

**ORDER of the Medical Officer of Health
under Section 22
Health Protection and Promotion Act
R.S.O., 1990 Chapter H. 7**

Cornwall, December 3, 2020

THIS ORDER IS DIRECTED TO THE OWNERS, OPERATORS, OCCUPIERS AND ADMINISTRATORS OF THE CATEGORY 2, CATEGORY 4 AND CATEGORY 5 BUSINESSES DESCRIBED BELOW AND LOCATED IN THE UNITED COUNTIES OF STORMONT, DUNDAS & GLENGARRY; THE UNITED COUNTIES OF PRESCOTT-RUSSELL; AND THE CITY OF CORNWALL (HEREINAFTER COLLECTIVELY “THE BUSINESSES”):

WHEREAS the World Health Organization has declared a public health emergency as a result of the 2019 Novel Coronavirus declared pandemic (“**COVID-19**”);

WHEREAS the Province of Ontario previously declared an emergency pursuant to the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9 as a result of the COVID-19 pandemic, and has continued various orders previously made under that Act by way of the *Reopening Ontario (A Flexible Response to COVID-19) Act*, 2020, c. 17 (the “**Reopening Act**”);

WHEREAS the regulations under the *Reopening Act* set out some rules for the Businesses to operate safely;

WHEREAS the Medical Officer of Health of the Eastern Ontario Health Unit is of the opinion that additional rules for the Businesses to operate safety are required;

WHEREAS the Medical Officer of Health of the Eastern Ontario Health Unit, is of the opinion, upon reasonable and probable grounds, that:

- (a) There is an immediate risk of an outbreak of COVID-19 in the area served by the Eastern Ontario Health Unit;
- (b) COVID-19 presents a risk to the health of persons in the area served by the Eastern Ontario Health Unit; and
- (c) the requirements specified in this Order are necessary in order to decrease or eliminate the risk to health presented by COVID-19;

WHEREAS the *Health Protection and Promotion Act*, R.S.O. 1990, c. H.7 provides that an order may be directed to a class of persons; and

WHEREAS the Medical Officer of Health is of the opinion that delivery of notice of this Order to each member of a class of persons is likely to cause a delay that could significantly increase the risk to the health of any person;

NOW THEREFORE, I, Dr Paul Roumeliotis, Medical Officer of Health of the Eastern Ontario Health Unit, order you to take the following actions effective **11:59PM on November 24, 2020 (amended on December 3, 2020)**:

BUSINESS CATEGORY	BUSINESS DESCRIPTION	ORDER
2	restaurant, bar, food truck, concession stand, and other food or drink establishments or banquet halls	<p><u>Masks or Face Coverings</u></p> <ul style="list-style-type: none"> • Ensure that patrons comply with the requirements to wear masks or face coverings in indoor areas in the manner and under the conditions described in O. Reg. 364. • In outdoor areas including patios, courtyards and parking lots, ensure that patrons (i) maintain a physical distance of at least two meters from others, or (ii) wear a mask or face covering in the manner and under the conditions described in O. Reg. 364 even though this regulation does not apply to outdoor settings. • Employees shall wear a mask or face covering in all areas (indoor or outdoor) in the manner and under the conditions described in O. Reg. 364 even though this regulation does not apply to outdoor settings. <p><u>Ensure Crowd Control:</u></p> <ul style="list-style-type: none"> • If applicable, assign an employee at the front door for crowd and flow control; • If applicable, assign employees to monitor outdoor areas including patios, courtyards and the parking lot; • Stagger the number of people entering the premises or/and the pick-up area at the same time to respect physical distancing; • If applicable, ask clients to not stop in front of the cash register but to circulate to the end of the conveyor belt; • If applicable, design a shopping flow in the whole premises: every aisle in the premises must become a one-way with directions marked with an arrow taped to the floor; • If applicable, reduce the lines and grouping at the cash registers by having clients line up behind 6ft tape markings on the floor and have an employee send clients to cashiers as they become available; and • Place tape with 6ft markers in front of service counters (e.g. meat/deli counters, bakery, customer service, etc.). <p><u>Implement Hygiene/Disinfectant Procedures:</u></p> <ul style="list-style-type: none"> • Provide portable hand washing stations for clients (sink with water, soap and paper towel or 60% alcohol hand sanitizer) at the entrance to the premises; • Provide plexiglass dividers at cashiers or any other service that requires a staff to be close to the client (e.g. deli, customer service, etc.);

- Often disinfect high traffic areas such as door handles, phones, switches, etc.; and
- Either use tapping when paying by card or establish a protocol to sanitize the keypad.

Implement Other Measures:

- Provide signage at the entrance and throughout the premises, and outdoor areas including patios, courtyards and parking lots to remind customer of the importance of physical distancing;
- Remove all loose items at the takeout concessions such as stirring sticks, straws and napkins and have them dispensed only by food handlers;
- If applicable, do not allow the staff to handle used and multiple use shopping bags or any similar items;
- Consider using only 1 cashier for cash payments; and
- Follow the *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1, and its regulations.

