



## **ORDER OF THE PROVINCIAL HEALTH OFFICER**

(Pursuant to Sections 30, 31, 32 and 39 (3) *Public Health Act*, S.B.C. 2008)

### ***GATHERINGS AND EVENTS – June 15, 2021***

The *Public Health Act* is at:

<http://www.bclaws.ca/civix/content/complete/statreg/08028/?xsl=/templates/browse.xsl>

(excerpts enclosed)

- TO: RESIDENTS OF BRITISH COLUMBIA**
- TO: OPERATORS AND OCCUPANTS OF VACATION ACCOMMODATION**
- TO: OWNERS AND OCCUPANTS OF PRIVATE RESIDENCES**
- TO: OWNERS AND OPERATORS OF PLACES**
- TO: PERSONS WHO ORGANIZE EVENTS**
- TO: PERSONS WHO ATTEND EVENTS**
- TO: PERSONS WHO OWN, OPERATE OR ARE PASSENGERS IN PERIMETER SEATING VEHICLES OR PERIMETER SEATING BUSES**
- TO: OWNERS AND CUSTOMERS OF RETAIL BUSINESSES**
- TO: MEDICAL HEALTH OFFICERS**

#### **WHEREAS:**

- A. On March 17, 2020 I provided notice under section 52 (2) of the *Public Health Act* that the transmission of the infectious agent SARS-CoV-2, which has caused cases and outbreaks of a serious communicable disease known as COVID-19 among the population of the Province of British Columbia, constitutes a regional event as defined in section 51 of the *Public Health Act*;
- B. A person infected with SARS-CoV-2 can infect other people with whom the infected person is in contact;

- C. Social interactions and close contact between people are associated with increases in the transmission of SARS-CoV-2, and increases in the number of people who develop COVID-19 and become seriously ill;
- D. People spending time together indoors increases the risk of the transmission of SARS-CoV-2 in the population, thereby increasing the number of people who develop COVID-19 and become seriously ill;
- E. Gatherings and events in private residences and other places continue to pose a risk of promoting the transmission of SARS-CoV-2 and increasing the number of people who develop COVID-19 and become seriously ill;
- F. The Province continues to experience transmission of SARS-CoV-2, and to be at risk of rapid growth in cases of COVID-19 which can result in high levels of cases and increased clusters and outbreaks which, in turn, can increase the incidences of serious disease leading to hospitalizations, intensive care admissions and deaths, thereby putting undue pressure on the health care system to care for people, and on the public health system to carry out contact tracing for the purpose of preventing further transmission;
- G. Virus variants of concern which are more transmissible and have the potential to cause more serious illness, including among younger populations, are present in Canada and the Province, and have heightened the risk to the population.
- H. I recognize the societal effects, including the hardships, which the measures which I have and continue to put in place to protect the health of the population have on many aspects of life, and with this in mind continually engage in a process of reconsideration of these measures, based upon the information and evidence available to me, including infection rates, sources of transmission, the presence of clusters and outbreaks, the number of people in hospital and in intensive care, deaths, the emergence of and risks posed by virus variants of concern, vaccine availability, immunization rates, the vulnerability of particular populations and reports from the rest of Canada and other jurisdictions, with a view to balancing the interests of the public, including constitutionally protected interests, in gatherings and events, against the risk of harm created by gatherings and events;
- I. I further recognize that constitutionally-protected interests include the rights and freedoms guaranteed by the *Canadian Charter of Rights and Freedoms*, including specifically freedom of religion and conscience, freedom of thought, belief, opinion and expression, freedom of peaceful assembly and freedom of association. These freedoms, and the other rights protected by the *Charter*, are not, however, absolute and are subject to reasonable limits, prescribed by law as can be demonstrably justified in a free and democratic society. These limits include proportionate, precautionary and evidence-based restrictions to prevent loss of life, serious illness and disruption of our health system and society. When exercising my powers to protect the health of the public from the risks posed by COVID-19, I am aware of my obligation to choose measures that limit the *Charter* rights and freedoms of British Columbians less intrusively, where this is consistent with public health principles. In consequence, I am not prohibiting outdoor

assemblies for the purpose of communicating a position on a matter of public interest or controversy, subject to my expectation that persons organizing or attending such an assembly will take the steps and put in place the measures recommended in the guidelines posted on my website in order to limit the risk of transmission of COVID-19.

