

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

To: 978556 Alberta LTD. DBA STAYBRIDGE SUITES
2825 Sunridge Way NE
Calgary, AB
T1Y 7E4

Faizal Goulam-Houssein, Director
1904 Crowchild Trail NW
Calgary AB T2M 3Y7

978556 Alberta Ltd.
3111 – 26 Street NE
Calgary AB T1Y 7E4

Amin Khimji, Director and Shareholder
3111 – 26 Street NE
Calgary AB T1Y 7E4

Arif Punja, General Manager
Staybridge Suites
2825 Sunridge Way NE
Calgary AB T1Y 7E4

Hussain Khimji, Director
3111 – 26 Street NE
Calgary AB T1Y 7E4

Moyez Khimji, Director and Shareholder
3111 – 26 Street NE
Calgary AB T1Y 7E4

Alkarim Khimji
2369 Banff Trail NW
Calgary AB T2M 4L2

(the “**Owner**”)

Re: The Swimming pool located in Staybridge Suites, Calgary, Alberta and municipally described as:

Staybridge Suites Swimming Pool
2825 Sunridge Way NE
Calgary, AB
T1Y 7E4

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 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 of the swimming pool measured 0 ppm.
- b. The pH of the swimming pool measured greater than 8.0.
- c. The alkalinity of the swimming pool measured 140 ppm

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- d. The swimming pool water was cloudy and the main drain was not visible.
- e. The bacteriological water sample taken on June 24 & 30th, 2011 indicated bacterial contamination consisting of HPC count of more than 140 CFU per mL and 2270 CFU per mL.
- f. The automated controller is not adequately maintaining chlorine or pH levels.
- g. Inadequate water quality records, missing dates, missing alkalinity, as well as, decisions regarding chemical additions to maintain water quality.
- h. Current pool maintenance staff have not 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 of the swimming pool was measured 0 ppm. This is in contravention of Section 11(1) of the Swimming Pool Regulation.
- b. The pH of the swimming pool measured greater than 8.0. This is in contravention of Section 11(3) of the Swimming Pool Regulation.
- c. The alkalinity of the swimming pool measured 140 ppm. This is in contravention to the Pool Standard Section III (3)(3).
- d. The swimming pool water is cloudy and the main drain was not visible. This is in contravention of Section 17(1) of the Swimming Pool Regulation.
- e. The bacteriological water sample taken on June 24 and 30th, 2011 indicated bacterial contamination consisting of HPC count of more than 140 CFU per mL and 2270 CFU per mL. This is in contravention to Section 16 (a) of the Swimming Pool Regulation.
- f. The automated controller is not adequately maintaining chlorine or pH levels. This is in contravention of Section 12(2) of the Swimming Pool Regulation.
- g. Inadequate water quality records, missing dates, missing alkalinity, as well as, decisions regarding chemical additions to maintain water quality. This is in contravention to Section 14(1) of the Swimming Pool Regulation.
- h. Current pool maintenance staff have not taken an approved pool operator's course. This is in contravention of Section 7 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 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. In consultation with a professional pool maintenance company, take all steps necessary to remove sources of contamination. These actions include draining the pool, cleaning the plumbing lines, changing the filter media and other necessary steps to ensure the removal of all contamination sources.
 - b. Maintain the chlorine above 1.0mg/L at all times.

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- c. Maintain the PH between 6.8 and 7.6.
 - d. Maintain the alkalinity between 80 and 120 mg/L.
 - e. Maintain the water clarity such that the main drain and bottom of the pool floor are clearly visible.
 - f. Upon completion of the treatment plan stipulated in the aforementioned, and chemically balancing the swimming pool as indicated above from b-e, submit a water sample to the Provincial Lab of Public Health.
 - g. Ensure that the automated controller is maintained in proper operating condition, provide supporting documentation for this requirement.
 - h. Ensure that the pool operator is maintaining proper records which include recording water temperature, chlorine residuals, PH, alkalinity and all actions taken pertaining to the swimming pool i.e. backwashing, adding chemicals, fecal accidents etc.
 - i. Pool operator must successfully complete 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 the Alberta Health Services and the water sample submitted under paragraph 2(i) is deemed to be satisfactory, the above noted swimming pool shall remain closed and secured from unauthorized entry.

Dated at Calgary, Alberta, this 7 day of July, 2011, following a verbal order issued to Arif Punja, General Manager on the 5th day of July, 2011.

Salima Kassam BTech., 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
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 2nd Street W

Didsbury
Didsbury Health Unit
PO Box 130

Okotoks
Okotoks Public Health Centre
11 Cimarron Commons

Strathmore
Public Health Building
650 Westchester Road

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Re: The Swimming Pool located in Calgary, Alberta and municipally described as Staybridge Suites swimming pool, 2825 Sunridge Way NE, Calgary, Alberta

PO Box 1391
Claresholm, AB T0L 0T0
Phone: 403-625-4061
Fax: 403-625-4062

1210 -20th Avenue
Didsbury, AB T0M 0W0
Phone: 403-335-7292
Fax: 403-335-7610

Okotoks, AB T1S 2E9
Phone: 403-995-2600
Fax: 403-995-2639

Strathmore, AB T1P 1H8
Phone: 403-361-7200
Fax: 403-361-7244

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