

## ORDER OF AN EXECUTIVE OFFICER

**To:** Warren Hart  
"the Owner"

**RE:** Those housing premises located in Ponoka, Alberta and municipally described as:  
5608 51 Street.

**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. There is not a continuous supply of heat provided.
- b. The heating facilities are not providing adequate heat to all habitable rooms with ambient air temperature measured below 22 degrees Celsius.
- c. There are no operational smoke alarms.
- d. Bedroom windows are not equipped with storm panes or other barriers to protect against cold weather during winter months.
- e. Bedroom windows do not open to provide an unobstructed opening of 0.35 square meters (3.8 square feet).

**AND WHEREAS** such inspection disclosed that the following breaches of the Public Health Act and the Housing Regulation, Alberta Regulation 173/99, and the Minimum Housing and Health Standards exist in and about the above noted premises, namely:

- a. There is not a continuous supply of heat provided. This condition is in contravention of Section 8(d) of the Minimum Housing and Health Standards which states that: "Every owner must ensure a continuous supply of electricity, water and heat unless the rental agreement stipulates that such utility services are the sole responsibility of the occupant."
- b. The heating facilities are not providing adequate heat to all habitable rooms with ambient air temperature measured below 22 degrees Celsius. This condition is in contravention of Section 8(a) of the Minimum Housing and Health Standards which states that: "All heating facilities within a housing premises are to be properly installed and maintained in good working condition, and be capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of at least 22°C (71°F), or maintained at a temperature of at least 22°C (71°F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant."
- c. There are no operational smoke alarms. This condition is in contravention of Section 12(a) of the Minimum Housing and Health Standards which states that: "Smoke alarms within dwellings shall be installed between each sleeping area and the remainder of the suite and, where hallways serve the sleeping areas; the smoke alarms shall be installed within the hallway. (a) Smoke alarms shall be operational and in good repair at all times."
- d. Bedroom windows are not equipped with storm panes or other barriers to protect against cold weather during winter months. This condition is in contravention of Section 2(b)(ii) of

the Minimum Housing and Health Standards which states that: "In housing premises intended for use during the winter months, windows in habitable rooms shall protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer."

- e. Bedroom windows do not open to provide an unobstructed opening of 0.35 square meters (3.8 square feet). This condition is in contravention of Section 3(b)(i and ii) of the Minimum Housing and Health Standards which states that: "For buildings of 3 storeys or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge" and "Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15")."

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

1. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Ensure there is a continuous, uninterrupted supply of heat provided.
  - b. Ensure that the heating facilities are continuously capable of providing adequate heat of at least 22 degrees Celsius to all habitable rooms.
  - c. Ensure that there are operational smoke alarms provided at all times.
  - d. Ensure that bedroom windows provide an unobstructed opening of at least 0.35 square meters (3.8 square feet) with no dimension less than 380 millimeters (15 inches) and are equipped with storm panes or other barriers to protect against cold weather during winter months.
2. The work referred to in paragraph 1 shall be completed by:
  - a. Items (a) and (b) by November 7, 2023.
  - b. Item (c) by November 9, 2023.
  - c. Item (d) by January 8, 2024.

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 Ponoka, Alberta, November 7, 2023.

Confirmation of a verbal order issued to Warren Hart on November 7, 2023.

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](mailto: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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