- J. This Order does not apply to the Executive Council, the Legislative Assembly; a council, board, or trust committee of a local authority as defined under the *Community Charter*; the distribution of food or other supplies to people in need; health or social services provided to people in need, such as cooling centres; individual attendance at a place of worship for the purpose of prayer or quiet reflection; health care related events such as immunization clinics, COVID-19 testing centres and blood donation clinics; court sittings wherever they occur; workers at a workplace when engaged in their work activities; workers living at a work camp; students, teachers or instructors at a school, or a post-secondary educational institution when engaged in educational activities; public pools and public skating rinks when not associated with an event; customers in a service business; a volunteer work party engaged in gardening, vegetation removal, trail building or a similar outside activity; the use of any place for local government, provincial or federal election purpose; or a rehabilitation or an exercise therapy program.
- K. For certainty, this Order applies to private residences, vacation accommodation and private clubs and organizations;
- L. I have reason to believe and do believe that
  - (i) the risk of an outbreak of COVID-19 among the public constitutes a health hazard under the *Public Health Act*;
  - (ii) there continues to be a need for public health measures to reduce the risk of the transmission of COVID-19 when people are gathered together which extends beyond the authority of one or more medical health officers;
  - (iii) coordinated action is needed to protect the public from the transmission of COVID-19;
  - (iv) it is in the public interest for me to exercise the powers in sections 30, 31, 32 and 39 (3) of the *Public Health Act* **TO ORDER** as follows:

**THIS ORDER REPEALS AND REPLACES MY ORDER OF JUNE 6, 2021 WITH RESPECT TO GATHERINGS AND EVENTS**

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## **DEFINITIONS:**

**“banquet hall”** means a stand-alone premises built for the purpose of holding large social events, including banquets, generally involving many hundreds of people. It does not include the premises associated with a private club, hotel, house of worship, recreation centre, sports organization or other non-profit organization with a community, educational, historical, sports or similar purpose, or owned or operated or otherwise controlled by a government;

**“episodic market”** includes farmers’ markets and community markets;

**“event”** refers to an in-person gathering of people in any place whether private or public, inside or outside, organized or not, on a one-time, regular or irregular basis, including drive-ins and drive-throughs, such as to see a display or to drop off items; events; meetings and conferences; a gathering in vacation accommodation, a private residence, banquet hall, entertainment arcade or other place; a gathering of passengers; a party; a worship or other religious service ceremony or celebration; a ceremony; a celebration; a reception; a wedding; a baptism; a funeral; a celebration of life; support group meeting; program for children or youth; a critical service meeting not held at a workplace; a meal provided without charge to people in need; occupational related or re-hiring training, health and safety training or first aid training; classes for adults in a recreation centre; a musical, theatrical or dance entertainment or performance; karaoke, a live solo or band musical performance; a disc jockey performance; strip dancing; comedic act; art show; magic show; puppet show; fashion show; book signing; reading; recitation; display, including a seasonal light display; a movie; film; lecture; talk; educational presentation (except in a school or post-secondary educational institution); auction; fund raising benefit; contest; competition; quiz; game; rally; adult rodeo; sport including equestrian event; festival; presentation; demonstration; group sport; indoor group high intensity exercise; indoor group low intensity exercise; exhibition; car show; speciality car event; market or fair, including a trade fair, agricultural fair, episodic market selling food for human consumption, seasonal fair or episodic indoor event that has as its primary purpose the sale of merchandise or services such as a craft market, home show, antique fair and similar activities; and, for certainty, includes a gathering preceding or following another event;

**"face covering"** means either of the following that covers the nose and mouth of a person:

- (a) a medical or non-medical mask;
- (b) a tightly woven fabric;

**“group low intensity exercise”** means two or more individuals from different residences exercising together in a communal space at an intensity that does not result in significantly increased respiration rates following a set exercise routine, often with an instructor or facilitator, including low intensity Barre classes, stretching, Tai-Chi, Pilates, and yoga;

