

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

To: 4075447 Canada Inc.
Attn: Kenneth Gibson, George Kosziwka, Tamara Lawson (Directors)
Drew Fisher (Director of Operations at Sheraton Suites)
5090 Explorer Drive, Suite 700
Mississauga, Ontario
L4W 4T9

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

Sheraton Suites
255 Barclay Parade SW
Calgary AB
T2P 5C2

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. Water samples for microbiological testing have not been submitted to the Provincial Lab since November, 2010.
- b. A knowledgeable and trained person in pool operations was not available to the Public Health Inspector for inspections on April 12, 2011, April 27, 2011, and May 6, 2011.
- c. Manual tests for water chemistry are not being consistently taken at least once a day, 7 days a week.
- d. The hair and lint strainer is missing from the whirlpool pump.
- e. The flow meter is not operational.
- f. Total alkalinity measured 50 ppm.
- g. Combined chlorine measured 2 ppm.
- h. The surface of the whirlpool basin is chipping and worn in several areas.

ORDER OF AN EXECUTIVE OFFICER

Re: The Whirlpool located in Calgary, Alberta and municipally described as Sheraton Suites, 255 Barclay Parade SW, Calgary, Alberta

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 whirlpool, namely:

- a. Water samples for microbiological testing have not been submitted to the Provincial Lab since November, 2010. This is in contravention of Section 15 of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- b. A knowledgeable and trained person in pool operations was not available to the Public Health Inspector for inspections on April 12, 2011, April 27, 2011, and May 6, 2011. This is in contravention of Section 3(c) and Section 7 of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- c. Manual tests for water chemistry are not being consistently taken at least once a day, 7 days a week. This is in contravention of Section 14 of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- d. The hair and lint strainer is missing from the whirlpool pump. This is in contravention of Section 9 of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- e. The flow meter is not operational. This is in contravention of Section 9 (2) of the Swimming Pool, Wading Pool and Water Spray Park Regulation.
- f. Total alkalinity measured 50 ppm. This is in contravention to the Pool Standards Section III (3)(3).
- g. Combined chlorine measured 2 ppm. This is in contravention of Section 2 of the Nuisance and General Sanitation regulation.
- h. The surface of the whirlpool basin is chipping and worn in several areas. This is in contravention of Section 22 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**:

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. Ensure the whirlpool is chemically balanced.
 - b. Repair/replace the flow meter.

ORDER OF AN EXECUTIVE OFFICER

Re: The Whirlpool located in Calgary, Alberta and municipally described as Sheraton Suites, 255 Barclay Parade SW, Calgary, Alberta

- c. Replace the hair and lint strainer.
 - d. Demonstrate that Free Available Chlorine, Combined Available Chlorine, pH, Alkalinity, readings from the automation system, and other observations pertinent to water quality are being consistently taken and recorded on a daily basis.
 - e. Have additional staff trained in an approved Pool Operators Course, such that a trained and responsible person is available for the whirlpool during all operating hours.
 - f. Submit a water sample for microbiological analysis to the Provincial Laboratory of Public health once the water has been chemically balanced and continue to submit samples every 7 days.
 - g. Ensure that the whirlpool basin is smooth, easily cleanable, and impervious to moisture.
3. That until such time as the work referred to in paragraph 2a-d are completed to the satisfaction of the undersigned or an Executive Officer of Alberta Health Services, and the sample from 2f has been confirmed as satisfactory, the above noted whirlpool shall remain closed and secured from unauthorized entry. The requirement in 2e must be completed by June 22, 2011. The requirement stated in 2g must be completed by September 17, 2011.

Dated at Calgary, Alberta, this 19th day of May, 2011, following a verbal closure order issued on the 17th day of May, 2011 to Mike Kalyn.

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.

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

Calgary/Mountain View/Rocky View
Alberta Health Services, Southport
10101 Southport Rd SW
Calgary, AB T2W 3N2
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Fax: 403-943-8056

Canmore
Canmore Public Health
#104, 800 Railway Avenue
Canmore, AB T1W 1P1
Phone: 403-678-5656
Fax: 403-678-5068

ORDER OF AN EXECUTIVE OFFICER

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Calgary, Alberta**

Fax: 403-762-5570

Claresholm

Claresholm Public Health
5221 2nd Street W
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Claresholm, AB T0L 0T0
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Didsbury

Didsbury Health Unit
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Okotoks

Okotoks Public Health Centre
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Strathmore

Public Health Building
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www.calgaryhealthregion.ca/envhealth

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