

## ORDER OF AN EXECUTIVE OFFICER UNFIT FOR HUMAN HABITATION ORDER TO VACATE

**To:** Dorothy Eleanor Steele  
(The "Owner")

Susan Patricia Steele  
(The "Owner")

John Joseph Steele  
(The "Owner")

John Kenneth Steele  
(The "Owner")

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

**RE:** Those housing premises located in Bragg Creek, Alberta and municipally described as:  
**12 Park Place, Plan 3943JK, Block 1, Lot 4.**

**WHEREAS** I, an **Executive Officer** of **Alberta Health Services**, have inspected the above 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 the prevention or suppression of disease, namely:

- a. There is an accumulation of human faeces and urine in open buckets stored outside the premises.
- b. There is a strong urine and faeces odour both inside and outside the premises.
- c. There is a heavy accumulation of garbage stored outside the premises, including a large pile of newspaper pages soaked in dog faeces and urine.
- d. There is a bucket filled with human faeces and urine stored inside the premises to be used in place of a toilet.
- e. There is an extremely heavy accumulation of garbage stored inside the premises.
- f. There is a heavy accumulation of garbage on and surrounding the stove top where one of the burners is being used.
- g. There is a heavy accumulation of garbage and materials which is impeding egress in the event of a fire.
- h. There is no running water available.
- i. There is a heavy accumulation of garbage and materials which has made all plumbing fixtures inaccessible.

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

- a. There is an accumulation of human faeces and urine in open buckets stored outside the premises; this is in contravention of Sections 2 (1), 2(2)(a), 2(2)(e), 2(2)(i) and 8(1) of the Alberta Public Health Act Nuisance and General Sanitation Regulation (AR 243/2003).
- b. There is a strong urine and faeces odour both inside and outside the premises; this is in contravention of Sections 2 (1), 2(2)(a), 2(2)(e), 2(2)(h), 2(2)(i) and 2(2)(ii) of the Alberta Public Health Act Nuisance and General Sanitation Regulation (AR 243/2003).
- c. There is a heavy accumulation of garbage stored outside the premises, including a large pile of newspaper pages soaked in dog faeces and urine; this is in contravention of Sections 2 (1), 2(2)(a), 2(2)(e), and 8(1) of the Alberta Public Health Act Nuisance and General Sanitation Regulation (AR 243/2003).
- d. There is a bucket filled with human faeces and urine stored inside the premises to be used in place of a toilet; this is in contravention of Sections 2 (1), 2(2)(a), 2(2)(e), 2(2)(h), 2(2)(i) and 2(2)(ii) of the Alberta Public Health Act Nuisance and General Sanitation Regulation (AR 243/2003).
- e. There is an extremely heavy accumulation of garbage stored inside the premises; this is in contravention of Sections 2 (1), 2(2)(a), 2(2)(e), 2(2)(h), 2(2)(i) and 8(1) of the Alberta Public Health Act Nuisance and General Sanitation Regulation (AR 243/2003).
- f. There is a heavy accumulation of garbage on and surrounding the stove top where one of the burners is being used; this is in contravention of Sections 2 (1), 2(2)(a), 2(2)(h) and 2(2)(i) of the Alberta Public Health Act Nuisance and General Sanitation Regulation (AR 243/2003).
- g. There is a heavy accumulation of garbage and materials which is impeding egress in the event of a fire; this is in contravention of Sections 2 (1), 2(2)(a), 2(2)(h) and 2(2)(i) of the Alberta Public Health Act Nuisance and General Sanitation Regulation (AR 243/2003).
- h. There is no running water available; this is in contravention of Sections 2 (1), 2(2)(a) and 2(2)(h) of the Alberta Public Health Act Nuisance and General Sanitation Regulation (AR 243/2003).
- i. There is a heavy accumulation of garbage and materials which has made all plumbing fixtures inaccessible; this is in contravention of Sections 2 (1), 2(2)(a), 2(2)(h) and 2(2)(i) of the Alberta Public Health Act Nuisance and General Sanitation Regulation (AR 243/2003).

**AND WHEREAS**, by virtue of the foregoing, the above noted premises are hereby declared to be **Unfit for Human Habitation**.

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

1. That the occupants vacate the above noted premises on or before February 18, 2013.
2. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:

- a. Secure the doors, windows and other openings to prevent unauthorized entry by February 19, 2013.
  - b. Remove the buckets of faeces and urine from the property and ensure they are disposed of in a sanitary manner.
  - c. Remove all garbage and accumulated materials from both inside and outside the premises.
  - d. Remove any damaged or rotted building materials; this may require the services of a professional cleaning and restoration company.
  - e. Clean the premises to restore it to a sanitary condition.
  - f. Ensure there is a supply of potable water to all plumbing fixtures.
  - g. Ensure there is a washroom available and accessible with a functional toilet and sink.
  - h. Ensure that the septic system is functioning properly.
  - i. The work referred to in paragraphs 2(b) and 2(c) is to be completed by February 28, 2013.
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 vacant and secure from unauthorized entry.

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 Cochrane, Alberta, February 1, 2013

Avory Robertson, BSc, BEH(AD), CPHI(C)  
Executive Officer  
Environmental Health Officer

Confirmation of an oral order issued to **John K. Steele** , January 29, 2013.

**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 within ten (10) days after receiving the order to the Public Health Appeal Board located at 24<sup>th</sup> Floor, Telus Plaza, 10025 - Jasper Avenue, Edmonton, Alberta, T5J 1S6. Telephone (780) 427-2813.

The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal. If you appeal, you may also make an application to the Board for a stay of this Order pending the appeal.

A copy of the Public Health Appeal form may be obtained by contacting Alberta Health Services at (780) 342-0122, or the Public Health Appeal Board (780) 427-2813.

You are advised that all orders remain in effect pending such an appeal

**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](http://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](http://www.qp.gov.ab.ca).*

*Copies of standards are available by contacting the Health Protection Branch of Alberta Health & Wellness at (780) 427-4518, or by visiting: [www.health.alberta.ca/about/health-legislation.html](http://www.health.alberta.ca/about/health-legislation.html)*

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**AIRDRIE Regional Health Centre**  
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**BANFF Health Unit**  
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**CALGARY - Southport Atrium**  
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**CANMORE Public Health**  
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**CLARESHOLM Public Health**  
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**OKOTOKS Health and Wellness Centre**  
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