**“health check”** means reviewing the entry requirement and key questions at <https://www.worksafebc.com/en/about-us/covid-19-updates/health-and-safety/health-checks> and which are on the poster at <https://www.worksafebc.com/en/resources/health-safety/posters/help-prevent-spread-covid-19-entry-check-workers?lang=en>;

**“lifecycle event”** means a wedding ceremony, baptism, funeral, medical assistance in dying, and Jewish divorce court proceedings;

**“occupant”** means an individual who occupies vacation accommodation or resides in a private residence;

**“organizer”** means the person responsible for organizing an event and the person who acts as host at an event;

**“owner”** includes an occupier, operator or person otherwise responsible for a place;

**“passenger”** means a person in a perimeter seating vehicle or a perimeter seating bus, other than the driver or a mechanic;

**“patron”** means a person, including a child or youth, who attends or is a participant in an event, including a passenger, an occupant, a person other than an occupant who is present in a private residence or vacation accommodation, a person who attends a worship service, a teacher at an event, a leader or presenter at a meeting, an officiant at a wedding, baptism or funeral, customers of a retail business or at a market, participants in sport or exercise, spectators at sport or exercise, volunteers at an event, vendors, exhibitors, performers and presenters, but does not include a person who organizes or hosts an event, a worship leader at a worship service, event staff or staff in a place subject to the *Food and Liquor Serving Premises* order;

**“perimeter seating”** and **“perimeter seating bus”** have the same meaning as in the Passenger Transportation Regulation made under the *Passenger Transportation Act* [SBC2004] Ch. 39;

**“physical barrier”** means a barrier which is designed, installed and maintained in accordance with WorkSafeBC guidance at <https://www.worksafebc.com/en/resources/health-safety/information-sheets/covid-19-health-safety-designing-effective-barriers?lang=en>;

**“a place”** includes areas both inside and outside, an area open to the public and an area not open to the public, a banquet hall, private residence, vacation accommodation, a perimeter seating vehicle or a perimeter seating bus;

**“post-secondary institution”** in paragraph J. of the recitals includes an entity that provides any of the following programs:

- (a) an educational or training program provided under

- (i) the *College and Institute Act*,
- (ii) the *Royal Roads University Act*,
- (iii) the *Thompson Rivers University Act*,
- (iv) the *University Act*, or
- (v) the *Private Training Act*;

(b) a program provided in accordance with a consent given under the *Degree Authorization Act*;

(c) a theological education or training program provided under an Act;

**“retail business”** means a business that sells retail goods, including a grocery store, clothing store, sporting good store or liquor or cannabis store and includes a department store and the common areas in a mall;

**“school”** in paragraph J. of the recitals means any of the following:

- (a) a school as defined in the *School Act*;
- (b) a francophone school as defined in the *School Act*;
- (c) a Provincial school as defined in the *School Act*;
- (d) an independent school as defined in the *Independent School Act*;
- (e) a school operated on First Nation land by the government of Canada or by a participating First Nation or a Community Education Authority established by one or more participating First Nations under the *First Nations Jurisdiction over Education in British Columbia Act (Canada)*;
- (f) a school operated by the Nisga’a Nation, or a treaty first nation, under its own laws;

**“sport”** means an individual or group sporting activity and includes training and practice;

**“transport”** means for the purpose of conveying a passenger, but does not include conveying a passenger, for the purpose of social interaction, or another type of event in a perimeter seating vehicle or a perimeter seating bus.

