

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: Haves Holdings Country Hills Gym Ltd.

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Haves Holding Ltd.

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Kelly Maclachlan

“The Owners”

RE: The “Swimming Pool” located in Calgary, Alberta and municipally described as:

Gold’s Gym – Centre Pool, located at 2638 Country Hills Boulevard NE, Calgary T3N 1A3

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 inspector requested to see the operating records for the basin. However, the pool operating records were not onsite, and therefore not available to any staff members or inspectors at the time of the inspection.
- b. The pH of the pool water was tested to be 8.1. The pool operator was not available to make any immediate changes to the water chemistry.
- c. The chlorine pump for the pool stopped operating. No chlorine was being automatically dispensed into the 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. The inspector requested to see the operating records for the basin. However, the pool operating records were not onsite, and therefore not available to any staff members or inspectors at the time of the inspection. This is in contravention of Sections 5.1, 5.2.1, 5.2.2, and 9.6.1 of the Pool Standards, July 2014 (Amended January 2018) which states: “Operational records must be maintained to provide information regarding: time of and

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observations and readings for pH, and the free, total and combined chlorine residual; time and results of total alkalinity tests; automated controller set points and readings for ORP, chlorine and pH; temperature of the public swimming pool water; clarity of the water; results of microbiological analyses as provided by the regional health authority; any other water quality tests; quantities and dates of all chemicals used; equipment maintenance, including pump modifications which potentially affect flow rate; ambient air temperature in a dry sauna or steam sauna; make and model, purchase and expiry date of suction outlet covers, and manufacturers’ recommended flow rate; incident records with respect to patron injury; contamination events including the date of the event and the response; and the covers of each submerged suction outlet, including equalizer and vacuum outlets, shall be routinely inspected prior to opening each day and throughout the day when the public swimming pool is in use.”

- b. The pH of the pool water was tested to be 8.1. The pool operator was not available to make any immediate changes to the water chemistry. This is in contravention of Section 4.4 of the Pool Standards, July 2014 (Amended January 2018), which states: “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.”
- c. The chlorine pump for the pool stopped operating. No chlorine was being automatically dispensed into the pool. This is in contravention of Section 13(3) and 13(4) of the Pool Regulation AR 204/2014 which states: The free chlorine residual referred to in subsection (2) must be achieved using a mechanical feeder that is adjustable, provides a consistent, adequate concentration of disinfectant, and utilizes non-stabilized chlorine products. The mechanical feeder described in subsection (3) must be maintained, operated, and calibrated in accordance with the manufacturer’s requirements.

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. Pool operating records must be readily available and maintained for the basin. Ensure results and observations are in accordance with Section 5.0 of the Pool Standards.
 - b. Chemically balance the whirlpool water. Ensure the chlorine, pH, and total alkalinity are maintained in their required ranges.
 - c. Repair the chlorine pump and ensure that the mechanical feeder is operating properly.
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.

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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, January 20th, 2023

Confirmation of a verbal order issued to Narinder Singh (Front Manager) on January 18th, 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>

Template revised October 13, 2022

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www.albertahealthservices.ca/eph.asp