Screen and Train your Employees:

- At the beginning of each workday or shift:
 - screen employees for COVID-19 symptoms (see: http://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/workplace_screening_tool_guidance.pdf)
 - employees who are sick or who have any COVID-19 symptoms must be sent home immediately;
- Employees who are sick or who have had any COVID-19 symptoms as outlined above, if not tested for COVID-19, shall not be allowed to return to work until 10 days after onset of symptoms or with written confirmation from a doctor. For individuals who are tested for COVID-19:
 - If they obtain a negative test result, they can return to work provided they have no fever (without use of medication) for 24 hours and their symptoms have been improving for at least 24 hours.
 - If they obtain a positive test result, they can only return to work as directed by public health.
- Offer training to staff:
 - Ensure they wash their hands often with soap and water for at least 20 seconds each time;
 - If they handle money, ensure they wash their hands;
 - If you require that they use gloves, advise them not to touch their face and head; and
 - Remind them to cough or sneeze into the bend of their arm.

		<p><u>Ongoing Obligations:</u></p> <ul style="list-style-type: none"> • No patron may be permitted to line up or congregate outside of the establishment unless they are (i) maintaining a physical distance of at least two meters from others outside the establishment, or (ii) wearing a mask or face covering in the manner and under the conditions described in O. Reg. 364 even though this regulation does not apply to outdoor settings. • Screen (e.g. COVID-19 questionnaire) and record the name and contact information of every patron that enters the establishment (indoor and outdoor), other than patrons who temporarily enter the area to place, pick up or pay for a takeout order; <ul style="list-style-type: none"> ○ maintain the records for a period of at least one month, and ○ only disclose the records to a medical officer of health or an inspector under the <i>Health Protection and Promotion Act</i> on request for a purpose specified in Section 2 of that Act or as otherwise required by law.
4	all other retail establishments where members of the public are served in person (excluding Category 2 businesses as described above)	<p><u>Masks or Face Coverings</u></p> <ul style="list-style-type: none"> • Ensure that patrons comply with the requirements to wear masks or face coverings in indoor areas in the manner and under the conditions described in O. Reg. 364. • In outdoor areas including patios, curbside pickup and parking lots of the establishment (i) maintain a physical distance of at least two meters from others, or (ii) wear a mask or face covering in the manner and under the conditions described in O. Reg. 364 even though this regulation does not apply to outdoor settings. • Employees shall wear a mask or face covering in all areas (indoor or outdoor) in the manner and under the conditions described in O. Reg. 364 even though this regulation does not apply to outdoor settings. <p><u>Ensure Crowd Control:</u></p> <ul style="list-style-type: none"> • If applicable, assign an employee at the front door for crowd and flow control; • If applicable, assign an employees to monitor the outdoor areas including patios, curbside pickup and parking lots; • Stagger the number of people entering the premises at the same time to respect physical distancing; • If applicable, ask clients to not stop in from of the cash register but to circulate to the end of the conveyor belt; • If applicable, design a shopping flow in the whole premises and outdoor areas including patios, curbside pickup and parking lots: every aisle in the premises must become a one-way with directions marked with an arrow taped to the floor; • If applicable, reduce the lines and grouping at the cash registers by having clients line up behind 6ft tape markings on the floor

and have an employee send clients to cashiers as they become available; and

- Place tape with 6ft markers in front of service counters (e.g. meat/deli counters, bakery, customer service, etc.).

Implement Hygiene/Disinfectant Procedures:

- If applicable, sanitize shopping carts and baskets between customers;
- Provide portable hand washing stations for clients (sink with water, soap and paper towel or 60% alcohol hand sanitizer) at the entrance to the premises;
- Provide plexiglass dividers at cashiers or any other service that requires a staff to be close to the client (e.g. deli, customer service, etc.);
- Often disinfect high traffic areas such as door handles, phones, switches, etc.; and
- Either use tapping when paying by card or establish a protocol to sanitize the keypad.

Implement Other Measures:

- Provide signage at the entrance and throughout the premises to remind customer of the importance of physical distancing;
- Remove all loose items at the takeout concessions such as stirring sticks, straws and napkins and have them dispensed only by food handlers;
- If applicable, do not allow the staff to handle used and multiple use shopping bags or any similar items;
- Consider using only 1 cashier for cash payments; and
- Follow the *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1, and its regulations.

Screen and Train your Employees:

- At the beginning of each workday or shift:
 - screen employees for COVID-19 symptoms (see: http://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/workplace_screening_tool_guidance.pdf)
 - employees who are sick or who have any COVID-19 symptoms must be sent home immediately;
- Employees who are sick or who have had any COVID-19 symptoms as outlined above, if not tested for COVID-19, shall not be allowed to return to work until 10 days after onset of symptoms or with written confirmation from a doctor. For individuals who are tested for COVID-19:
 - If they obtain a negative test result, they can return to work provided they have no fever (without use of medication)

