

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

**To:** Nicolas Francineau  
"the owner"

**RE:** The personal services facility located in Banff, Alberta and municipally described as:  
**Gypsy Tiger**  
**305B- 202/204 Bear Street (Bear Street Mall)**  
**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. A designated stainless steel sink is not provided in the room for hand washing or cleaning equipment.
- b. Records are not kept for every client.
- c. Semi-critical items are not being adequately cleaned prior to disinfection.

**AND WHEREAS** such inspection disclosed that the following breaches of the Public Health Act and the Personal Services Regulation, Alberta Regulation 20/2003 exist in and about the above noted premises, namely:

- a. A designated stainless steel sink is not provided in the room for hand washing. This is in contravention of Section 4(1) of the Personal Services Regulation, which states: "A personal service facility in which body piercing, ear piercing, electrolysis, tattooing or aesthetic services are provided must be equipped with a sink that is
  - a) stainless steel,
  - b) supplied with soap and hot air dryers or single service towels in suitable dispensers,
  - c) not in a washroom,
  - d) only used for washing hands or cleaning equipment,
  - e) only used by the staff and clients of the personal service facility, and
  - f) in or readily accessible to the service provision area.
- b. Records are not kept for every client. This is in contravention of Section 8 of the Health Standards and Guidelines for Tattooing, which states: "The operator shall maintain a daily record of names and addresses of clients, name of tattooist and store them for two years. This will assist in the tracing of infectious diseases should they occur".

c. Semi-critical items are not being adequately cleaned prior to disinfection. This is in contravention of Section 8 of the Health Standards and Guidelines for Tattooing, which states: “Prior to sterilization or disinfection, **all items must be cleaned** with detergent and warm water to remove organic matter”.

**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 and cease all advertisement of the tattooing business to the public.
2. That the owner must not offer tattoo services in any facility that does not meet health requirements to operate as a personal service facility, as confirmed by an Executive Officer.
3. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Install a stainless steel sink, equipped with hot and cold water, soap and single-use paper towel that is in or readily accessible to the service provision area. The sink shall not be located in a washroom or used for any other incompatible activity.
  - b. Maintain proper client contact records including client names, contact addresses and phone numbers. Records must be kept onsite for at least two years.
  - c. Complete proper cleaning prior to disinfection of semi-critical tattoo equipment.
4. 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, December 6, 2017.

Confirmation of a verbal order issued to Nicolas Francineau on December 5, 2017.

Kori Woodard, B.Sc., 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, Telus Plaza 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).

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**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 December 13, 2016

Copy Town of Banff

**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)