

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

**To: Red Carpet Inn Ltd.**  
**Attn:** Mr. Ron Bateman, General Manager  
Box 1800  
Banff, AB  
T1L 1B6  
(the “**Owner**”)

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

**Red Carpet Inn Whirlpool**  
425 Banff Avenue  
Box #700  
Banff, AB

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. The free chlorine residual of the whirlpool measured 0 ppm.
- b. The mechanical chlorine feed equipment was not functional.
- c. The automated controller is not adequately maintaining chlorine or pH levels.

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. The free chlorine residual of the whirlpool was measured 0 ppm. This is in contravention of Section 11(1)(b) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- b. The mechanical chlorine feed equipment was not functional. This is in contravention of Section 10(4) of the Swimming Pool, Wading Pool and Water Spray Park Regulation
- c. The automated controller is not adequately maintaining chlorine or pH levels. This is in contravention of Section 12(2) 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**:

ORDER OF AN EXECUTIVE OFFICER

Re: The Whirlpool located in Banff, Alberta and municipally described as Red Carpet Inn whirlpool, 425 Banff Avenue, Banff, Alberta

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. Maintain the chlorine above 2.0mg/L at all times.
  - b. Ensure the mechanical chlorine feed equipment is maintained in proper operating condition.
  - c. Ensure the automated controller is maintained in proper operating condition.
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 as an amendment to a written closure order issued on March 8, 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  
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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  
Fax: 403-943-8056

**Canmore**  
Canmore Public Health  
#104, 800 Railway Avenue  
Canmore, AB T1W 1P1  
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**Claresholm**  
Claresholm Public Health  
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**Didsbury**  
Didsbury Health Unit  
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**Okotoks**  
Okotoks Public Health Centre  
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**Strathmore**  
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