



Step 3 – Roadmap to Reopen

Guidance for Restaurants, Bars and other Food & Drink Establishments

Background & Regulatory Oversight

At 12:01 a.m. on July 16, 2021, Step 3 of the [Roadmap to Reopen Ontario](#) will begin. This is a positive move forward in our collective efforts to control the COVID-19 pandemic, and a welcome change for local businesses. This step comes with significant changes for restaurants, bars, and other similar food premises. Peterborough Public Health has developed this document to serve as a quick reference and educational tool for local restaurants and bars. It does not constitute legal advice. Where there are discrepancies between this document and provincial legislation, the most restrictive requirement applies.

The governing legislation for the Roadmap to Reopen Ontario is the [Reopening Ontario \(A Flexible Response to COVID-19\) Act, 2020](#) and [O. REG. 364/20: RULES FOR AREAS AT STEP 3](#). As the owner, operator or person responsible for a business open to the public, be reminded that it is *your responsibility* to be aware of the requirements pertaining to your business, and ensure compliance with those requirements. In addition to COVID-19 measures, all food premises are reminded that the food safety requirements of [O. REG. 493/17: FOOD PREMISES](#) continue to apply.

General Compliance for all Businesses, Organizations and Facilities

- [Actively screen workers](#) every day before they enter the premise. This must be documented.
- Comply with occupational health and safety legislation for the protection of workers, including taking every reasonable precaution to protect workers from hazards posed by infectious disease.
- Post [passive screening signage](#) for customers and patrons. *Note: where a business/organization requires active screening, such as for restaurants, bars and similar establishments, patrons must be [actively screened](#).*
- Everyone indoors must wear a mask, with limited exemptions. [Signs](#) should be posted as a reminder.
- Workers who consume food or drink must be separated from every other person by:
 - a distance of at least two metres; or
 - plexiglass or some other impermeable barrier.
 - Resources for meal and break periods at work during COVID-19 can be [found here](#).
- Workers who come within two metres of another person who is not wearing a mask must:
 - be separated from the unmasked person by a physical barrier; OR
 - wear personal protective equipment (medical/surgical mask and eye protection).
- Capacity limits for a facility must be posted in a conspicuous location, based upon the specific capacity limit identified in the regulation. If the capacity limit is not specifically stated, then the business is required to limit the number of people in/at the establishment so that a physical distance of at least two metres between each person is maintained.
- Lineups must be managed to ensure that physical distancing (two metres) is maintained between individuals in line and to ensure that anyone lining up indoors, wears a mask or face covering.
- To be considered “outdoors”, an enclosure must have at least two full sides open to the outdoor environment and not substantially blocked by any walls or other impermeable barriers.

Capacity Limits for Restaurants and Bars

- For restaurants, bars and other food and drink establishments providing food and drink only with **no dancing**, the total number of patrons permitted in the establishment (indoors or outdoors) must be:
 - limited to the number that can maintain a physical distance of at least two metres from every other person at the establishment (unless seated together at the same table).
- For restaurants, bars and other food and drink establishments **where dance facilities are provided**, the following capacity limits apply:
 - Indoor establishments: limited to the number of people that can maintain physical distancing of at least two metres from every other person in the establishment, and must not exceed the lesser of 25% of the maximum occupant load of the business or facility (based on the Ontario Fire Code), or 250 persons.
 - Outdoor establishments: limited to the lesser of 75% capacity as calculated below or 5,000 persons.
 - 75% capacity for an outdoor setting is determined by taking the total square metres of area accessible to the public, dividing that number by 1.33, and rounding the result down to the nearest whole number.
- The person responsible for the establishment must **ensure that a sign is posted in a conspicuous location visible to the public that states the capacity limits** under which the establishment is permitted to operate.
 - *Note: the person responsible for the establishment must implement measures to ensure the required capacity limits are not exceeded.*

Screening and Record Keeping

- Active screening of patrons and customers is required for all dine-in patrons (indoors or outdoors) and all patrons attending an establishment where dance facilities are offered. Screening must occur before the individual enters the establishment. Use the [COVID-19 customer screening tool](#), or equivalent.
- As a reminder, workers at all workplaces must be actively screened with the [worker screening tool](#) (or equivalent) prior to entering the workplace. This needs to be appropriately tracked and documented.
- Where individuals are attending an establishment to dine (indoors or outdoors) or remain at the premises to consume food and/or drink, and/or attend dance facilities, the person responsible for the establishment must:
 - record the name and contact information of every patron who enters the facility,
 - maintain the records for a period of at least one month, and
 - disclose records only to a Medical Officer of Health or a Public Health Inspector upon request.
- Active screening and record keeping are not required when a patron only temporarily enters the area to place, pick up or pay for a takeout order. To accommodate these individuals, [passive screening signage](#) must be posted at the entrance to the establishment.
- Active screening and record keeping are not required for establishments requiring all dine-in patrons to order or select their food or drink at a counter, food bar or cafeteria line and pay before receiving their order (e.g. food courts). To accommodate these individuals, [passive screening signage](#) must be posted at the entrance to, or at a visible location near the establishment.

