

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: Ceasar Rene Agcaoili
“the Owner”

Rene Castanos
“the Owner”

Romelyn Villaresis Diola
“the Owner”

Cherrylane Perlas
“the Owner”

Jyson Indeno Tiongco
“the Owner”

RE: The playground area located in Calgary, Alberta and municipally described as:
Achieve Care Incorporated- Playground and Temporary Outdoor Play Area
8991 Bonaventure Drive SE, Calgary, 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. A portion of the fence at the rear of the playground is in disrepair.
- b. The playground contains elevated play equipment, including a slide and a climbable structure with a platform height of approximately 81 cm. No protective surfacing is present beneath or around this equipment.
- c. There are uneven areas throughout the playground and the temporary play area, creating potential tripping hazards.
- d. The play structures within the temporary play area, including a caterpillar structure and a playhouse, are in disrepair.
- e. The temporary play area is not enclosed by a fence or other suitable barrier and is located adjacent to a parking lot, creating a potential safety risk for children.

- f. Children have access to portions of the playground that are under active construction adjacent to the temporary play area. No barricades or other effective measures are in place to prevent entry into the construction area.
- g. A pile of construction materials, including gravel, was observed immediately beside a piece of play equipment within the temporary play area, presenting a potential injury hazard.
- h. Slides exceeding 45 cm in height within the temporary play area do not have adequate protective surfacing beneath and around the equipment.
- i. A barrel of used cooking oil is stored immediately adjacent to the temporary outdoor play area and is accessible to children.
- j. The operator did not notify Alberta Health Services (AHS) before placing the temporary outdoor play area into use.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Institutions Regulation, Alberta Regulation 143/1981, and and the Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003 exist in and about the above noted premises, namely:

- a. A portion of the fence at the rear of the playground is in disrepair. This is in contravention of Section 24 of the Institutions Regulation which states: "In every institution and day care facility, indoor and outdoor premises, equipment and facilities shall be of such construction and in such state of repair as to provide for the safe and sanitary operation of the program" and Section 2(1) of the Nuisance and General Sanitation Regulation, which states: "No person shall create, commit or maintain a nuisance."
- b. The playground contains elevated play equipment, including a slide and a climbable structure with a platform height of approximately 81 cm. No protective surfacing is present beneath or around this equipment. This is in contravention of Section 24 of the Institutions Regulation which states: "In every institution and day care facility, indoor and outdoor premises, equipment and facilities shall be of such construction and in such state of repair as to provide for the safe and sanitary operation of the program" and Section 2(1) of the Nuisance and General Sanitation Regulation, which states: "No person shall create, commit or maintain a nuisance."
- c. There are uneven areas throughout the playground and the temporary play area, creating potential tripping hazards. This is in contravention of Section 24 of the Institutions Regulation which states: "In every institution and day care facility, indoor and outdoor premises, equipment and facilities shall be of such construction and in such state of repair as to provide for the safe and sanitary operation of the program" and Section 2(1) of the Nuisance and General Sanitation Regulation, which states: "No person shall create, commit or maintain a nuisance."
- d. The play structures that had been relocated from the playground to the temporary play area, including a caterpillar structure and a playhouse, are in disrepair. This is in contravention of Section 24 of the Institutions Regulation which states: "In every institution and day care facility, indoor and outdoor premises, equipment and facilities shall be of such construction and in such state of repair as to provide for the safe and sanitary operation of

the program” and Section 2(1) of the Nuisance and General Sanitation Regulation, which states: “No person shall create, commit or maintain a nuisance.”

- e. The temporary play area is not enclosed by a fence or other suitable barrier and is located adjacent to a parking lot, creating a potential safety risk for children. This is in contravention of Section 24 of the Institutions Regulation which states: “In every institution and day care facility, indoor and outdoor premises, equipment and facilities shall be of such construction and in such state of repair as to provide for the safe and sanitary operation of the program” and Section 2(1) of the Nuisance and General Sanitation Regulation, which states: “No person shall create, commit or maintain a nuisance.”
- f. Children have access to portions of the playground that are under active construction adjacent to the temporary play area. No barricades or other effective measures are in place to prevent entry into the construction area. This is in contravention of Section 24 of the Institutions Regulation which states: “In every institution and day care facility, indoor and outdoor premises, equipment and facilities shall be of such construction and in such state of repair as to provide for the safe and sanitary operation of the program” and Section 2(1) of the Nuisance and General Sanitation Regulation, which states: “No person shall create, commit or maintain a nuisance.”
- g. A pile of construction materials, including gravel, was observed immediately beside a piece of play equipment within the temporary play area, presenting a potential injury hazard. This is in contravention of Section 24 of the Institutions Regulation which states: “In every institution and day care facility, indoor and outdoor premises, equipment and facilities shall be of such construction and in such state of repair as to provide for the safe and sanitary operation of the program” and Section 2(1) of the Nuisance and General Sanitation Regulation, which states: “No person shall create, commit or maintain a nuisance.”
- h. Slides exceeding 45 cm in height within the temporary play area do not have adequate protective surfacing beneath and around the equipment. This is in contravention of Section 24 of the Institutions Regulation which states: “In every institution and day care facility, indoor and outdoor premises, equipment and facilities shall be of such construction and in such state of repair as to provide for the safe and sanitary operation of the program” and Section 2(1) of the Nuisance and General Sanitation Regulation, which states: “No person shall create, commit or maintain a nuisance.”
- i. A barrel of used cooking oil is stored immediately adjacent to the temporary outdoor play area and is accessible to children. This is in contravention of Section 24 of the Institutions Regulation which states: “In every institution and day care facility, indoor and outdoor premises, equipment and facilities shall be of such construction and in such state of repair as to provide for the safe and sanitary operation of the program” and Section 2(1) of the Nuisance and General Sanitation Regulation, which states: “No person shall create, commit or maintain a nuisance.”
- j. The operator did not notify Alberta Health Services (AHS) before placing the temporary outdoor play area into use. This is in contravention of Section 2(1) of the Nuisance and General Sanitation Regulation, which states: “No person shall create, commit or maintain a nuisance.”

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

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

1. That the Owner immediately cease use of the temporary outdoor play area and the playground that is under construction.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above-noted premises, namely:
 - a. Repair the damaged fence to ensure it is structurally sound and secure.
 - b. Install and maintain impact-attenuating protective surfacing beneath and around all elevated play equipment with play surfaces exceeding 45 cm in height. Documentation demonstrating compliance with applicable impact-attenuation requirements shall be submitted to Alberta Health Services for review.
 - c. Repair and level all depressions, holes, and uneven areas throughout.
 - d. Repair or remove all damaged, deteriorated, or unsafe play structures.
 - e. Install effective barriers to prevent children's access to portions of the playground that are under construction and to adjacent hazards.
 - f. Remove all construction materials, debris, and other hazards from areas accessible to children.
 - g. Notify Alberta Health Services of any proposed changes to the approved facility layout or operational areas, including the use of any temporary outdoor play area, and do not permit children to access or use such areas until they have been assessed by an Executive Officer and determined suitable for their intended use.
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 Calgary, Alberta, September 29th, 2026.

Confirmation of a verbal order issued to Cherrylane Perlas on September 28th, 2026.

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
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>

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Copy: Child Care Licensing Services, GOA

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RE: The Playground located in Calgary, Alberta and municipally described as Achieve Care Incorporated- Playground and Temporary Outdoor Play Area, 8991 Bonaventure Drive SE, Calgary, Alberta

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10101 Southport Road SW Calgary, AB, Canada T2W 3N2

<https://www.ahs.ca/eph>