

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: Rifar Inc.
"the Owner"

Kaylia Vasquez (General Manger)
"the Owner"

RE: The "whirlpool" located in Calgary, Alberta and municipally described as:
Super 8 Shawnessy, 60 Shawville Road SE, T2Y 3S6

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 manual testing showed the free available chlorine to be 0 milligrams per litre.
- b. The automated monitoring system is not providing adequate chlorine levels. According to daily operating records, chlorine has been added manually instead of being added by the automated system.
- c. The automated monitoring system's chemical readings were inconsistent with manual testing. Automated reading for pH was 8.64 and manual testing was 7.26.
- d. The water was cloudy and main drains were not visible.
- e. The hot tub basin is not in good repair and is losing water. Staff has been adding fresh water several times a day to maintain an adequate water level.
- f. The anti-entrapment compliance plan for the whirlpool was incomplete.

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 free available chlorine was inadequate; manual measurement showed the free available chlorine to be 0 milligrams per litre. This is in contravention of Section 4.1.2 of the Pool Standards, July 2014 (Amended January 2018), which states: "The minimum free chlorine residual in a public swimming pool must be maintained at 2.0 milligram per litre in a public swimming pool with an operating water temperature of greater than 30 degrees Celsius".
- b. The automated monitoring system is not providing adequate chlorine levels. According to the daily pool records, chlorine has been added manually instead of being added by the automated feeding system. This is in contravention of section 13 (3) (a) (b) of the Public Swimming Pool Regulation AR204/2014, which states "that the free chlorine residual

referred to in subsection (2) must be achieved using a mechanical feeder that is adjustable, provides a consistent, adequate concentration of disinfectant.”

- c. The automated monitoring system’s chemical readings were inconsistent with manual testing. Automated reading for pH was 8.64 and manual testing was 7.26. This is in contravention of section 15 (1) (2) (a) (b) of the Public Swimming Pool Regulation AR204/2014, 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.”
- d. The hot tub water was cloudy and main drains were not visible. This is in contravention of Section 10 of the Public Swimming Pool Regulation 204/2014 which states: “A pool must be operated and maintained by the owner or the owner’s agent, if any, or the pool operator so that the water it contains is microbiologically, chemically and physically safe for use.
- e. The hot tub basin is not in good repair and is losing water. Staff has been adding fresh water through the day to maintain an adequate water level. This is in contravention of Section 11(a) (iii) of the Public Swimming Pool Regulation 204/2014 which states “In accordance with the Pool Standards, a pool must be maintained so that that the basins and liners must be structurally sound and maintained in good repair.”
- f. The anti-entrapment compliance plan for the whirlpool was incomplete. This is in contravention of Section 9.1 of the Pool Standards, July 2014 (Amended January 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. Maintain the free available chlorine levels in the whirlpool at 2.0 milligrams per litre or greater.
 - b. Repair and/or calibrate the automated monitoring system so it is providing adequate chemicals levels in the whirlpool, and its readings are consistent with manual testing.
 - c. Resolve the water cloudiness in the whirlpool to ensure the pool is physically and chemically safe for use.
 - d. Repair the whirlpool basin so the water level is consistently maintained.

- e. Complete and submit a pool anti-entrapment compliance plan to an Executive Officer with Alberta Health Services for review.
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, October 4, 2024.

Confirmation of a verbal order issued to Martial Logan Mariacci on October 2, 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>

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