

## **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 – Whirlpool  
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 0.50 parts per million.
- b. The automated chemical feeder was not functioning properly.

**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 0.50 parts per million. This is in contravention of section 4.1.2 of the Pool Standards, July 2014 (amended 2018) which states: "The minimum free chlorine residual in a public swimming pool must be maintained at 2.0 milligram per litre in a public swimming pool with an operating water temperature of 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 provides a consistent, adequate concentration of disinfectant."

**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 2.0 ppm.
  - 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. Provide 3 days of consistent and complete documentation of pool chemical parameters, checks, and addition of chemicals if necessary.
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](mailto: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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<https://www.ahs.ca/eph>