

ORDER OF AN EXECUTIVE OFFICER

To: Peter Woodman
"the Owner"

RE: Those premises located in Edmonton, Alberta and municipally described as:

03C – 5715 133 Avenue NW Edmonton, Alberta T5A 0K3

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 front door to the suite was significantly damaged and incapable of being secured.
- b. The inside of the suite was significantly damaged. There was standing water present along the floors and carpets of the suite. Visible mold growth was observed along the wall behind the cabinets in the kitchen.
- c. There were signs of a cockroach infestation present at the time of inspection (dead cockroaches were observed within the kitchen cabinets).
- d. There was exposed electrical wiring hanging from the ceiling in the suite.
- e. The plumbing and sewage disposal system within the suite was in disrepair. The Edmonton Police Service (EPS) officer on-site indicated concrete had been poured into the drainage system and had been disrupting drainage from the suite above.

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

- a. The front door to the suite was significantly damaged and incapable of being secured. This is in contravention of Sections 2(1) and 2(2) of the Alberta Nuisance Regulation (AR 243/2003), which state that "No person shall create, commit, or maintain a nuisance.", and furthermore that, "Without limiting the generality of subsection (1), a person who creates, commits or maintains (a) any premises in a condition that (b) any source of a discharge of water or waste, including a street, pool, ditch, gutter, watercourse, sink, cistern, water closet, portable toilet, privy, urinal, cesspool or drain in a condition that (c) any well, spring or other water supply, or any ice supply in a condition that (d) any enclosed space or building in which birds or animals are kept in such a manner or in such numbers that it (e) any accumulation or deposit of offensive matter, waste or manure wherever situated, that (f) any work, trade or business so situated that (g) any emission into the air of any smoke or other aerosol in a quantity or in a manner that (h) any building that, due to (i) its not being in a clean state, (ii) the presence in it of noxious vapours or odours arising from any drain, water closet or urinal, or (iii) lack of ventilation in it sufficient to render harmless any

- gases, vapours, dust or other impurities generated in it, is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.”*
- b. The inside of the suite was significantly damaged. There was standing water present along the floors and carpets of the suite. Visible mold growth was observed along the wall behind the cabinets in the kitchen. This is in contravention of Sections 2(1) and 2(2) of the Alberta Nuisance Regulation (AR 243/2003), which state that *“No person shall create, commit, or maintain a nuisance.”*, and furthermore that, *“Without limiting the generality of subsection (1), a person who creates, commits or maintains (a) any premises in a condition that (b) any source of a discharge of water or waste, including a street, pool, ditch, gutter, watercourse, sink, cistern, water closet, portable toilet, privy, urinal, cesspool or drain in a condition that (c) any well, spring or other water supply, or any ice supply in a condition that (d) any enclosed space or building in which birds or animals are kept in such a manner or in such numbers that it (e) any accumulation or deposit of offensive matter, waste or manure wherever situated, that (f) any work, trade or business so situated that (g) any emission into the air of any smoke or other aerosol in a quantity or in a manner that (h) any building that, due to (i) its not being in a clean state, (ii) the presence in it of noxious vapours or odours arising from any drain, water closet or urinal, or (iii) lack of ventilation in it sufficient to render harmless any gases, vapours, dust or other impurities generated in it, is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.”*
- c. There were signs of a cockroach infestation present at the time of inspection (dead cockroaches were observed within the kitchen cabinets). This is in contravention of Sections 2(1) and 2(2) of the Alberta Nuisance Regulation (AR 243/2003), which state that *“No person shall create, commit, or maintain a nuisance.”*, and furthermore that, *“Without limiting the generality of subsection (1), a person who creates, commits or maintains (a) any premises in a condition that (b) any source of a discharge of water or waste, including a street, pool, ditch, gutter, watercourse, sink, cistern, water closet, portable toilet, privy, urinal, cesspool or drain in a condition that (c) any well, spring or other water supply, or any ice supply in a condition that (d) any enclosed space or building in which birds or animals are kept in such a manner or in such numbers that it (e) any accumulation or deposit of offensive matter, waste or manure wherever situated, that (f) any work, trade or business so situated that (g) any emission into the air of any smoke or other aerosol in a quantity or in a manner that (h) any building that, due to (i) its not being in a clean state, (ii) the presence in it of noxious vapours or odours arising from any drain, water closet or urinal, or (iii) lack of ventilation in it sufficient to render harmless any gases, vapours, dust or other impurities generated in it, is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.”*
- d. There was exposed electrical wiring hanging from the ceiling in the suite. This is in contravention of Sections 2(1) and 2(2) of the Alberta Nuisance Regulation (AR 243/2003), which state that *“No person shall create, commit, or maintain a nuisance.”*, and furthermore that, *“Without limiting the generality of subsection (1), a person who creates, commits or maintains (a) any premises in a condition that (b) any source of a discharge of water or waste, including a street, pool, ditch, gutter, watercourse, sink, cistern, water closet, portable toilet, privy, urinal, cesspool or drain in a condition that (c) any well, spring or other water supply, or any ice supply in a condition that (d) any enclosed space or building in which birds or animals are kept in such a manner or in such numbers that it (e) any accumulation or deposit of offensive matter, waste or manure wherever situated, that (f)*

