

CLASS ORDER

Kingston, Frontenac, and Lennox & Addington Public Health

MEDICAL OFFICER OF HEALTH

**Made pursuant to section 22 (5.01)
of the Ontario *Health Protection and Promotion Act*, R.S.O. 1990**

DATE: December 13, 2021

TO: All persons in or present in the City of Kingston along with businesses that serve food or alcohol and offer seating associated with their food premises in the City of Kingston:

I, Dr. Piotr Oglaza, Medical Officer of Health for KFL&A Public Health, make the following order, which is effective from 6:00 p.m. on Monday, December 13, 2021 until 11:59 a.m. Monday, December 20, 2021:

No person shall:

1. Host or attend indoor or outdoor social gatherings or an organized public event with more than five (5) persons.

All businesses that serve food and offer seating associated with their food premises shall:

1. Be closed to the public for indoor dining from 10:00 p.m. and 5:00 a.m. Pick up and take out is permitted.
2. Not sell or serve alcohol except between 12:00 p.m. and 9:00 p.m. No consumption of alcohol is permitted in the business or place between the hours of 10:00 p.m. and 12:00 p.m.
3. Ensure all patrons are seated when served. Pick up and take out is exempt from this requirement.
4. Seat not more than four (4) persons to a table.
5. Not allow dancing, singing, or live performances of music. Volume of music must be low enough to allow for normal conversation.

All must comply with the requirements set out under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020* (the "ROA") and the applicable regulations, as well as the requirements under this Order and all other Orders of the local Medical Officer of Health for KFL&A Public Health currently in effect. Where this Order imposes an additional requirement not set out in the ROA, the regulations, or another Order, the requirement under this Order must be followed.

00554989.DOCX:

Kingston, Frontenac and Lennox & Addington Public Health

www.kflaph.ca

Main Office 221 Portsmouth Avenue
Kingston, Ontario K7M 1V5
613-549-1232 | 1-800-267-7875
Fax: 613-549-7896

Branch Offices

Cloyne	613-336-8989	Fax: 613-336-0522
Napanee	613-354-3357	Fax: 613-354-6267
Sharbot Lake	613-279-2151	Fax: 613-279-3997

REASONS FOR THE ORDER

1. An outbreak of COVID-19 virus and variants, including Omicron, exists within the City of Kingston;
2. The COVID-19 outbreak within the City of Kingston presents a significant risk to the health of all persons; and
3. To preserve and protect the capacity of our health care system to respond and provide care for those who need it; and
4. Immediate and mandatory measures, as outlined in this Order, are required to contain further spread of COVID-19 virus and virus variants within and outside of the City of Kingston and to decrease and eliminate any further health risks to those residing in or present in the whole KFL&A community.

I am of the opinion that the delivery of notice to each and every potentially infected or exposed member of the class identified herein is likely to cause a delay that may significantly increase the risk of further infection or exposure to infection to the health of any person within the KFL&A community, so notice shall be provided through the public media, emails, and internet postings on the KFL&A Public Health website: www.kflaph.ca.

NOTICE

You are entitled to a hearing on this matter before the Health Services Appeal and Review Board and may apply for such a hearing upon request to me and to the Health Services Appeal and Review Board, at:

151 Bloor Street West, 9th Floor
Toronto, ON M5S 1S4

This Order takes effect immediately upon delivery and shall continue in effect until either rescinded by the Medical Officer of Health or a decision of the Health Services Appeal and Review Board rescinds or amends the Order.

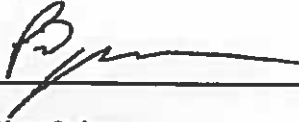
Failure to comply with this Order is an offence for which you may be liable, on conviction, to a fine of not more than \$5,000.00 for every day or part of day on which the offence occurs or continues.

SUMMARY

1. COVID-19 is a disease caused by coronavirus discovered in 2019. The World Health Organization declared COVID-19 a pandemic due to its rapid spread to 212 countries of the world as at the date of this Order.
2. Ongoing studies conducted by research institutions throughout the world concur that the risk of serious disease and death are higher in the elderly population and among people experiencing certain co-morbidities.
3. Due to its highly contagious nature, the virus can spread rapidly among people living, working, or existing in close contact with each other.
4. The virus primarily spreads through contact with respiratory droplets from another person, but can also spread through touching surfaces or objects that have the virus on them.

Definitions

"Food" means food or drink for human consumption, and includes an ingredient of food or drink for human consumption, Health Protection and Promotion Act, RSO 1990, c H.7,
<<https://canlii.ca/v/5567b>> retrieved on 2021-12-13



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All inquiries should be directed to KFL&A Public Health
(613) 549-1232 or (800) 267-7875