Masks, Face Coverings and Personal Protective Equipment (PPE)

- Masks or face coverings **are required** to be worn by members of the public and workers, while indoors at restaurants, bars and other food and drink establishments, with limited exemptions.
- The requirement to wear a face covering/mask that adequately covers the mouth, nose and chin is a joint responsibility between the individual and the person responsible for the establishment.
 - *Note: At this time, COVID-19 vaccination status does not change the requirement to wear a mask/face covering at an establishment.*
- Masks or face coverings may be removed once a member of the public is seated at a table, in order to consume food and/or drink.
- In establishments where patrons can dance, patrons must wear a face covering, subject to exemptions (such as temporary removal to consume food/drink).
 - *Note: consider restricting food and beverages from areas used for dancing, in order to ensure high compliance with the use of masks/face coverings at the establishment.*
- In the event that a **worker is providing service to an individual indoors, who is not wearing a mask or face covering**, if physical distancing is not maintained and there is no physical barrier (e.g. servers, bartenders, hosts, etc.), the worker must wear appropriate **personal protective equipment (PPE)**, which includes a medical/surgical grade mask and eye protection (goggles, safety glasses or a full face shield).
 - *Note: while the regulation specifies personal protective equipment in certain indoor settings, the same requirements could be extended to workers providing service to an individual who is not masked in an outdoor environment (when there is no physical distancing or physical barrier), as a reasonable precaution under occupational health and safety legislation.*

Additional Public Health Measures for Food and Drink Establishments

- In Step 3, food and drink establishments are permitted to open for indoor and outdoor dining, provided that public health measures are maintained.
- Buffet-style services are permitted to resume.
 - When patrons are attending the buffet to obtain food/beverage, face coverings are required, subject to exemptions.
 - Hand sanitizer should be provided and its use encouraged, prior to patrons handling utensils at the buffet.
 - The person responsible for the establishment must ensure that buffet lineups are managed to ensure that masks/face coverings are worn, and physical distance of at least two metres is maintained between patrons.
 - Shared buffet utensils must be replaced and/or cleaned and disinfected frequently.
- Establishments must be configured so that patrons seated at different tables are separated by:
 - a distance of at least two metres, or
 - plexiglass or some other impermeable barrier.
- Patrons seated together at one table are not required to physically distance.
- Restaurants, bars and other food and drink establishments that provide facilities for dancing must comply with the appropriate section (i.e. Schedule 2, Section 2) of [O. Reg. 364/20](#). If no dance facilities are provided in the establishment, then patrons must not be permitted to dance at the establishment.
 - *Note: to be abundantly clear, a premise must decide for itself whether or not they will be providing/allowing dancing at the establishment. With the decision, the person responsible for the facility must ensure that the appropriate section(s) of the regulation are adhered to.*

- Typical physical distancing requirements between individuals who are not part of the same household continue to apply at facilities for dancing, except when physical distancing cannot be maintained while participating in the activities for which patrons normally frequent the establishment.

Live Entertainment and Performing Arts

- If live entertainment is provided at a restaurant, bar or other food and drink establishment, the person responsible for the establishment must ensure that:
 - the performers maintain a physical distance of at least two metres from any spectators or patrons; or
 - the performers are separated from any spectators or patrons by plexiglass or another impermeable barrier.
- The capacity limits outlined above for restaurants, bars and other food and drink establishments continue to apply.

COVID-19 Safety Plans

- Every business and organization open to the public must develop and implement a [COVID-19 safety plan](#), make it available to anyone, upon request, and have it posted in a conspicuous location.
 - The safety plan must describe screening, physical distancing, masks or face coverings, cleaning and disinfecting of surfaces and objects, the wearing of personal protective equipment and preventing and controlling crowding.
 - For restaurants, bars and other food and drink establishments, the safety plan must include additional details about:
 - the prevention of gatherings and crowds at the premise;
 - how line ups will be managed; and
 - the mitigation of risk associated with interactive activities, exhibits or games.

More Information

For more information related to Step 3 and reopening restaurants, bars and food and drink establishments, we suggest the following resources:

- [Peterborough Public Health – Information for Workplaces Operating During COVID-19](#)
 - Monday to Friday, 8:30 a.m. to 4:30 p.m. – (705) 743-1000
- [Peterborough Public Health – COVID-19 Vaccine Guidance for Employers](#)
- [Workplace Safety and Prevention Services – Health and Safety for the Restaurant Sector, Hosts, Servers, Cooks and Dishwashers during COVID-19](#)
- [COVID-19 in Ontario](#)
 - Stop the Spread Business Information Line – 1-888-444-3659
- [O. Reg. 364/20: Rules for Areas at Step 3](#)