

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

**To:** Brewster's Mountain Lodges & Adventures Ltd.  
PO Box 964  
Banff, AB T1L 1A0  
(the "**Owner**")

**Re:** The whirlpool located in Banff, Alberta and municipally described as:

Brewster's Mountain Lodge Whirlpool  
208 Caribou Street  
Banff, Alberta T0L 0C0

WHEREAS I, an **Executive Officer** of **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. One of the main drain covers for the whirlpool was broken.
- b. The whirlpool's four main drain covers are not listed, approved and installed in accordance with ASME/ANSI A112.19.8(2007) performance requirements.

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 whirlpool, namely:

- a. One of the main drain covers for the whirlpool was broken. This is in contravention of Part III, Section 7(2) of the Pool Standards.
- b. The whirlpool's four main drain covers are not listed, approved and installed in accordance with ASME/ANSI A112.19.8(2007) performance requirements. This is in contravention of Part III Section 7(1) 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. Replace all four main drain covers with drain covers which are listed, approved and installed in accordance with ASME/ANSI A112.19.8(2007) performance requirements.
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 whirlpool shall remain closed and secured from unauthorized entry.

Dated at Banff, Alberta, this 26<sup>th</sup> day of April, 2011.

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Lindsay Sullivan  
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  
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  
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**Calgary/Mountain View/Rocky View**

Alberta Health Services, *Southport*  
10101 Southport Rd SW  
Calgary, AB T2W 3N2  
Phone: 403-943-2288  
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**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 2<sup>nd</sup> Street W  
PO Box 1391  
Claresholm, AB T0L 0T0  
Phone: 403-625-4061  
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**Didsbury**

Didsbury Health Unit  
PO Box 130  
1210 -20th Avenue  
Didsbury, AB T0M 0W0  
Phone: 403-335-7292  
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**Okotoks**

Okotoks Public Health Centre  
11 Cimarron Commons  
Okotoks, AB T1S 2E9  
Phone: 403-995-2600  
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**Strathmore**

Public Health Building  
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[www.calgaryhealthregion.ca/envhealth](http://www.calgaryhealthregion.ca/envhealth)