

Instructions from the Medical Officer of Health

Pursuant to Subsection 2 (2.1) of Schedule 1 of O. Reg. 364/20: Rules for Areas at Step 3 and at the Roadmap Exit Step under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*

October 15, 2021

TO: All Persons Responsible for businesses and organizations with indoor facilities located in the City or County of Peterborough where organized sports are played or practiced

RE: Medical Officer of Health Instructions regarding proof of vaccination requirements for persons entering facilities used for sport and recreational fitness activities

The fourth wave of the COVID-19 pandemic has arrived, in Peterborough and across the province,¹ which is being influenced primarily by the delta variant of COVID-19.² The delta variant is more than twice as transmissible than the original SARS-CoV-2 virus, which means it can spread rapidly when the recommended protective measures are not in place.³ One such control measure is vaccination. In a report published by Public Health Ontario, the rate of COVID-19 cases in unvaccinated individuals was consistently higher from December 20, 2020 to August 7, 2021, compared to fully vaccinated individuals.⁴ This information indicates that the unvaccinated population is another factor driving the fourth wave of this pandemic.

Activities related to organized sports have the potential to enhance COVID-19 transmission. There are many examples in the province of Ontario that have occurred already. Specifically, close contact, forceful exhalation, prolonged exposure, crowded indoor spaces and the removal of masks and face coverings during physical activity all contribute to enhanced likelihood of COVID-19 transmission.^{5,6} These risks for enhanced transmission are combined with the risk of increased spread within and between communities, given the arrangement of organized sports teams and their associated travel. Within the last several weeks, our region has had several high-risk COVID-19 exposures associated with organized and team sports, resulting in a significant number of high-risk contacts. Verifying proof of vaccination for persons **12 years and older in the facilities noted above**, in accordance with this Letter of Instruction, will help to protect communities within the area served by Peterborough Public Health and limit the spread of COVID-19.

[Provincial proof of vaccination requirements](#) have exempted certain participants of organized sports, including volunteers, coaches and officials. Volunteers, coaches and officials are necessary for the operation of organized sports. Given that these individuals will have close and prolonged contact with vulnerable youth who are unvaccinated, by way of this Letter of Instruction, I am requiring proof of vaccination for individuals who support indoor organized sports, including recreational fitness activities. In addition, by way of this Letter of Instruction, all participants of organized sports will also need to be fully vaccinated against COVID-19 no later than November 26, 2021, including those participants 12 to 17 years of age, who are currently exempted by the regulation.

These instructions are being provided pursuant to [Subsection 2 \(2.1\) of Schedule 1 of O. Reg. 364/20: Rules for Areas at Step 3 and at the Roadmap Exit Step](#) under the [Reopening Ontario \(A Flexible Response to COVID-19\) Act, 2020, S.O. 2020, c. 17](#) (Reopening Ontario Act), formerly a regulation made under the [Emergency](#)

[Management and Civil Protection Act, R.S.O. 1990, c. E.9](#), and now a continued section 7.0.2 order under the Reopening Ontario Act. As required by regulation, these instructions are issued following consultation with the Office of the Chief Medical Officer of Health. Where this Letter of Instruction imposes an additional requirement not set out in the Reopening Ontario Act or associated regulations, the requirement under this Letter of Instruction must be followed. This letter of instruction will remain in effect until further notice.

I am instructing all persons responsible for businesses and organizations with indoor facilities located in the City or County of Peterborough where organized sports are played or practiced:

1. **Effective 12:01 a.m. on October 18, 2021**, upon entry to the facility, to confirm proof of vaccination or proof of a medical exemption, and personal identification, for all **volunteers, coaches and officials, 12 years of age and older**, in addition to the individuals prescribed by the regulation. This confirmation should be completed in the same manner as if prescribed by [O. Reg. 364/20, Schedule 1, Section 2.1](#), and the [Ministry of Health’s Proof of Vaccination Guidance for Businesses and Organizations under the Reopening Ontario Act](#).
2. **Effective 12:01 a.m. on November 26, 2021**, upon entry to the facility, to confirm proof of vaccination or proof of a medical exemption, and personal identification, for **all persons 12 years of age and older**, including **participants actively engaged** in organized sports. This confirmation should be completed in the same manner as if prescribed by [O. Reg. 364/20, Schedule 1, Section 2.1](#), and the [Ministry of Health’s Proof of Vaccination Guidance for Businesses and Organizations under the Reopening Ontario Act](#).
3. Continue to comply with all other public health measures related to screening, physical distancing, the use of personal protective equipment, and maintaining a log with contact information of every member of the public who enters the facility, as outlined in [O. Reg. 364/20](#).

