

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

To: Fitness Plus North
1709 8 Avenue NE
Calgary, Alberta
T2E 0S9

Re: The Whirlpool located in Calgary, Alberta and municipally described as:

Fitness Plus North
1709 8 Avenue NE
Calgary, Alberta

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. Three consecutive unsatisfactory bacteriological water sample results have been received for the whirlpool. Water samples taken on February 25, 2011, March 1, 2011, and March 4, 2011 had *Pseudomonas aeruginosa* isolated.
- b. The whirlpool is being operated and maintained by a person who has not successfully completed a pool operator's course.
- c. The responsible person is not responding to problems with water quality in a suitable manner.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act, 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 swimming pool, namely:

- a. Three consecutive unsatisfactory bacteriological water sample results have been received for the whirlpool. Water samples taken on February 25, 2011, March 1, 2011, and March 4, 2011 had *Pseudomonas aeruginosa* isolated. This is in contravention of Section 16 of the Swimming Pool, Wading Pool and Water Spray Park Regulation (AR 293/2006).
- b. The whirlpool is being operated and maintained by a person who has not successfully completed a pool operator's course. This is in contravention of Section 7(2) of the Swimming Pool, Wading Pool and Water Spray Park Regulation (AR 293/2006).

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- c. The responsible person is not responding to problems with water quality in a suitable manner. This is in contravention of Section 20(1)(c) and Section 20(3) of the of the Swimming Pool, Wading Pool and Water Spray Park Regulation (AR 293/2006).

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 swimming pool, namely:
 - a. Develop a plan and be able to demonstrate the ability to ensure a biologically, chemically, and physically safe whirlpool, including plans to properly respond to water quality problems.
 - b. Ensure a trained and responsible person is available for the whirlpool during operating hours.
 - c. Submit a water sample for microbiological analysis to the Provincial Laboratory of Public health once the water has been chemically balanced.
3. That until such time as the work referred to in paragraph 2a and 2b are completed to the satisfaction of the undersigned or an Executive Officer of Alberta Health Services, and the sample from 2c has been confirmed as satisfactory, the above noted Whirlpool shall remain closed and secured from unauthorized entry.

Dated at Calgary, Alberta, this 10th day of March, 2011, following a verbal closure order issued on the 8th day of March, 2011 to Michelle Milot.

Sarah Yusuf, B.Sc., BEH, 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.

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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.

Airdrie

Airdrie Public Health Centre
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Airdrie, AB T4B 3K7
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Fax: 403-912-8410

Banff

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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
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Canmore

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