

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: **2589782 Alberta Inc.**
 "the Owner"

Vaibhav Patel
"the Owner"

RE: The "whirlpool" located in Airdrie, Alberta and municipally described as:
 Days Inn by Wyndham
 121 Edmonton Trail SE, Airdrie, AB T4B 1S2

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. The turnover rate calculated with a flow rate of 60 gallons per minute measured on July 23, 2024, was 32 minutes.
- b. The maintenance staff who was in charge of and maintained the pool daily did not have a pool operator's certificate.
- c. The daily log sheet completed daily with the water chemistry test did not have a column to record the clarity of the water.
- d. The daily log sheet completed daily with the water chemistry test did not have a column to record the drain cover checks completed.
- e. The facility has no written water quality incidence plan onsite.
- f. The facility has no written pool safety and supervision plan onsite.
- g. The facility has no written sanitation plan onsite.
- h. The bather load for the whirlpool was unknown.
- i. The whirlpool rules signage was incomplete, signage did not include that individuals with a history of diarrhea in the past 2 weeks should not use the pool.
- j. The anti-entrapment plan for the whirlpool was incomplete, the plan was missing some information and some information provided in the plan were unclear.
- k. There was no valid pool permit for the whirlpool.

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. The turnover rate calculated with a flow rate of 60 gallons per minute measured on July 23, 2024 was 32 minutes. This is in contravention of Section 3.1 of the Alberta Swimming Pool

Standards July 2014 (Amended January 2018), which states that “A recirculation rate shall be maintained so that an amount of water equivalent to 100 percent of the pool volume passes through treatment and is recirculated within 20 minutes for a whirlpool with a volume of four or more cubic metres.”

- b. The maintenance staff who was in charge of and maintained the pool daily did not have a pool operator’s certificate. This is in contravention of Section 1.1 of the Alberta Swimming Pool Standards July 2014 (Amended January 2018), which states that “The pool operator must be certified by an organization that is on the list of approved pool operator education and upon request provide proof of successful completion in the form of a certificate”.
- c. The daily log sheet completed daily with the water chemistry test did not have a column to record the clarity of the water. This is in contravention of Section 5.1 of the Alberta Swimming Pool Standards July 2014 (Amended January 2018), which states that “The operating records must be maintained to provide information regarding clarity of the water.”
- d. The daily log sheet completed daily with the water chemistry test did not have a column to record the drain cover checks completed. This is in contravention of Section 9.6 of the Alberta Swimming Pool Standards July 2014 (Amended January 2018), which states that “The covers of each submerged suction outlet shall be routinely inspected prior to opening each day and throughout the day when the public pool is in use”.
- e. The facility has no written water quality incidence plan onsite. This is in contravention of Section 12.1 of the Alberta Swimming Pool Standards July 2014 (Amended January 2018), which states that “A water quality incidence response plan appropriate to the pool must be developed and must include steps to be taken when blood, food, chemical, fecal material or vomit contaminate the water”.
- f. The facility has no written pool safety and supervision plan onsite. This is in contravention of Section 10.1 of the Alberta Swimming Pool Standards July 2014 (Amended January 2018), which states that “A pool safety and supervision plan shall be developed and must include rules of bather use, a list of all facility lifesaving equipment, a list of emergency equipment, telephone access, facility safety check procedure and supervision protocols”.
- g. The facility has no written sanitation plan onsite. This is in contravention of Section 13.1 of the Alberta Swimming Pool Standards July 2014 (Amended January 2018), which states that “A general sanitation plan must be developed which list the chemicals used for cleaning and disinfection and specify a routine schedule for adequate cleaning and disinfecting of the walls, floors, decks, showers, washrooms, change rooms and any other areas or equipment in contact with patrons of the pool”.
- h. The bather load for the whirlpool was unknown. This is in contravention of Section 8.1 of the Alberta Swimming Pool Standards July 2014 (Amended January 2018), which states that “The owner or agent must calculate and apply a maximum bather load and when in use the maximum bather load of the public pool must not be exceeded.”
- i. The whirlpool rules signage was incomplete, signage did not include that individuals with a history of diarrhea in the past 2 weeks should not use the pool. This is in contravention of Section 11.1 of the Alberta Swimming Pool Standards July 2014 (Amended January 2018), which states that “Patrons with diarrhea or a history of diarrhea over the previous two weeks should not use the public swimming pool”.
- j. The anti-entrapment plan for the whirlpool was incomplete, the plan was missing some information and some information provided in the plan were unclear. This is in contravention of Section 9.1 of the Alberta Swimming Pool Standards July 2014 (Amended January 2018), which states that “Every owner or owner’s agent must assess anti-entrapment risks, develop and implement an appropriate anti-entrapment plan which meets

the requirements stated in Section 9.0 of the Alberta Swimming Pool Standards July 2014 (Amended January 2018).”

- k. There was no valid pool permit for the whirlpool. This is in contravention of Section 7(1) of the Alberta Public Swimming Pool Regulation 2014 (Amended March 2024), which states that “No person shall operate a pool without a permit issued by the regional health authority”.

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 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. Adjust the flow rate to ensure the turnover rate is within 20 minutes.
 - b. Ensure that the pool operator undertakes an approved pool operator course and provide the proof of certificate or hire a certified pool operator.
 - c. Include a column to the daily log sheets to record daily monitoring of water clarity.
 - d. Include a column to the daily log sheets to record daily checks of the drain covers.
 - e. Develop a written water quality incidence plan.
 - f. Develop a written pool safety and supervision plan.
 - g. Develop a written sanitation plan.
 - h. Calculate the maximum bather load for the whirlpool and post it in an area visible to the patrons.
 - i. Update the signage around the pool to include information for persons experiencing or with a history of diarrhea.
 - j. Develop a complete anti-entrapment plan for the whirlpool acceptable to an Executive Officer with Alberta Health Services.
 - k. Obtain a valid pool permit for the whirlpool.
 - l. Once the pool is ready to reopen, submit a bacteriological water sample to the Provincial laboratory
3. That until such time as the work referred to above is completed and the bacteriological water sample is confirmed to be satisfactory by an Executive Officer with 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 Airdrie, Alberta, July 25, 2024.

Confirmation of a verbal order issued to Vaibhav Patel, owner, on July 25, 2024.

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>

Template revised October 13, 2022