

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

ISSUED: December 13, 2021

TO: All Owners, Operators and Persons Responsible for establishments where the primary purpose is the provision of food and/or beverages, including restaurants, bars and meeting and event spaces located in the City of Peterborough and County of Peterborough

RE: Medical Officer of Health Instructions to minimize COVID-19 transmission in food premises (including restaurants, bars and meeting and event spaces)

The geographical region and the Province of Ontario are experiencing increased rates of transmission of COVID-19, primarily as a result of high proportionality of delta and omicron variants of concern.¹ The delta variant is more than twice as transmissible than the original SARS-CoV-2 virus, which means it can spread rapidly when the proper protective measures are not in place.² More worrisome is that “spread of the new Omicron variant will likely drive COVID-19 cases above current projections.”³ “Cases continue to rise substantially, even without Omicron. To flatten the curve, we need to reduce transmission by increasing vaccination and public health measures.”⁴ In jurisdictions in Ontario where omicron has been identified the speed of spread unprecedentedly quick. As of December 13th, a majority of cases of COVID-19 are caused by the omicron variant of concern. Therefore, precautionary measures are needed until a greater proportion of our region has received a 3rd dose of COVID-19 vaccination.

Peterborough Public Health is obligated to [monitor trends both locally and provincially](#) and make decisions accordingly to best protect our community. Looking at the data as of December 6th, 2021 it is clear this has become a pandemic of the unvaccinated:

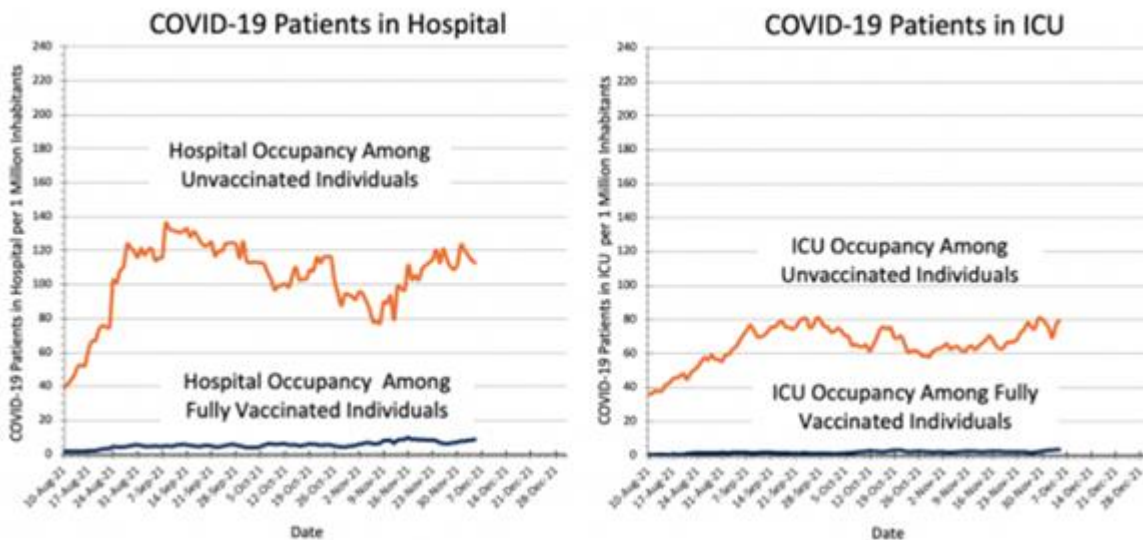


Figure retrieved from:

Jüni P, Maltsev A, Katz GM, Perkhun A, Yan S, Bodmer NS. Ontario dashboard. (2021) *Science Briefs of the Ontario COVID-19 Science Advisory Table*. Retrieved December 9, 2021 from <https://covid19-sciencetable.ca/ontario-dashboard/>

However, fully vaccinated individuals are also at risk of acquiring and transmitting COVID-19, especially with waning immunity, which is why all Ontarians are encouraged to receive booster doses as soon as they become eligible.⁵ The virus can be transmitted through respiratory droplets and aerosols when breathing, coughing, singing, sneezing, etc. These infectious droplets and aerosols can then reach someone through direct contact (droplet) or remain airborne and be inhaled (aerosol), especially in indoor spaces. The more time that is spent in indoor spaces allows for greater airborne spreading of aerosols. Large-scale exposures and outbreaks are once again being experienced in food and drink establishments across the province:

Large-scale exposures and outbreaks are once again being experienced in food and drink establishments across the province:

- [Toronto Public Health links 19 COVID cases back to hotel, restaurant, Scotiabank Arena \(December 12, 2021\)](#)
- [\(COVID-19 outbreak, high-risk exposure at Moonbeam restaurant \(December 7, 2021\)](#)
- [Superspreader event at restaurant leads to 42 positive COVID tests, warnings about new restrictions \(December 6, 2021\)](#)
- [42 people test positive for COVID-19 following birthday party at Kingsville restaurant \(December 3, 2021\)](#)
- [Guests at Kingston, Ont. wedding reception exposed to COVID-19, told to get tested immediately \(November 28, 2021\)](#)
- [Peel Region COVID-19 outbreak traced to Mississauga Convention Centre event, guests need to get tested and isolate: Peel Public Health \(December 13, 2021\)](#)

These instructions are being issued to protect the residents of the City and County of Peterborough, and minimize the spread of COVID-19, specifically the omicron variant of concern, in our region.