**“unencumbered space”** means an area without items in it such as display units, tables, cabinets, shelves, counters, fridges or freezers;

**“unencumbered and usable space”** means an area suitable for exercising in without anything in it other than exercise equipment, exercise mats or other exercise related objects;

**“vacation accommodation”** means a house, townhouse, cottage, cabin, apartment, condominium, mobile home, recreational vehicle, hotel suite, tent, yurt, houseboat or any other type of living accommodation, and any associated deck, garden or yard, that is not the occupant’s primary residence;

**“vendor”** means a person who sells a product or service at an episodic market, and includes the staff of a vendor.

## **A. PRIVATE RESIDENCES AND VACATION ACCOMMODATION**

1. A person who is not an occupant must not be present at a private residence or vacation accommodation, except as provided for in this Part.
2. An occupant must not be present at an event in a private residence or vacation accommodation, if there is a person present who is not an occupant, except as provided for in this Part.
3. An occupant may organize or host, and a person may attend, an event, including a lifecycle event, inside a private residence or vacation accommodation at which either
  - a. the occupants of one other private residence or vacation accommodation, and any event staff, are present in addition to the occupants, or
  - b. up to five people, including any event staff, are present in addition to the occupants.
4. An occupant may organize or host, and a person may attend, an event outside a private residence or vacation accommodation, including on a deck or patio, at which up to fifty people, including any event staff, are present in addition to the occupants, if the following conditions are met:
  - a. hand sanitation supplies are readily available;
  - b. no person who is attending the event and who is not an occupant goes inside, except for the purpose of using the washroom facilities, or the kitchen in the case of event staff.
5. Before hosting or attending an event provided for in section 3 or 4, a person must carry out a health check.
6. A person who has not passed the health check must not host or be present at an event provided for in section 3 or 4.
7. A person must not organize, host or attend an event held inside or outside a private residence or vacation accommodation, except as provided for in this Part.
8. A person who is not an occupant or event staff must not organize or host an event at a private residence or vacation accommodation.



## **B. EVENTS**

1. A person must not permit a place to be used for, organize, provide, host, participate in, or be a spectator at an event, except as provided for in this Order.
2. For certainty, no person may permit a place that is subject to the *Food and Liquor Serving Premises Order* to be used for an event, including private events, except as provided for in this Order.
3. No person may sell or serve liquor at an event after midnight (24:00 hour).
4. If liquor is served at an event
  - a. the obligations under sections 61 (2) of the *Liquor Control and Licensing Act* must be complied with,
  - b. the directives and guidance provided by the Liquor and Cannabis Regulation Branch to ensure that patrons do not over order, overconsume or binge drink must be followed, and
  - c. the authority under section 61 (3) of the *Liquor Control and Licensing Act* must be exercised when appropriate. (see [Liquor and Cannabis Regulation Branch website](#))
5. An event at which liquor is consumed must end by 1:00 AM, and all participants must vacate the place at which the event is held.
6. No person, including a participant, owner, organizer, host, officiant or staff member may consume liquor at an event, or at a place where an event was held, after 1:00 AM.
7. Sections 3 to 6 do not apply to events to which Part A applies.
8. Before hosting, participating in, officiating at or being a spectator at, or for any other reason being present at an event, a person must carry out a health check.
9. A person who has not passed the health check must not be present at an event.

## **C. INSIDE EVENTS TO WHICH NO OTHER PART APPLIES**

1. A person may permit an inside place to be used for, and a person may organize, host, officiate at or attend an inside event, including a lifecycle event, if the following conditions are met:
  - a. no more than fifty persons, including any event staff, or a lesser number who can be accommodated safely as provided for in section 2 are present;
  - b. there is a COVID-19 safety plan;

- c. there is an organizer;
- d. access to the event is controlled;
- e. there is seating available for each participant;
- f. every participant is seated and remains in the same seat;
- g. every participant remains seated, except to obtain food or drink or to use washroom facilities;
- h. when not seated, participants maintain a distance of two metres from one another, unless they reside together;
- i. measures are put in place to prevent the congregation of participants outside the place;
- j. the place is assessed for areas where participants may congregate, and measures are put in place to avoid congregation;
- k. physical devices, markers or other methods are used to guide and assist participants in maintaining a distance of two metres from other participants, if they are not seated;
- l. if there are tables provided for the use of participants, no more than six participants are seated at a table, even if they reside together, and there are at least two metres between the backs of the chairs when occupied at one table, and the backs of the chairs when occupied at another table, unless the chairs are separated by a physical barrier;
- m. if there is a leader, presenter, speaker or musician, there is a physical barrier between them when they are speaking, singing or playing an instrument and the participants which blocks the transmission of droplets, or there is at least a three metre separation between them and the participants;
- n. if there is a self-serve food or drink station,
  - i. hand washing facilities or alcohol-based sanitizers are within easy reach of the station;
  - ii. signs reminding participants to wash or sanitize their hands before touching self-serve food, drink or other items, and to maintain a two metre distance from other participants, are posted at the self-serve station; and
  - iii. high touch surfaces at the station, and utensils that are used for self-serve, are frequently cleaned and sanitized;
- o. hand sanitation supplies are readily available to participants;