		<p>for 24 hours and their symptoms have been improving for at least 24 hours.</p> <ul style="list-style-type: none"> ○ If they obtain a positive test result, they can only return to work as directed by public health. <ul style="list-style-type: none"> ● Offer training to staff: <ul style="list-style-type: none"> ○ Ensure they wash their hands often with soap and water for at least 20 seconds each time; ○ If they handle money, ensure they wash their hands; ○ If you require that they use gloves, advise them not to touch their face and head; and ○ Remind them to cough or sneeze into the bend of their arm. <p><u>Ongoing Obligations:</u></p> <ul style="list-style-type: none"> ● No patron may be permitted to line up or congregate outside of the premises unless they are (i) maintaining a physical distance of at least two meters from others, or (ii) wearing a mask or face covering in the manner and under the conditions described in O. Reg. 364 even though this regulation does not apply to outdoor settings.
5	Recreational water facilities and public pools/spas	<p><u>Masks or Face Coverings</u></p> <ul style="list-style-type: none"> ● Ensure that patrons comply with the requirements to wear masks or face coverings in indoor areas in the manner and under the conditions described in O. Reg. 364. <p><u>Ensure Crowd Control:</u></p> <ul style="list-style-type: none"> ● Provide signage at the entrance and throughout the premises to remind patrons of the importance of physical distancing; ● If applicable, assign employees at the entrance of the facility and outdoor areas for crowd and flow control; and ● Stagger the number of people entering the premises and facilities to respect physical distancing. <p><u>Implement Hygiene/Disinfectant Procedures:</u></p> <ul style="list-style-type: none"> ● All changerooms, locker rooms and lockers must be cleaned and sanitized between each individual use; ● Clean and sanitize the washrooms frequently; ● Provide portable hand washing stations for clients (sink with water, soap and paper towel or 60% alcohol hand sanitizer) at the entrance to the facility; ● Often disinfect high traffic areas such as pool ladders, railings, door handles, phones, switches, etc.; ● Follow the Occupational Health and Safety Act, R.S.O. 1990, c. O.1 and its regulations; and ● Limit the use of cash when possible.

		<p><u>Screen and Train your Employees:</u></p> <ul style="list-style-type: none"> • At the beginning of each workday or shift: <ul style="list-style-type: none"> ○ screen employees for COVID-19 symptoms (see: http://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/workplace_screening_tool_guidance.pdf) ○ employees who are sick or who have any COVID-19 symptoms must be sent home immediately; • Employees who are sick or who have had any COVID-19 symptoms as outlined above, if not tested for COVID-19, shall not be allowed to return to work until 10 days after onset of symptoms or with written confirmation from a doctor. For individuals who are tested for COVID-19: <ul style="list-style-type: none"> ○ If they obtain a negative test result, they can return to work provided they have no fever (without use of medication) for 24 hours and their symptoms have been improving for at least 24 hours. ○ If they obtain a positive test result, they can only return to work as directed by public health. • Offer training to staff: <ul style="list-style-type: none"> ○ Ensure they wash their hands often with soap and water for at least 20 seconds each time; ○ If they handle money, ensure they wash their hands; ○ If you require that they use gloves, advise them not to touch their face and head; and ○ Remind them to cough or sneeze into the bend of their arm. <p><u>Ongoing Obligations:</u></p> <ul style="list-style-type: none"> • No patron may be permitted to line up or congregate outside of the premises unless they are (i) maintaining a physical distance of at least two meters from others, or (ii) wearing a mask or face covering in the manner and under the conditions described in O. Reg. 364 even though this regulation does not apply to outdoor settings. • Screen (e.g. COVID-19 questionnaire) and record the name and contact information of everyone that enters the premises; <ul style="list-style-type: none"> ○ maintain the records for a period of at least one month, and ○ only disclose the records to a medical officer of health or an inspector under the Health Protection and Promotion Act on request for a purpose specified in Section 2 of that Act or as otherwise required by law.
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This Order comes into effect on the date/time indicated above and will remain in effect until further notice.

Every person to whom this Order is directed is entitled to a hearing by the Health Services Review and Appeal Board (the “**Board**”) if the person mails or delivers to the Medical Officer of Health and to the Board, within fifteen days after a copy of the order is served on the person, notice in writing requiring a hearing. Notice to the Medical Officer of Health shall be mailed or delivered to: Dr. Paul Roumeliotis, Eastern Ontario Health Unit, 1000 Pitt Street, Cornwall, Ontario, K6J 5T1. Notice to the Board shall be mailed or delivered to: Health Services Review and Appeal Board, 151 Bloor Street West, 9th Floor, Toronto, Ontario, M5S 2T5 (telephone: 416-327-8512). Be advised that although a hearing may be requested, this Order takes effect immediately.

Inquiries regarding this Order shall be directed to the Eastern Ontario Health Unit at 613-933-1375, ext. 1201, or by fax at 613-938-9707.

Failure to comply with this Order is an offence to which you are liable on conviction to a fine of not more than \$5000.00 for an individual or \$25,000.00 for a corporation for every day or part of a day on which the offence occurs or continues.

Original copy signed by Dr. Paul Roumeliotis.

Dr. Paul Roumeliotis, M.D., C.M., M.P.H., F.R.C.P.(C)
Medical Officer of Health/CEO
Eastern Ontario Health Unit