

**Letter of Instruction
Kingston, Frontenac, and Lennox & Addington Public Health**

MEDICAL OFFICER OF HEALTH

**Made pursuant to Subsection 2 (2.1) of Schedule 1 of Ontario Regulation 364/20:
Rules for Areas at Step 3 and at the Roadmap Exit Step**

DATE: November 24, 2021

TO: All Owners, Operators and Persons Responsible for businesses and organizations with indoor area of facilities used for sports and recreational fitness activities located in the City of Kingston, and counties of Frontenac and Lennox & Addington, where organized sports are played or practiced (hereinafter referred to as the “Owners, Operators and Persons Responsible for Facilities”)

Following consultation with the Office of the Chief Medical Officer of Health, these instructions are being provided pursuant to Subsection 2 (2.1) of Schedule 1 of Ontario Regulation 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*”), formerly a regulation made under the *Emergency Management and Civil Protection Act* and now a continued section 7.0.2 order under the *Reopening Ontario Act*. Where these instructions impose an additional requirement not set out in the *Reopening Ontario Act*, the requirement under these instructions must be followed.

Activities related to organized sports, particularly those that happen indoors, have the potential to facilitate all five risk factors for COVID-19 transmission which include: close contact, closed spaces, crowded places, prolonged exposure, and forceful exhalation. When coupled with the removal of masks during physical activity, the Delta Variant of COVID-19 has made indoor sports and recreation activities some of the most high-risk settings for COVID-19 transmission.

Provincial proof of vaccination requirements do not apply to patrons who are under 18 years of age, and who are entering the premises of a facility used for sports and recreational fitness activities for the purpose of actively participating in organized sport. Although the percentage of people immunized in the KFL&A Public Health region continues to increase everyday, we are currently experiencing a surge in cases. Contributing to the surge in cases are unimmunized individuals.

Given indoor sports and recreation activities are high-risk settings for COVID-19 transmission, proof of vaccination, or a valid medical exemption, is required for participants of organized sports between the ages of 12 and 17.

The following timeline will be given:

Effective **12:01 a.m. on December 06, 2021**, and until further notice unless otherwise specified, I, Dr. Piotr Oglaza, Medical Officer of Health for Kingston, Frontenac, and Lennox & Addington Public Health, instruct Owners, Operators and Persons Responsible for Facilities to:

1. Implement a policy requiring that each person, 12 to 17 years of age, who attends an indoor area of the facility for the purpose of actively participating in organized sports provide proof of vaccination.
1. Effective **12:01 a.m. on December 06, 2021**, require proof of vaccination of first dose COVID-19 vaccine and identification or proof of being entitled to a medical exemption, in the same manner as is prescribed by [Ontario Regulation 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 February 25, 2022** require proof of vaccination of full series COVID-19 vaccine and identification or proof of being entitled to a medical exemption, in the same manner as it prescribed by [Ontario Regulation 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, use of personal protective equipment, and maintaining contact information of every member of the public who enters the facility, as outlined in Ontario Regulation 364/20.

DEFINITIONS

“Identification” means a form of identification with the name of the identification holder and the holders’ date of birth. Photo identification is not required. Additional details can be found in the [Ministry of Health's Proof of Vaccination Guidance for Businesses and Organizations](#)

“Medical Exemption” means an exemption confirmed by a written document, completed and authorized by a physician (designated as “MD”) or by a registered nurse in the extended class (designated as “Registered Nurse (Extended Class)”, “RN(EC)”, “Nurse Practitioner” or “NP”) stating 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. Additional details can be found in the [Ministry of Health's Proof of Vaccination Guidance for Businesses and Organizations](#)

“Organized sport(s)” are defined as sport(s) and recreation activities 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](#)

“Proof of Vaccination” means proof that:

- The full series of a COVID-19 vaccine authorized by Health Canada, or any combination of such vaccines, or
- One or two doses of a COVID-19 vaccine not authorized by Health Canada, followed by one dose of a COVID-19 mRNA vaccine authorized by Health Canada, or
- Three doses of a COVID-19 vaccine not authorized by Health Canada; and
- They received their final dose of the COVID-19 vaccine.

ENFORCEMENT

You are required to comply with the additional measures above, pursuant regulations under the *Reopening Ontario Act* including any successor legislation or regulations. As per the *Reopening Ontario Act*, individuals who do not comply with the above noted requirements may be liable for a fine up to a maximum of \$100,000 and for a term of imprisonment of not more than one year; directors or officers of a corporation who do not comply with the above noted requirements may be liable for a fine up to a maximum of \$500,000 and for a term of imprisonment of not more than one year; and in the case of the corporation, a fine up to a maximum of \$10,000,000.

Inquiries regarding these instructions shall be directed to Kingston, Frontenac, and Lennox & Addington Public Health at 613-549-1232 or COVIDenforcement@kflaph.ca



Dr. Piotr Oglaza
Medical Officer of Health
Kingston, Frontenac, and Lennox & Addington Public Health.