

ORDER OF AN EXECUTIVE OFFICER

To: Maynard Roelofs
"the Owner"

RE: Those housing premises located in Lethbridge, Alberta and municipally described as:
1270 5 Avenue N.

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. There is a vacant shed on site that is constantly used as a shelter for vagrants. There is constant drug use in and around this shed. Drug paraphernalia is frequently found nearby.
- b. There is a truck with a camper near the house. Both of these are not in good condition. The truck windshield has been completely smashed. This truck/camper is acting as a shelter for vagrants. There was an entire bundle of crack pipes observed beside the truck.
- c. The burnt husk of the home is not fully secured against entry. There are open windows on the west and south walls of the garage. The garage bay door is not actually secured, it can easily be pried open and entered.

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

- a. There is a vacant shed on site that is constantly used as a shelter for vagrants. There is constant drug use in and around this shed. Drug paraphernalia is frequently found nearby. This is in contravention of Section 2(1) and Section 2(2)(a) of the Nuisance and General Sanitation Regulation AR243/2003 which reads: *"No person shall create, commit or maintain a nuisance. Without limiting the generality of subsection (1), a person who creates, commits or maintains any premises in a condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance."*
- b. There is a truck with a camper near the house. Both of these are not in good condition. The truck windshield has been completely smashed. This truck/camper is acting as a shelter for vagrants. There was an entire bundle of crack pipes observed beside the truck. This is in contravention of Section 2(1) and Section 2(2)(a) of the Nuisance and General Sanitation Regulation AR243/2003 which reads: *"No person shall create, commit or maintain a nuisance. Without limiting the generality of subsection (1), a person who creates, commits or maintains any premises in a condition that is or might become injurious or dangerous to*

the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.”

- c. The burnt husk of the home is not fully secured against entry. There are open windows on the west and south walls of the garage. The garage bay door is not actually secured, it can easily be pried open and entered. This is in contravention of Section 2(1) and Section 2(2)(a) of the Nuisance and General Sanitation Regulation AR243/2003 which reads: *“No person shall create, commit or maintain a nuisance. Without limiting the generality of subsection (1), a person who creates, commits or maintains any premises in a condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.”*

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

- 1. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Remove the shed from the property and properly dispose of all drug paraphernalia.
 - b. Remove the truck and camper from the property and properly remove all drug paraphernalia.
 - c. Secure all windows against unwanted entry. Thoroughly secure the garage door to ensure entry isn't possible.
- 2. The work referred to in paragraph 1 shall be completed by November 15, 2019.

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 Lethbridge, Alberta, September 16, 2019.

Confirmation of a verbal order issued to Maynard Roelofs on September 5, 2019.

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 Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Health Legislation and regulations are available for purchase. Please contact Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: www.health.alberta.ca/about/health-legislation.html

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