any work, trade or business so situated that (g) any emission into the air of any smoke or other aerosol in a quantity or in a manner that (h) any building that, due to (i) its not being in a clean state, (ii) the presence in it of noxious vapours or odours arising from any drain, water closet or urinal, or (iii) lack of ventilation in it sufficient to render harmless any gases, vapours, dust or other impurities generated in it, is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.”

- e. The plumbing and sewage disposal system within the suite was in disrepair. The Edmonton Police Service (EPS) officer on-site indicated concrete had been poured into the drainage system and had been disrupting drainage from the suite above. This is in contravention of Sections 2(1) and 2(2) of the Alberta Nuisance Regulation (AR 243/2003), which state that *“No person shall create, commit, or maintain a nuisance.”*, and furthermore that, *“Without limiting the generality of subsection (1), a person who creates, commits or maintains (a) any premises in a condition that (b) any source of a discharge of water or waste, including a street, pool, ditch, gutter, watercourse, sink, cistern, water closet, portable toilet, privy, urinal, cesspool or drain in a condition that (c) any well, spring or other water supply, or any ice supply in a condition that (d) any enclosed space or building in which birds or animals are kept in such a manner or in such numbers that it (e) any accumulation or deposit of offensive matter, waste or manure wherever situated, that (f) any work, trade or business so situated that (g) any emission into the air of any smoke or other aerosol in a quantity or in a manner that (h) any building that, due to (i) its not being in a clean state, (ii) the presence in it of noxious vapours or odours arising from any drain, water closet or urinal, or (iii) lack of ventilation in it sufficient to render harmless any gases, vapours, dust or other impurities generated in it, is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.”*

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. Secure the suite from unauthorized entry.
 - b. Either: hire the services of a licensed pest control company to conduct treatment of the pest infestation present within the suite, or in conjunction with the condominium board of the building (Condominium Corporation No. 752116)/its representatives, arrange for treatment of the pest infestation to be conducted by a licensed pest control company. Regardless, provide a copy of the reports generated by the licensed pest control company to Alberta Health Services Environmental Public Health.
 - c. Secure the electrical wiring and repair the system to prevent anyone from being electrocuted.
 - d. Repair the plumbing system to ensure proper drainage of the sewage and to prevent disruption to the neighboring suites.

2. The work referred to in paragraph 1 shall be completed by June 29, 2023.

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 Edmonton, Alberta, May 29, 2023.
AMENDED at Edmonton, Alberta May 30, 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
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

RE: The premises located in Edmonton, Alberta and municipally described as: 03C – 5715 133 Avenue NW Edmonton, AB T5A 0K3

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