

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: 2229875 Alberta Inc.
"the Owner"

Rajesh Parekh
"the Owner"

Raminder Sighat
"the Director"

RE: The "pool" located in Medicine Hat, Alberta and municipally described as:
Flamingo Hotel – Courtyard Pool, 722 Redcliff Drive SW

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. Routine water samples have not been submitted for bacteriological testing since November 2022.
- b. The level of free available chlorine in the pool water was measured at 0.08 ppm.
- c. The automated chemical feeding and monitoring system was not working. The pH displayed on the system controller (8.50) was not consistent with manual test results (7.29).
- d. The flowmeter was not working at the time of the inspection. The float appeared to be stuck at the bottom of the gauge. Turnover rate and rate of filtration could not be determined.
- e. The pool has a single blockable submerged suction outlet (main drain). The single blockable submerged suction outlet (main drain) did not have a suction entrapment prevention system.
- f. The submerged suction outlet (main drain) was not inspected daily with findings recorded.
- g. There was a patch of green algae (approx. 24" x 24") on the basin tiles in the shallow end of the pool.
- h. Written policies, including cleaning schedules, safety plans, and pool water contamination incident response, were not available.
- i. An anti-entrapment plan was not available. Information was not available for the submerged suction outlet (main drain) cover, including installation, sizing, and expiry.

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. Routine water samples have not been submitted for bacteriological testing since November 2022. This is in contravention of section 19(1)(a)(b) of the Public Swimming Pool Regulation AR 204/2014 which states: “A sample of the water in a public swimming pool must be taken and submitted to the Provincial Laboratory of Public Health for microbiological testing in accordance with the Pool Standards every week, or at the intervals set out in a schedule established by the Chief Medical Officer or by an executive officer with the approval of the Chief Medical Officer.”
- b. The level of free available chlorine in the pool water was measured at 0.08 ppm. This is in contravention of Section 4.1.1 of the Swimming Pool Standards July 2014 (Amended January 2018) which states: “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 automated chemical feeding and monitoring system was not working. The pH displayed on the system controller (8.50) was not consistent with manual test results (7.29). This is in contravention of section 15(1)(2)(a)(b) of the Public Swimming Pool Regulation AR 204/2014, which states that: “A public swimming pool must be equipped with automated chemical feeding and monitoring equipment for pH and chlorine, and that the automatic equipment 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 flowmeter was not working at the time of the inspection. The float appeared to be stuck at the bottom of the gauge. Turnover rate and rate of filtration could not be determined. This is in contravention of Section 3.1.1 of the Swimming Pool Standards July 2014 (Amended January 2018) which states: “a recirculation rate shall be maintained so that an amount of water equivalent to 100 percent of the water volume passes through treatment and is recirculated within 6 hours, for a swimming pool constructed before November 2006.”
- e. The pool has a single blockable submerged suction outlet (main drain). The single blockable submerged suction outlet (main drain) did not have a suction entrapment prevention system. This is in contravention of Section 23(1) of the Public Swimming Pool Regulation AR 204/2014, which states that: “A public swimming pool, other than a water spray park, must be equipped with anti-entrapment devices that meet the requirements set out in the Pool Standards to prevent the entrapment of patrons on suction outlets.”
- f. The submerged suction outlet (main drain) was not inspected daily with findings recorded. This is in contravention of Section 9.6.1 of the Swimming Pool Standards July 2014 (Amended January 2018) which states: “the covers of each submerged suction outlet, including equalizer and vacuum outlets, shall be routinely inspected prior to opening each day and throughout the day when the public swimming pool is in use.”
- g. There was a patch of green algae (approx. 24" x 24") on the basin tiles in the shallow end of the pool. This in contravention of Section 11(a)(ii) of the Public Swimming Pools Regulation, AR 204/2014, which states: “a pool must be maintained so that all the surfaces in the public swimming pool premises with which patrons come into contact are maintained in a clean and sanitary condition”
- h. Written policies, including cleaning schedules, safety plans, and pool water contamination incident response, were not available. This is in contravention of Section 24(1) of the Public Swimming Pools Regulation, AR 204/2014, which states: “the owner or the owner’s agent, if any, must develop and maintain written policies and implement plans for those policies in accordance with the Pool Standards respecting (a) safety and supervision of all patrons, (b)

education of all patrons regarding use of the pool, including posting of rules regarding use of the pool, (c) response to water quality issues, including fecal contamination, (d) general sanitation, and (e) any other matters required by an executive officer.”

- i. An anti-entrapment plan was not available. Information was not available for the submerged suction outlet (main drain) cover, including installation, sizing, and expiry. This is in contravention of Section 9.1 of the Swimming 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. Submit water samples to the Provincial Laboratory of Public Health for microbiological testing on a weekly basis.
 - b. Maintain free chlorine at or above 1.0 ppm and maintain other chemical parameters in accordance with the Pool Standards, recording results.
 - c. Ensure the automated chemical feeding and monitoring system is working properly so that pool water is continually disinfected. The system must be maintained, calibrated, and manually tested daily, with readings recorded.
 - d. Ensure the flowmeter is operating properly and installed correctly along the discharge/return side of the pool circulation line downstream from the filter. Any cross-connections that bypass the filter must be disabled. A minimum continuous flow rate of 30 GPM must be achieved so that adequate turnover is maintained for the 11 000 Gallon pool.
 - e. Employ a suction entrapment prevention system, ensuring it is installed and operated in a manner consistent with manufacturer-specific instructions and in accordance with section 9.4 of the Pool Standards.
 - f. Complete daily inspections of the submerged suction outlet (main drain) and record findings.
 - g. Clean the pool basin and treat any residual algae.
 - h. Develop and implement written policies and plans regarding the safety and supervision of all patrons, the education of all patrons using the pool, water quality incident response procedures, and the general sanitation of the pool facility. Submit the plans to an Executive Officer with Environmental Public Health for review.
 - i. Assess the whirlpool for all entrapment risks and develop an anti-entrapment plan with information including installation, sizing, and expiry of submerged suction outlet (main drain). Submit the plan to an Executive Officer with Environmental Public Health 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 Medicine Hat, Alberta, April 18, 2024

Confirmation of a verbal order issued to Amol Shivade and Stacy Crouch on April 11, 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>

Order of an Executive Officer – Notice of Closure

RE: The Pool located in Medicine Hat, Alberta and municipally described as: Flamingo Hotel – Courtyard Pool, 722 Redcliff Drive SW

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Medicine Hat • River Heights Professional Centre • Environmental Public Health

200 – 88 Valleyview Drive SW, Medicine Hat, Alberta, Canada T1A 8N6

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