

## **ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE**

**To:** 1198959 Alberta Ltd.  
"the Owner"

Jarnail Basi  
Azmina Haque  
"the Directors"

**RE:** The "whirlpool" located in Red Deer, Alberta and municipally described as:  
Ramada Inn & Suites – whirlpool, 6853 66 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. The alkalinity was measured at 46 ppm during manual testing.
- b. The combined chlorine was measured at 1.3 ppm during manual testing.
- c. Water chemistry test for combined chlorine were not being completed and recorded daily.
- d. The flow meter was broken. Turnover rate and rate of filtration could not be determined.
- e. Approximately 50% of the collection of water, for the purposes of circulation, was through the skimming devices. A floating weir from one of the skimming outlets was missing and the water level was above the skimming outlets.
- f. The main drain cover is broken.
- g. Inspections of the submerged suction outlets were not being completed and recorded daily.
- h. The pool basin has visible cracks and damage.
- i. The staff member maintaining the whirlpool on a day to day basis has not taken a pool operator course and is not sufficiently qualified.
- j. The water clarity is not recorded on the pool log.
- k. The written policies and plans for pool safety and supervision, patron education and notification, water quality incident response, and general sanitation have not been developed.
- l. An anti-entrapment plan has not been developed.
- m. The posted sign conveying the pool rules 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 alkalinity was measured at 46 ppm during manual testing. This is in contravention of Section 4.5.1 of the Swimming Pool Standards July 2014 (Amended January 2018) which

states: “The total alkalinity of the public swimming pool water must be maintained at no less than 60 milligrams per litre and no greater than 180 milligrams per litre, or at levels where chlorine and pH requirements can be maintained in accordance with Section 4.0 of the Pool Standards.”

- b. The combined chlorine was measured at 1.3 ppm during manual testing. This is in contravention of Section 4.3 of the Swimming Pool Standards July 2014 (Amended January 2018) which states: “The combined chlorine residual in a public swimming pool must be maintained at the lowest level possible to maximize bather comfort.”
- c. Water chemistry tests for combined chlorine were not being completed and recorded daily. This is in contravention of Section 5.2.1 of the Swimming Pool Standards July 2014 (Amended January 2018) which states: “The free chlorine, combined chlorine and pH must be tested manually at least once per day.”
- d. The flow meter was broken. 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. Approximately 50% of the collection of water, for the purposes of circulation, was through the skimming devices. A floating weir from one of the skimming outlets was missing and the water level was above the skimming outlets. This is in contravention of Section 3.2 of the Swimming Pool Standards July 2014 (Amended January 2018) which states: “When a public swimming pool is in use, it must be operated to maximize the flow of the water through the skimming devices.”
- f. The main drain cover is broken which is in contravention of Section 9.6.2 of the Swimming Pool Standards July 2014 (Amended January 2018) which states: “If upon visual inspection the cover of a submerged suction outlet is cracked, broken, improperly secured or missing, the pump shall be immediately shut down and the public swimming pool closed, and only reopened when the cover is repaired or replaced.”
- g. Inspections of the submerged suction outlets were not being completed and recorded daily. 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.”
- h. The pool basin has visible cracks and damage. This is in contravention of Section 11(a)(iii) of the Public Swimming Pools Regulation, AR 204/2014, which states: “a pool must be maintained so that the basins and liners are structurally sound and maintained in good repair.”
- i. The staff member maintaining the whirlpool on a day to day basis has not taken a pool operator course and is not sufficiently qualified. This is in contravention of Section 1.1 of the Swimming Pool Standards July 2014 (Amended January 2018) which states: “the pool operator must be certified by an organization that is on the List of Approved Pool Operator Education Organizations approved by the Minister, and upon request, provide proof of successful completion of the course in the form of a certificate issued by the approved organization.”
- j. The water clarity is not recorded in the pool log. This is in contravention of Section 5.1(e) of the Swimming Pool Standards July 2014 (Amended January 2018) which states: “Operating records must be maintained to provide information regarding clarity of the water.”

- k. The written policies and plans for pool safety and supervision, patron education and notification, water quality incident response, and general sanitation have not been developed. 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.”
- l. An anti-entrapment plan has not been developed. 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.”
- m. The posted sign conveying the pool rules was incomplete. This is in contravention of Section 11.2 of the Swimming Pool Standards July 2014 (Amended January 2018) which states: “except for stand-alone water spray parks, an owner or owner’s agent, if any, must post one or more signs that convey the following rules and safety information for the use of the pool in a size, type and location that may be easily seen by all patrons.”

**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. Chemically balance the whirlpool water and test all required chemical parameters.
  - b. Repair/calibrate the recirculation system to achieve a turnover period of 6 hours or less and operated to maximize the flow of water through the skimming devices.
  - c. Install new drain covers that are compliant with the ANSI/ASPS 16-2011 performance standards.
  - d. Maintain daily records for water chemistry, water clarity and submerged suction outlet inspections.
  - e. Repair the pool basin to provide smooth surfaces in good condition.
  - f. The person maintaining the whirlpool on a day to day basis complete an approved pool operator course. A copy of the certificate must be submitted to an Executive Officer with Environmental Public Health.
  - g. Develop and implement written policies and plans regarding the safety and supervision of all patrons, the education of all patrons using the whirlpool, water quality incident response procedures, and the general sanitation of the whirlpool facility. Submit the plan to an Executive Officer with Environmental Public Health for review.
  - h. Assess the whirlpool for all entrapment risks and develop an anti-entrapment plan. Submit the plan to an Executive Officer with Environmental Public Health for review.
  - i. Update the posted whirlpool rules to include all the signage required in Section 11.2 of the Swimming Pool Standards July 2014 (Amended January 2018).

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, September 27, 2022

Confirmation of a verbal order issued to Vimal Pillay on September 27, 2022.

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 contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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