

ORDER OF AN EXECUTIVE OFFICER CLOSED FOR PLANT GROWING OPERATION PURPOSES

TO: **Byron Chu**
(the “**Owner**”)

And To: All Occupants (the “**Occupants**”) of those premises located in Calgary, Alberta and municipally described as:

20 Panatella Parade N.W.
Calgary, Alberta
T3K 0T8

RE: Those premises located in Calgary, Alberta and municipally described as:

20 Panatella Parade N.W.
Calgary, Alberta
T3K 0T8

WHEREAS, pursuant to section 62 of the Public Health Act Chapter P-37 of the Revised Statutes of Alberta 2000, an Executive Officer who, following an inspection, has reasonable and probable grounds to believe that a nuisance exists in or on the place that was the subject of the inspection or that the place or the owner of it or any other person is in contravention of this Act or the regulations, the Executive Officer may issue a written order,

AND WHEREAS I, an Executive Officer of Alberta Health Services, have inspected the above noted premises and found to exist conditions which are or might become injurious or dangerous to the public health or that might hinder the prevention or suppression of disease or are in contravention of the Housing Regulation and/or the Nuisance and General Sanitation Regulation promulgated pursuant to Section 66 of the Public Health Act,

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Nuisance and General Sanitation Regulation, Alberta Regulation 243/03, the Housing Regulation, Alberta Regulation 173/99, and/or Minimum Housing and Health Standards exist in and about the above noted premises, namely:

- A Health Canada production license exists for the purpose of growing 171 marijuana plants (expiry 15 January 2014) within this residential dwelling. This activity is known to create conditions that support mould growth and cause extensive damage due to excess heat and humidity produced during the plant growing activities. This is a breach of Section 2(1) of the Nuisance and General Sanitation Regulation and of Sections 3, 4 and 5 of the Housing Regulation.

- A second Health Canada production license has also existed for the purpose of growing 146 additional marihuana plants (expiry 22 October 2013) within this residential dwelling. This activity is known to create conditions that support mould growth and cause extensive damage due to excess heat and humidity produced during the plant growing activities. This is a breach of Section 2(1) of the Nuisance and General Sanitation Regulation and of Sections 3, 4 and 5 of the Housing Regulation.

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be **closed for plant growing operation purposes**;

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

1. That the Owner discontinues using or allowing the use of the residential dwelling for the plant growing operation **immediately**.

The above conditions were noted at the time of inspection and may not necessarily reflect all deficiencies. You are advised that further repairs may be required to ensure full compliance of the Public Health Act and regulations, or to prevent a public health nuisance.

This order remains in effect. Failure to comply with this order will result in further action.

Dated at Calgary, Alberta, this 29th day of October, 2013.

Vicki Wearmouth, CPHI(C)
Executive Officer/Public Health Inspector

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 24th 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.

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 & Wellness at (780) 427-4518, or by visiting: www.health.alberta.ca/about/health-legislation.html

AIRDRIE Regional Health Centre

604 Main Street South
Airdrie, AB T4B 3K7
Phone: 403-912-8400
Fax: 403-912-8410

BANFF Health Unit

303 Lynx Street
PO Box 1266
Banff, AB T1L 1B3
Phone: 403-762-2990
Fax: 403-762-5570

CALGARY - Southport Atrium

10101 Southport Road SW
Calgary, AB T2W 3N2
Phone: 403-943-2288
Fax: 403-943-8056

CANMORE Public Health

#104, 800 Railway Avenue
Canmore, AB T1W 1P1
Phone: 403-678-5656
Fax: 403-678-5068

CLARESHOLM Public Health

5221 2nd Street W
PO Box 1391
Claresholm, AB T0L 0T0
Phone: 403 625-4061
Fax: 403-625-4062

COCHRANE Community Health Centre

60 Grande Boulevard
Cochrane, AB T4C 0S4
Phone: 403-851-6000
Fax: 403- 851-6009

OKOTOKS Health and Wellness Centre

11 Cimarron Common
Okotoks, AB T1S 2E9
Phone: 403-995-2600
Fax: 403-995-2639

STRATHMORE Public Health Office

650 Westchester Road
Strathmore, AB T1P 1H8
Phone: 403-361-7200
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www.albertahealthservices.ca/eph.asp