Regarding instruction number two (2), facilities are being given 6 weeks of notice to ensure that all affected persons are aware of the impending requirement and can become fully vaccinated before this specific instruction takes effect. As these requirements pertain to facilities located within the City or County of Peterborough, any teams or individuals travelling from other jurisdictions to use facilities within the area must be made aware of these instructions, prior to attendance at local facilities, to ensure their compliance.

For the purpose of these instructions, the following definitions apply:

“Facility” means an indoor facility located in the City or County of Peterborough where organized sports are played and/or practiced.

“Fully Vaccinated” is as defined within [Subsection 2.1 \(5\) of Schedule 1 of O. Reg. 364/20: Rules for Areas at Step 3 and at the Roadmap Exit Step](#) made under the [Reopening Ontario \(A Flexible Response to COVID-19\) Act, 2020, S.O.2020, c. 17](#) (the “Reopening Ontario Act”).

“Persons Responsible” means an Owner or Operator of a facility located in the City or County of Peterborough where organized sports are played and/or practiced.

“**Organized Sport**” means sports and recreation including, but not limited to, sports leagues, organized pick-up sports, dance classes, gymnastics, martial arts and swimming classes, or as otherwise described in the Ministry of Health’s [Proof of Vaccination Guidance for Businesses and Organizations under the Reopening Ontario Act](#).

Medical exemption means an exemption confirmed by way of a written document, completed and supplied by a physician or registered nurse in the extended class, that sets out, in accordance with the Ministry of Health’s [Proof of Vaccination Guidance for Businesses and Organizations under the Reopening Ontario Act](#) that the individual is exempt for a medical reason from being fully vaccinated against COVID-19 and the effective time-period for the medical reason. Please note that the reasons for medical exemption are specific and limited.

ENFORCEMENT

These instructions are enforceable in accordance with the Reopening Ontario Act, and will be monitored and enforced by Public Health Inspectors. Failure to comply, by the Person Responsible for the facility may result in charges being laid under the Reopening Ontario Act. If charged under Part I of the [Provincial Offences Act](#), set fine amounts are \$750 for individuals and \$1000 for corporations. Maximum penalties based on prosecution include fines of up to \$100,000 and up to a year in jail for an individual; up to \$500,000 and up to a year in jail for an individual who is a director or officer of a corporation; and up to \$10 million for a corporation.

If you have questions or concerns about these instructions please contact our office at (705) 743-1000, ext. 351. Please note that this Letter of Instruction will be posted on PPH’s website at: www.peterboroughpublichealth.ca/public-health-orders.

Sincerely,

Original signed by

Ian M. Gemmill, BA, MD, CCFP, FCFP, FRCP(C)
Acting Medical Officer of Health

¹ Science Table: COVID-19 Advisory for Ontario. Update on COVID-19 Projections: Science Advisory and Modelling Consensus Tables. September 1, 2021. Retrieved from: https://covid19-sciencetable.ca/wp-content/uploads/2021/09/Update-on-COVID-19-Projections_2021.09.01_English-1.pdf

² Ibid

³ Ibid

⁴ Ontario Agency for Health Protection and Promotion (Public Health Ontario). Confirmed cases of COVID-19 following vaccination in Ontario: December 14, 2020 to August 7, 2021. Toronto, ON: Queen’s Printer for Ontario; 2021. Retrieved from: <https://www.publichealthontario.ca/-/media/documents/ncov/epi/covid-19-epi-confirmed-cases-post-vaccination.pdf?la=en>

⁵ Public Health Ontario. COVID-19 Transmission Through Large Respiratory Droplets and Aerosols... What We Know So Far. May 20, 2021. Retrieved from: <https://www.publichealthontario.ca/-/media/documents/ncov/covid-wwksf/2021/05/wwksf-transmission-respiratory-aerosols.pdf?la=en>

⁶ American Academy of Pediatrics. Youth sports and COVID-19: Understanding the risks. March 1, 2021. Retrieved from: <https://www.healthychildren.org/English/health-issues/conditions/COVID-19/Pages/Youth-Sports-and-COVID-19-Understanding-the-Risks.aspx>, Accessed: September 16, 2021.