

## **ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE**

**To:** Canadian Rocky Mountain Resorts Ltd.  
"the owner"

Colter MacFarlane  
"the owner"

**RE:** The "pool" located in Banff, Alberta and municipally described as:

**Buffalo Mountain Lodge Whirlpool**  
700 Tunnel Mountain Road  
Banff, Alberta

**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. Water damage, mould, and rot was noted below the stairs leading to changerooms and gym adjacent to the pool basin. Excessive mould was noted in the chemical storage area below the stairs.
- b. One pool light is not sitting properly in housing, creating an area with rough edges and protrusion that could cause physical entrapment of bathers.

**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. Water damage, mould, and rot was noted below the stairs leading to changerooms and gym adjacent to the pool basin. Excessive mould was noted in the chemical storage area below the stairs. This is in contravention of Section 11(a) and 11(b) of the Swimming Pool Regulations AR 204/2014 that state that, "In accordance with the Pool Standards, a pool (a) must be maintained so that the basins and liners are structurally sound and maintained in good repair and (b) must be maintained in a state of repair that provides for the safe . . . operation of the pool."
- b. One pool light is not sitting properly in housing, creating an area with rough edges and protrusion that could cause physical entrapment of bathers. This is in contravention of Section 11(b) of the Swimming Pool Regulation AR 204/2014 which state that "a pool must be maintained in a state of repair that provides for the safe . . . operation of the pool".

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. Provide documentation from a structural engineer or qualified professional that the pool basin, stairs to change rooms, and area below the stairs are structurally sound and are not at risk of structural failure.
  - b. Provide a written work plan, acceptable to our office, with a timeline and description of work to be completed, including remediation of any water damaged building materials and repair of any water leaks.
  - c. Repair light and light housing so that there is no sharp edges or protrusions that could cause physical entrapment.
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.

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 Banff, Alberta, on the 31<sup>st</sup> day of December, 2018.

Confirmation of a verbal order issued to Colter MacFarlane on the 31<sup>st</sup> day of December, 2018.

Kori Woodard, CPHI(C)  
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](mailto:HealthAppealBoard@gov.ab.ca)

Website: <http://www.health.alberta.ca/about/PHAB.html>

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](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 at 780-427-4518 or by visiting: [www.health.alberta.ca/about/health-legislation.html](http://www.health.alberta.ca/about/health-legislation.html)

Template revised May 8, 2018

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**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 Health Unit**

5221 2<sup>nd</sup> 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  
Fax: 403-361-7244

[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)