

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

Cornwall, December 17, 2020

**THIS ORDER IS DIRECTED TO THE OWNERS AND OPERATORS OF MULTI-DEPARTMENT RETAIL AND GROCERY STORES, INCLUDING BUT NOT LIMITED TO STORES THAT HAVE GROCERY AND PHARMACY DEPARTMENTS LOCATED IN THE UNITED COUNTIES OF STORMONT, DUNDAS & GLENGARRY; THE UNITED COUNTIES OF PRESCOTT-RUSSELL; AND THE CITY OF CORNWALL.**

**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 at 12:01AM on December 19, 2020:**

1. Ensure that a maximum number of patrons are established and clearly marked for **each** department and that departments are staffed to ensure that the total number of patrons permitted per department is respected. Overall store capacity limits must be respected.
2. Signs are posted stating the total number of patrons permitted per department.
3. For clarity, high traffic departments in multi-department stores such as grocery and pharmacy departments must have their own capacity limits.
4. The following additional measures must be implemented:

*Ensure Crowd Control:*

- Ensure that the flow of patrons is enforced and that patrons congregating together or walking against the directions of the arrows are reminded to abide with the rules.
- Calculate the maximum number of patrons permitted in each department or section based on the square footage **available for patrons**, i.e. exclude areas occupied by shelves, cash registers, etc.
- Calculate the maximum number of patrons permitted in each department or section based on the **availability of staff** to control the traffic and ensure that the implemented measures are enforced.
- Control lineups both inside and outside the store to ensure physical distancing of at least 2 meters is maintained and to ensure the total number of patrons in any given department or section is not exceeded because of lined up patrons.

This Order comes into effect on the time/date 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, 9<sup>th</sup> 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