Effective at 12:01 a.m. on December 15, 2021, all persons responsible for establishments where the primary purpose is the provision of food and/or beverages, including restaurants, bars, and meeting and event spaces shall comply with the following instructions:

1. Ensure that the maximum number of patrons seated at each table does not exceed ten (10) people.
2. Arrange the premises to ensure that patrons seated at separate tables are distanced by at least two (2) metres, or separated by an impermeable barrier.
3. Allow patrons to consume food and/or beverage only while seated.
4. If buffet-style food service is used, only one table of patrons should be permitted to access the buffet at any given time and patrons must wear their mask at all times when accessing the buffet.
5. Ensure that all serving staff (including waitstaff and bartenders) are provided with, and wear, appropriate personal protective equipment (PPE) when in close proximity to patrons who are eating and/or drinking. PPE includes the following:
 - a. A medical-grade, tightly fitting face mask; and
 - b. Eye protection, such as a face shield or safety glasses.
6. Advise patrons to wear tightly-fitting face masks when they are not actively eating or drinking. This includes when moving throughout the premises or while socializing at their table.

The instructions above are in addition to the regulatory requirements outlined in [O. Reg. 364/20: Rules for Areas at Step 3 and at the Roadmap Exit Step](#). **Be reminded that you must continue to implement the following public health measures:**

1. All workers must be [actively screened](#) before the start of their shift. A recorded attestation that the person passed the screening must be stored for 30 days. You should also keep accurate staff schedules and disclose to Peterborough Public Health, upon request.

2. All patrons must be [actively screened](#) prior to entering your establishment. A recorded attestation that the person passed the screening must be stored onsite for 30 days.
3. Names and contact information [must be recorded for every patron entering your premise](#). This will assist PPH with case and contact management, in the event that there is an exposure to COVID-19 associated with your establishment and may prevent the need for public notification.
4. A [proof of vaccine system](#) is required to be implemented at your establishment by [provincial regulation](#). Every patron must have their [proof of vaccine and identification verified before they enter your facility](#).
5. [Passive screening posters](#) must be posted at all entrances to your building.
6. All areas must be [cleaned and disinfected](#) as frequently as necessary to maintain a sanitary condition
7. [Review your COVID-19 safety plan](#) with your leadership team and share it with your staff. Make any updates as is necessary, and ensure a copy of the plan is posted for both staff and patrons to access.

Additionally, these recommendations should be implemented jointly with the requirements noted above:

1. Meeting/working in well ventilated spaces, while wearing tight fitting masks are two ways to reduce the spread of COVID-19. Where possible, open the windows to increase ventilation. Ensure your HVAC system is operating per manufactures standards and is inspected regularly.
 - [Core Recommendations for Reducing Airborne Infectious Aerosol Exposure](#)
2. Consider enrolling your workplace in the [Rapid Antigen Screening Program](#). Businesses (including non-chamber members) with 150 employees or less can access free screening kits.
3. Peterborough Public Health as issued a [formal recommendation](#) urging workplaces to have COVID-19 vaccination policies. To put it simply, all [staff should be vaccinated](#).

These instructions are enforceable in accordance with the [Reopening Ontario \(A Flexible Response to COVID-19\) Act, 2020](#) ("the ROA), and will be monitored and enforced by Public Health Inspectors. Failure to comply may result in charges being laid in accordance with the ROA and the [Provincial Offences Act, 1990](#). (the POA). If charged under Part I of the POA, set fine amounts are \$750 for individuals and \$1000 for corporations. Maximum penalties based on prosecution under Part I or Part III of the POA 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 or the associated implementation, please contact our office at (705) 743-1000 to speak with a Public Health Inspector (PHI). Be prepared to provide the location of your workplace to be referred to the designated inspector for the area. 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

Dr. Thomas Piggott, MD MSc CCFP FRCPC
Medical Officer of Health and Chief Executive Officer

¹ Jüni P, Maltsev A, Katz GM, Perkhun A, Yan S, Bodmer NS. Ontario dashboard. (2021) *Update on COVID-19 Projections Science Advisory and Modelling Consensus Tables December 7, 2021*. Retrieved December 9, 2021 from https://covid19-sciencetable.ca/wp-content/uploads/2021/12/Update-on-COVID-19-Projections_2021.12.07_English-2.pdf

² Ibid.

³ Ontario Agency for Health Protection and Promotion (Public health Ontario). COVID-19 Variant of Concern Omicron (B.1.1.529): Risk Assessment. Toronto, ON: Queen's Printer for Ontario; 2021. Retrieved, December 13, 2021 from https://www.publichealthontario.ca/-/media/documents/ncov/voc/2021/11/covid-19-omicron-b11529-risk-assessment.pdf?sc_lang=en

⁴ Jüni P, Maltsev A, Katz GM, Perkhun A, Yan S, Bodmer NS. Ontario dashboard. (2021) *Update on COVID-19 Projections Science Advisory and Modelling Consensus Tables December 7, 2021*. Retrieved December 9, 2021 from https://covid19-sciencetable.ca/wp-content/uploads/2021/12/Update-on-COVID-19-Projections_2021.12.07_English-2.pdf

⁵ Ibid.