

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: 264256 ALBERTA LTD
"the Owner"

Moyez Khimji
"the Owner"

Amin Khimji
"the Owner"

Uday Brar
"the Owner"

RE: The "pool" located in Calgary, Alberta and municipally described as:
Comfort Inn & Suites – Swimming Pool
2369 Banff Trail NW

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above noted premises 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 premises which are or may become injurious or dangerous to the public health or which might hinder in any manner the prevention or suppression of disease, namely:

- a. The manual measurement of free chlorine residual was 0.29 parts per million.
- b. The automated chemical feeder was not functioning properly.
- c. The clarity of the water was unsatisfactory. The main drains were not visible from the other side of the basin.
- d. The skimmer did not display adequate flow during inspection. Backwash was needed for flow to be observed.
- e. The main drain covers were expired at time of inspection (expiry of February 2024).
- f. The basin had algae growth on the entry stairs and the side walls.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Public Swimming Pools Regulation, Alberta Regulation 204/2014 and the Pool Standards there under exist in and about the above noted premises, namely:

- a. The manual measurement of free chlorine residual was 0.29 parts per million. This is in contravention of section 4.1.1 of the Pool Standards which states: "The minimum free chlorine residual in a public swimming pool must be maintained at 1.0 milligram per litre in a public swimming pool with an operating water temperature of not greater than 30 degrees Celsius."

- b. The automated chemical feeder was not functioning properly. This is in contravention of section 13(3)(b) of the Public Swimming Pool Regulation AR 204/2014, which states: “The free chlorine residual referred to in subsection (2) must be achieved using a mechanical feeder that (b) provides a consistent, adequate concentration of disinfectant.”
- c. The clarity of the water was unsatisfactory. The main drains were not visible from the other side of the basin. This is in contravention of section 20(1)(a) of the Public Swimming Pool Regulation AR 204/2014, which states: “Water in a public swimming pool, other than in a water spray park, must be sufficiently clear so that the patterns of lines on the bottom of the public swimming pool floor are clearly visible at all times.”
- d. The skimmer did not display adequate flow during inspection. Backwash was needed for flow to be observed. This is in contravention of section 11(b) of the Public Swimming Pool Regulation AR 204/2014, which states: “In accordance with the pool standards, a pool must be maintained in a state of repair that provides for the safe and sanitary operation of the pool.”
- e. The main drain covers were expired at time of inspection (expiry of February 2024). This is in contravention of section 9.2 of the Pool Standards, which states: “An anti-entrapment device must be installed in accordance with the manufacturer’s specifications and be maintained in good working order when the public swimming pool is in use.”
- f. The basin had algae growth on the entry stairs and the side walls. This is in contravention of section 11(b) of the Public Swimming Pool Regulation AR 204/2014, which states: “In accordance with the Pool Standards, a pool must be maintained in a state of repair that provides for the safe and sanitary operation of the pool.”

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 premises.
- 2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Adjust and maintain a free chlorine residual of at least 1.0ppm.
 - b. Repair, replace and/or calibrate the automatic feeder equipment and ensure that this equipment is in good working order and maintaining adequate chemical levels.
 - c. Adjust and treat the pool so that adequate clarity is reached, and the main drains are visible from all sides of the pool.
 - d. Repair and maintain the circulation system so that skimmers are in good working order.
 - e. Provide 3 days of consistent and complete documentation of pool chemical parameters, checks, and addition of chemicals if necessary.
 - f. Install new main drain covers and update the anti-entrapment documentation with the new main drain covers information.
- 3. Attendance at a compliance review with Environmental Public Health by all parties identified as owners in this Closure Order.

4. That until such time as the work referred to above is completed to the satisfaction of an Executive Officer of Alberta Health Services; the above noted premises shall remain closed.

The above conditions were noted at the time of inspection and may not necessarily reflect all deficiencies. You are advised that further work may be required to ensure full compliance with the Public Health Act and regulations, or to prevent a public health nuisance.

DATED at Calgary, Alberta, March 22, 2024

Confirmation of a verbal order issued to Uday Brar on March 21, 2024.

Executive Officer
Alberta Health Services

You have the right to appeal

A person who a) is directly affected by a decision of a Regional Health Authority, and
 b) feels himself aggrieved by the decision

may appeal the decision by submitting a Notice of Appeal form within ten (10) days after receiving the order to:

Public Health Appeal Board
c/o Central Reception
Main Floor, ATB Place North Tower
10025 Jasper Avenue NW
Edmonton, Alberta, T5J 1S6
Phone: 780-222-5186
Fax: 780-422-0914
Email: HealthAppealBoard@gov.ab.ca
Website: <https://www.alberta.ca/public-health-appeal-board.aspx>

A Notice of Appeal form may be obtained by contacting the Public Health Appeal Board or visiting their website.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Health Legislation and regulations are available for purchase. Please contact Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Copies of standards are available by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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