- p. washroom facilities with running water, soap and paper towels for hand washing and drying purposes, or hand sanitation supplies, are available;
2. Subject to the maximum number of fifty, the owner of an inside place in which an event is to be held must calculate the maximum number of persons who can be accommodated safely at the event, taking into consideration the requirements of this Part, and must document this number in the COVID-19 safety plan.
  3. The organizer must monitor the number of persons present and ensure that the number of persons present does not exceed the maximum number documented in the COVID-19 safety plan.
  4. The organizer must
    - a. collect the first and last names and telephone number, or email address, of every participant at an event;
    - b. retain this information for thirty days, in case there is a need for contact tracing on the part of the medical health officer, in which case the information must be provided to the medical health officer; and
    - c. destroy the information after thirty days.
  5. A person must not attend an inside event described in section 1 at which the number of persons present is greater than the number permitted under section 2 for the event.
  6. If an event is in a part of an inside place which is completely separated from the rest of the place,
    - a. there may be additional persons present in other parts of the place who are not attending the event, if the total number of persons present in the entire place does not exceed the maximum number of persons permitted in the entire place under the COVID-19 safety plan, and
    - b. participants at an event in one part of a place do not have contact with participants at an event in another part of the place, except to the extent that this is unavoidable in washroom facilities.
  7. If there is more than one premises in an inside place, there may be an event in each of the premises, if the following conditions are met:
    - a. participants at an event do not have contact with participants at an event in another premises in the place, except to the extent that this is unavoidable in washroom facilities; and
    - b. there is a separate entrance and exit for each of the premises in which an event is being held

8. Following an event, and during an appropriate interval of time before another event commences, an owner must ensure that
  - a. the place is cleaned, sanitized and ventilated while there are no participants present;
  - b. there is a sufficient period of time between events to permit a place to be cleaned, sanitized and ventilated without any participants being present; and
  - c. participants leaving one event, do not have contact with participants arriving for a subsequent event.
9. Participants must disperse immediately after an event, and must not congregate with participants who are leaving the event or arriving for a subsequent event.
10. The organizer must ensure that the COVID-19 safety plan is complied with and that the conditions and requirements in this Part are met.
11. If the organizer is not the owner of the inside place in which an event is held, the owner must be satisfied that the organizer is aware of the conditions and requirements in this Part and has the capacity to fulfill them.
12. Participants must not congregate or sing or dance or engage in karaoke at an event, and must comply with the limit on the number of persons permitted at the event which they are attending, and the distancing and other requirements in this Part.
13. Dance floors must be closed with physical barriers or occupied with tables.
14. Despite the provisions of this Part, at an event which is held in a banquet hall, food or drink may be served to seated participants only, and there must not be a food or drink self-service station.
15. A person must not permit a place to be used for, or organize, host, officiate at, or attend an inside event, unless the conditions in this Part are met.

#### **D. OUTSIDE EVENTS TO WHICH NO OTHER PART APPLIES**

1. A person may permit an outside place, to be used for, and a person may organize, host, officiate at or attend, an outside event, including a lifecycle event, with up to fifty persons present, including any event staff, if the following conditions are met
  - a. the event is not open to the public;
  - b. if they are not seated, participants maintain a distance of two metres from one another, unless they reside together;
  - c. if there is a self-serve food or drink station,

- i. hand washing facilities or alcohol-based sanitizers are within easy reach of the station;
  - ii. signs reminding participants to wash or sanitize their hands before touching self-serve food, drink or other items, and to maintain a two metre distance from other participants, are posted at the self-serve station; and
  - iii. high touch surfaces at the station, and utensils that are used for self-serve, are frequently cleaned and sanitized;
  - d. measures are taken to prevent congregation at food or drink stations, and at washroom facilities;
  - e. participants do not congregate at food or drink stations, or at washroom facilities;
  - f. hand sanitation supplies are readily available;
  - g. participants do not move into a fully enclosed structure at the place.
2. A person must not permit a place to be used for, or organize, host, officiate at or attend an event described in section 1, unless the conditions in section 1 are met.

