

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: KAGS INVESTMENTS LTD
503350 B.C. LTD.
RP INVESTMENTS LTD.
Ron Randhawa
“the Owner”
Himanshu Kolte
“the Manager”

RE: The “whirlpool” located in City of Fort Saskatchewan, Alberta and municipally described as: Southfort Inn -Whirlpool, 140 Town Crest Road.

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. An expired drain cover H-SO2 -Hayward WG1032BLV was noted on one of the whirlpool main drains. The submerged suction outlet expired on June 1, 2023 as per the documentation provided and therefore is no longer valid according to the manufacturer’s instructions.
- b. The submitted anti-entrapment plan is not in compliance. The current generation outlet cover (H-SO1) does not have an approved maximum flow listing for use on 2” diameter pipe.

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. An expired drain cover H-SO2 -Hayward WG1032BLV was noted on one of the whirlpool main drains. The submerged suction outlet expired on June 1, 2023 as per the documentation provided and therefore is no longer valid according to the manufacturer’s instructions which is in contravention of Section 23(1) of the Public Swimming Pool Regulation (AR 204/2014) which states “a public swimming pool, other than a water spray park, must be equipped with anti-entrapment devices that meet the requirements set out in Pool Standards to prevent the entrapment of patrons on suction outlets” and Section 9.2 of the Pool Standards, July 2014 (amended January 2018), which states “an anti-entrapment device must be installed in accordance with the manufacturer’s specifications and be maintained in good working order when the public swimming pool is in use”.
- b. The submitted anti-entrapment plan is not in compliance. The current generation outlet cover (H-SO1) does not have an approved maximum flow listing for use on 2” diameter

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pipe which is in contravention of Section 9.1 and 9.2 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 “an anti-entrapment device must be installed in accordance with the manufacturer’s specifications and be maintained in good working order when the public swimming pool is in use”.

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. Replace the drain cover (H-SO2) to ensure it meets the requirements of ANSI APSP-16 2011 standards for suction fittings and is installed in accordance with the manufacturer’s specifications.
 - i. Send certificate of compliance for the new main drains covers installed.
 - b. Address the non-compliant issues identified in the anti-entrapment plan:
 - i. Disable the jet pump until the whirlpool meets anti-entrapment compliance.
 - ii. Provide any documentation and proposed repairs and/or changes to the whirlpool to bring it into compliance for review by an Executive Officer of Alberta Health Services.
 - iii. Submit an updated anti-entrapment plan based on repairs/changes to the whirlpool.
3. That until such time as the work referred to in paragraph 2 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 Sherwood Park, Alberta, April 19, 2024.

Confirmation of a verbal order issued to Himanshu Kolte on April 19, 2024.

Executive Officer
Alberta Health Services

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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>

Sherwood Park • Environmental Public Health • Safe Rural Environments

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