool water quality testing results. This is in contravention of Section 14(1) 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 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 a water sample for bacteriological analysis from the whirlpool on a weekly basis.
  - b. Demonstrate that there is a responsible person who can operate and maintain the pool, whether directly on site or available for contact, to the satisfaction of the executive officer.
  - c. Manually check the free available chlorine, combined chlorine and pH on a daily basis at minimum, and as often as necessary.
  - d. Keep a log of pool water quality testing results.
  - e. Ensure that employees responsible for the whirlpool successfully complete an approved pool operator's course.
3. That until such time as the work referred to in paragraph 2, items a through d, 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 work referred to in paragraph 2(e) must be completed by March 1, 2010.

Dated at Calgary, Alberta, this 20<sup>th</sup> day of January, 2010 following a verbal order issued the 18<sup>th</sup> day of January, 2010.

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Dana East, B.Sc., B.Tech, CPHI(C)  
Executive Officer  
Alberta Health Services

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***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**

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

**Banff**

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303 Lynx Street  
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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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**Strathmore**

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