

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: Five Diamond Hospitality LTD
"the Owner"

RE: The "swimming pool" located in Calgary, Alberta and municipally described as:
Element Calgary Airport – Swimming pool
2855 Sunridge Way NE Calgary, AB. T1Y 7K7

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. Manual measurements showed the free available chlorine to be 0.11ppm and the pH to be 7.7.
- b. The automatic chemical controller for the pool was not in good working condition, the automatic controller was not feeding chemicals into the pool nor was it displaying the correct water chemical parameters.
- c. There was no anti-entrapment compliance plan submitted for the swimming pool.

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. Manual measurements showed the free available chlorine to be 0.11ppm and the pH to be 7.7. This is in contravention of Section 4.1.1 and 4.4 of the Pool Standards, July 2014 (Amended January 2018), which states: "The minimum free chlorine residual in a public swimming pool must be maintained as follows: 1.0 milligram per litre in a public swimming pool with an operating water temperature of not greater than 30 degrees Celsius, and the pH of the water in a public swimming pool must be maintained at no less than 6.8 and no greater than 7.6".
- b. The automatic chemical controller for the pool was not in good working condition, the automatic controller was not feeding chemicals into the pool nor was it displaying the correct water chemical parameters. This is in contravention of Section 15(1)(2)(a) of the Public Swimming Pool Regulation AR 204/2014, which states: "A public swimming pool must be equipped with automated chemical feeding and monitoring equipment for pH and chlorine, and that the automatic equipment must be maintained in good working condition".
- c. There was no anti-entrapment compliance plan submitted for the swimming pool. This is in contravention of Section 9.1 of the Pool Standards, July 2014 (Amended January 2018), which states: "Every owner or owner's agent, if any, must assess anti-entrapment risks,

develop and implement an appropriate anti-entrapment plan to meet the requirements of this section”.

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. Always maintain the pool free available chlorine at above 1.0 milligram per litre and the pH between 6.8 and 7.6.
 - b. Replace or repair the automatic chemical feeding and monitoring equipment and ensure this equipment is in good working condition.
 - c. Complete and submit the pool anti-entrapment compliance plans.
3. 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, July 19, 2023.

Confirmation of a verbal order issued to Robert Hall and Sanjoy Paul (Director of Revenue and Operation) on July 18, 2023.

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>

Calgary • Southport • Environmental Public Health

10101 Southport Road SW, Calgary, Alberta, Canada T2W 3N2

<https://www.ahs.ca/eph>