

## **ORDER OF AN EXECUTIVE OFFICER CLOSED FOR TENANT ACCOMMODATION PURPOSES ORDER TO VACATE**

**To:** Richard Allen  
"the Owner"

**And To:** All Occupant(s) of the following Housing premises:

**RE:** Those housing premises located in Red Deer County, Alberta and municipally described as: 10 – 36440 Range Road 264

**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. Two water wells supplying water to this housing premises that are intended or used for human consumption are located within 100 meters of a sewage lagoon. Specifically, 49.5 meters and 37.2 meters from the sewage lagoon.
- b. The chemical water sample analysis (sample collected April 24, 2024) indicates a fluoride exceedance at 3.6mg/L which is above the Maximum Acceptable Concentration (MAC) of 1.5mg/L.

**AND WHEREAS** such inspection disclosed that the following breaches of the Public Health Act, the Housing Regulation, Alberta Regulation 173/99, the Minimum Housing and Health Standards and the Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003, exist in and about the above noted premises, namely:

- a. Two water wells supplying water to this housing premises that are intended or used for human consumption are located within 100 meters of a sewage lagoon. Specifically, 49.5 meters and 37.2 meters from the sewage lagoon. This is in contravention of section 15(1)(e) of the Nuisance and General Sanitation Regulation which states that: "A person shall not locate a water well that supplies water that is intended or used for human consumption within 100 meters of a sewage lagoon."
- b. The chemical water sample analysis (sample collected April 24, 2024) indicates a fluoride exceedance at 3.6mg/L which is above the Maximum Acceptable Concentration (MAC) of 1.5mg/L. This is in contravention of section 9 of the Minimum Housing and Health Standards which states that: "Every building used in whole or in part, as housing premises must be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants." This is also in contravention of section 11 of the Nuisance and General Sanitation Regulation which states that: "Where

a person provides a source of water that the person intends to be used or realizes or ought to realize will be used by the public for human consumption, the person shall ensure that the water is potable.”

**AND WHEREAS**, by virtue of the foregoing, the above noted premises are hereby declared to be **Closed for Tenant Accommodation Purposes**.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the occupants vacate the above noted premises on or before July 7, 2024.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Disconnect all water wells supplying water to this housing premises that are intended or used for human consumption that are located within 100 meters of the sewage lagoon.
  - b. Ensure the housing premise is supplied with a potable water supply of sufficient volume, pressure, and temperature.
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 for tenant accommodation purposes.

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 Red Deer, Alberta, June 7, 2024  
Confirmation of a verbal order issued to Richard Allen on June 7, 2024.

Executive Officer  
Environmental Health Officer

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>

Template revised October 13, 2022