

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: Arden Delidais
Dave Delidais
"the Owners"

RE: The food establishment located in Red Deer County, Alberta and municipally described as: DNA Gardens, NE 24-35-23 W4

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 water well supplying this food facility is situated approximately 42.24 meters from a sewage lagoon, placing it within a 100 meter proximity to the lagoon.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act, the Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003, the Food Regulation, Alberta Regulation 31/2006 and the Food Retail and Foodservices Code exist in and about the above noted premises, namely:

- a. The water well supplying this food facility is situated approximately 42.24 meters from a sewage lagoon, placing it within 100-meter proximity to the lagoon. This is in contravention of section 15(1)(e) of the Nuisance and General Sanitation Regulation which states that: "A person shall not locate a water well that supplies water that is intended or used for human consumption within 100 meters of a sewage lagoon." This is also in contravention of section 17(1)(f)(i) of the Food Regulation which states that: "An operator must ensure that the commercial food establishment is supplied with hot and cold running water that is safe for human consumption and available in quantities sufficient to meet the needs of the food establishment."

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. Disconnect the water well located within 100 meters of the sewage lagoon that is currently supplying the facility.
 - b. Ensure the water well located within 100 meters of the sewage lagoon is not used for human consumption.
 - c. Ensure that the commercial food establishment is supplied with water from an approved source that is safe for human consumption, available in quantities sufficient to meet the needs of the food establishment and in compliance with all applicable legislation and standards.
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 Red Deer, Alberta, October 31, 2025.

Confirmation of a verbal order issued to Arden Delidais on October 31, 2025.

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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