## **E. SPORT**

1. A person may permit an inside place, other than a private residence or vacation accommodation, to be used for, or may organize, provide, or participate in sport in an inside place, if the following conditions are met:
  - a. no more than fifty persons may participate in the sport, including coaches, managers, trainers, and any other persons involved in an official capacity;
  - b. no person is present as a spectator, unless the presence of the person is necessary in order to provide care to a participant.
2. A person must not be present as a spectator at sport in an inside place, unless the presence of the person is necessary in order to provide care to a participant.
3. A person must not permit an inside place be used for, or organize, provide, host, officiate at, or participate in or be a spectator at sport in an inside place, unless the conditions in section 1 are met.
4. A person may permit an outside place, other than a private residence or vacation accommodation, to be used for, or may organize, provide, or participate in sport in an outside place, if the following conditions are met:
  - a. no more than fifty persons participate in the sport, including coaches, managers, trainers, and any other persons involved in an official capacity;

- b. no than fifty spectators are present, and the provisions in Part D are complied with.
5. A person must not permit a place to be used for, or organize, provide, host, officiate at, participate in or be a spectator at sport in an outside place, unless the conditions in section 4 are met.

## **F. EXERCISE**

1. A gym, fitness centre, exercise studio, dance studio, recreation centre, post-secondary institution exercise or gym facility, or other place providing similar services (hereinafter referred to as “exercise”), but not including rehabilitation services provided by a health care provider, may provide the following exercise subject to the provisions of this Part:
  - a. virtual exercise,
  - b. individual exercise inside,
  - c. one on one exercise with a trainer inside,
  - d. low intensity group exercise inside,
  - e. high intensity group exercise inside, or
  - f. individual exercise, one on one exercise with a trainer, or group exercise for up to participants, outside.
2. A person must not permit a place to be used for exercise, except as permitted in section 1.
3. A person must not provide exercise, except as permitted in section 1.
4. A person must not participate in exercise, except as permitted in section 1.
5. A person who provides individual exercise inside, one on one exercise with a trainer inside, low intensity group exercise inside, or high intensity group exercise inside must implement and comply with the Indoor Exercise Requirements, as amended from time to time, posted on my website (<https://www2.gov.bc.ca/gov/content/health/about-bc-s-health-care-system/office-of-the-provincial-health-officer/current-health-topics/covid-19-novel-coronavirus>).
6. A person who participates in individual exercise inside, one on one exercise with a trainer inside, low intensity group exercise inside, or high intensity group exercise inside must comply with the Indoor Exercise Requirements, as amended from time to time, posted on my website (<https://www2.gov.bc.ca/gov/content/health/about-bc-s-health-care-system/office-of-the-provincial-health-officer/current-health-topics/covid-19-novel-coronavirus>).

7. A person who provides individual exercise outside, or one on one exercise with a trainer outside, must comply with the following conditions:
  - a. ensure that a participant maintains a distance of two metres from other participants who are exercising outside;
  - b. ensure that a participant does not congregate with other participants who are exercising outside, before, during or after exercising;
  - c. clean and disinfect shared equipment between each use.
  - d. not permit anyone to be present as a spectator, unless the presence of the person is necessary in order to provide care to a participant.
8. A person who participates in individual exercise outside, or one on one exercise with a trainer outside, must
  - a. maintain a distance of two metres from other participants who are exercising outside,
  - b. not congregate with other persons who are exercising outside, before, during or after exercising.
9. A person who provides outside group exercise must comply with the following conditions:
  - a. Ensure that no more than fifty persons participate in the group exercise, including leaders, trainers, and any other person involved in an official capacity;
  - b. ensure that the participants maintain a distance of two metres from other participants when exercising,
  - c. ensure that the participants do not congregate with other participants, before, during or after exercising.
  - d. clean and disinfect shared equipment between each use
  - e. not permit anyone to be present as a spectator, unless the presence of the person is necessary in order to provide care to a participant.
10. A person who participates in outside group exercise must
  - a. maintain a distance of two metres from other participants, and
  - b. not congregate with other participants, before, during or after exercising.

