ORDER OF AN EXECUTIVE OFFICER
NOTICE OF CLOSURE

To:

Northland Properties Corporation
“the owner”

Ashley Moyer
“the owner”

Percial Bautista
“the owner”

RE: The “swimming pool” located in Calgary, Alberta and municipally described as:
Sandman Hotel & Suites Calgary South, 8001 11 Street SE T2H 0B8

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 pH residual in the swimming pool water measured 6.4.
b. Free chlorine residual in the swimming pool water measured 0.13 ppm.
c. Total alkalinity in the swimming pool water measured 20 ppm.
d. The automatic controller reading was not consistent with the manual reading. The pH reading on the automatic controller was 7.2.
e. The automated chemical feeding equipment and/or monitoring equipment was not functioning properly.
f. The assessment to evaluate entrapment risks was not conducted.

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 pH residual in the swimming pool water measured at 6.4. This is in contravention of Sections 4.4, Pool Standards, 2014 (amended 2018), which states that “the pH of the water in a public swimming pool must be maintained at no less than 6.8 and no greater than 7.6.”
b. The free chlorine residual in the swimming pool water measured at 0.13 ppm. This is in contravention of Sections 4.1.1, Pool Standards, 2014 (amended 2018), which states that “The minimum free chlorine residual in a public swimming pool must be maintained as follows: 1.0 milligram per litre in a public swimming pool with an operating water temperature of not greater than 30 degrees Celsius”.

c. The free chlorine residual in the swimming pool water was measured at 0.13 ppm. This is in contravention of Sections 4.5.1, Pool Standards, 2014 (amended 2018), which states that “The total alkalinity of the public swimming pool water must be maintained at no less than 60 milligrams per litre and no greater than 180 milligrams per litre, or at levels where chlorine and pH requirements can be maintained in accordance with Section 4.0 of the Pool Standards”.

d. The automatic controller reading was not consistent with the manual reading. The pH reading on the automatic controller was 7.5. This is in contravention of Sections 15 (1) Public Swimming Pool Regulation, Alberta Regulation 204/2014, which states “A public swimming pool must be equipped with automated chemical feeding and monitoring equipment for pH and chlorine. The equipment referred to in subsection (1) must be maintained in good working condition, and calibrated and manually tested in accordance with the Pool Standards to ensure that it is working properly.”

e. The automated chemical feeding equipment and/or monitoring equipment was not functioning properly. This is in contravention of Sections 15(1) and 15(2) of the Public Swimming Pool Regulation, Alberta Regulation 204/2014, which states “A public swimming pool must be equipped with automated chemical feeding and monitoring equipment for pH and chlorine. The equipment referred to in subsection (1) must be maintained in good working condition, and calibrated and manually tested in accordance with the Pool Standards to ensure that it is working properly.”

f. The assessment to evaluate entrapment risks was not conducted. This is in contravention of section 9 (1) of the Swimming Pool Standards 2014 (amended 2018), which states “every owner or owner’s agent, if any, must assess anti-entrapment risks, develop and implement an appropriate anti-entrapment plan to meet the requirements of this section”.

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. Repair the automated chemical feeding equipment for the swimming pool and ensure that it is consistently maintaining an adequate level of disinfection in the water. Calibrate the automated controller to ensure that the readings are consistent with those found by manual testing.

   b. Chemically balance the swimming pool water.
c. Assess anti-entrapment risks, then develop and implement an appropriate anti-entrapment plan. Provide written documentation to an Executive Officer of Alberta Health Services.

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.


Confirmation of a verbal order issued to Percival Bautista, pool operator, on January 15, 2020.

Katarina Arendas, 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
Order of an Executive Officer – Notice of Closure
RE: The swimming pool located in Calgary, Alberta and municipally described as: 8001 11 Street SE T2H 0B8

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 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.

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 at 780-427-4518 or by visiting: www.health.alberta.ca/about/health-legislation.html

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10101 Southport Road SW, Calgary, AB T2W 3N2
www.albertahealthservices.ca/eph.asp