

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

**To: Orion Management Inc.**  
3A, 4015 1 Street SE  
Calgary, Alberta T2G 4X7  
(the “**Owner**”)

**Re: The Swimming Pool located in Calgary, Alberta and municipally described as:**  
**Elkwater Apartments Whirlpool, 505 56 Avenue, Calgary SW, T2V 0G6**

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. The free chlorine residual measured less than 0.5 ppm.
- b. The automated controller is not maintaining adequate chlorine levels.
- c. Recording inaccurate readings for water quality. Measurements for pH, chlorine and alkalinity were at the same levels all the time, even at the date of the inspection.
- d. There are no written response procedures developed for fecal, blood or chemical contamination of the water. Also, there are no procedures when free available chlorine, combine chlorine, total alkalinity and pH are out of balance.
- e. Could not provide any documentation that any of the current pool maintenance staff have taken an approved pool operator’s course.

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. The free chlorine residual measured less than 0.5 ppm. This is in contravention of Section 11(1)(b) of the Swimming Pool Regulation.
- b. The automated controller is not maintaining adequate chlorine levels. This is in contravention of Section 12(2) of the Swimming Pool Regulation.
- c. Recording inaccurate readings for water quality. Measurements for pH, chlorine and alkalinity were at the same levels all the time. even at the date of the inspection. This is in contravention to Section 14(1) of the Swimming Pool Regulation.
- d. There are no written response procedures developed for fecal, blood or chemical contamination of the water. Also, there are no procedures when free available chlorine, combine chlorine, total alkalinity and pH are out of balance. This is in contravention to

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Section 20(1) of the Swimming Pool Regulation.

- e. Could not provide any documentation that any of the current pool maintenance staff have taken an approved pool operator's course. This is in contravention to Section 7(2)(a) of the Swimming Pool 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. Ensure that the free available chlorine is maintained above 2.0 mg/L at all times.
  - b. Ensure that the automated controller is maintained in proper operating condition. Provide supporting documentation for this requirement.
  - c. Ensure that the pool operator is maintaining accurate records which include recording chlorine residuals, PH, alkalinity and all actions taken pertaining to the swimming pool i.e. backwashing, adding chemicals, fecal contamination etc.
  - d. Ensure that the pool operator is maintaining proper response procedures for fecal, blood or chemical contamination of the water and procedures when free available chlorine, combine chlorine, total alkalinity and pH are out of balance
  - e. Pool operator must provide documentation indicating successful completion of a pool operator's course approved by the Executive Officer.
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 Calgary, Alberta, this 28 day of July, 2011, following a verbal order issued on the 27<sup>th</sup> day of July, 2011.

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Katarina Arendas  
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.***

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***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  
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 2<sup>nd</sup> 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

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