

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

To: **Banff Caribou Properties Ltd.**
229 Bear Street, 2nd Floor,
PO Box 1070
Banff, AB
T1L 1B1
(the “**Owner**”)

And: Pauw, Wilhelmus, A.
PO Box 1070
Banff, AB
T1L 1B1

Re: The Swimming Pool located in Banff, Alberta and municipally described as:

Banff Rocky Mountain Resort Outdoor Whirlpool
1029 Banff Avenue
Banff, AB
T1L 1A2

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. One of the main drain covers is broken.
- b. The main drain valve was fully open.

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. One of the main drain covers is broken. This is in contravention of Section 19(1) of the Regulation which states that pools must be equipped with anti-entrapment devices that meet the requirements set out in the Pool Standards to prevent the entrapment of patrons in the drains and recirculation equipment.
- b. The main drain valve was fully open. This is in contravention of Section 3(2)(1)(2) of the Pool Standards which states that for effective recirculation, eighty percent of the water must be circulated from the pool surface.

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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. Replace the broken drain cover.
 - b. Reduce the flow through the main drain to ensure it does not exceed 20 percent of the total flow rate.
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 Banff, Alberta, this 23rd day of March, 2011 confirming a verbal Order issued on March 22, 2011.

Kori Woodard
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

Didsbury

Didsbury Health Unit
PO Box 130

Okotoks

Okotoks Public Health Centre
11 Cimarron Commons

Strathmore

Public Health Building
650 Westchester Road

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Re: The Swimming Pool located in Banff, Alberta and municipally described as Banff Rocky Mountain Resort Outdoor Whirlpool, 1029 Banff Avenue, Banff, Alberta

PO Box 1391
Claresholm, AB T0L 0T0
Phone: 403-625-4061
Fax: 403-625-4062

1210 -20th Avenue
Didsbury, AB T0M 0W0
Phone: 403-335-7292
Fax: 403-335-7610

Okotoks, AB T1S 2E9
Phone: 403-995-2600
Fax: 403-995-2639

Strathmore, AB T1P 1H8
Phone: 403-361-7200
Fax: 403-361-7244

www.calgaryhealthregion.ca/envhealth