11. No person who is participating in exercise outside, other than an owner, operator or member of staff, may enter a place at which exercise is provided, except to use washroom facilities.
12. A person must not permit a place to be used for, organize, provide, or participate in exercise inside, unless the conditions which apply to exercise inside in this Part, are met.
13. A person must not permit a place to be used for, organize, provide, or participate in exercise outside, unless the conditions which apply to exercise outside in this Part are met.
14. A person must not be present as a spectator at exercise, either inside or outside, unless the presence of the person is necessary in order to provide care to a participant.

#### **G. DRIVE-THROUGH, DRIVE-IN AND DRIVE-BY EVENTS**

1. A person may permit a place, other than a private residence or vacation accommodation, to be used for, or may provide, a drive-through event, including to view a display or performance, or to drop off or pick up items, including food, toys, books or diplomas.
2. A person may permit a place, other than a private residence or vacation accommodation, to be used for, or may provide, a drive-by event.
3. A person may permit a place, other than a private residence or vacation accommodation, to be used for, or may provide, a drive-in event.
4. A person may participate in a drive- through, drive-by or drive-in event.

#### **H. PERIMETER SEATING VEHICLES AND PERIMETER SEATING BUSES**

1. A person must not operate, or permit to be operated, a perimeter seating vehicle or a perimeter seating bus between the hours of 1:00 AM and 6:00 AM, except for the purpose of maintenance, fueling or a related purpose.
2. A person must not operate, or permit to be operated, a perimeter seating vehicle or a perimeter seating bus between the hours of 6:00 AM and 1:00 AM
  - a. for a purpose other than
    - i. maintenance, fueling or a similar purpose, or
    - ii. transport; or



- iii. with more than six passengers.
- 3. A person must not be a passenger between the hours of 1:00 AM and 6:00 AM.
- 4. A person must not be a passenger between the hours of 6:00 AM and 1:00 AM
  - a. for a purpose other than transport; or
  - b. if there are more than six passengers.

## **I. RETAIL BUSINESSES**

### **In this Part**

“**accommodated safely**” means that in the part of the place to which the public has access, there are five square metres of unencumbered space available for each person present, including patrons and staff members.

1. A person may permit a place other than a residence or vacation accommodation to be used for a retail business to which the public has access, and a person may be present in a retail business, if the following conditions are met:
  - a. The owner must calculate the maximum number of patrons who can be accommodated safely and must document this number in the COVID-19 safety plan;
  - b. Despite section 1. a., if the part of the place to which the public has access consists of less than five square metres of unencumbered space, the maximum number of patrons who can be accommodated safely is one, and the owner must document this number in the COVID-19 safety plan;
  - c. The owner must ensure that the number of patrons present does not exceed the maximum number who can be accommodated safely, as documented in the COVID-19 safety plan;
  - d. A person must not enter a retail business if advised by the owner or a staff member that the person cannot be accommodated safely;
  - e. A patron must leave a retail business if requested to do so by the owner or a staff member, on the basis that the person cannot be accommodated safely;
  - f. An owner must take measures, where practical, such as the placement of two metre distance indicators and the posting or erection of signs, to guide patrons who are waiting to enter a retail business, or waiting for any other purpose inside a retail business, in maintaining a two metre distance from other patrons in order to prevent the congregation of patrons in one spot;

- g. Where practical, an owner must clearly mark entrances and exits and use one- way signage or arrows on the floor to guide patrons in moving in one direction;
  - h. Where practical, an owner must post or erect signs advising patrons to move in one direction, keep moving, maintain a distance of two metres from other patrons, avoid congregation, and avoid congestion at the end of aisles; and
  - i. An owner must make hand sanitation options readily available for patrons.
2. A person must not permit a place to be used, or use a place for, a retail business unless the conditions in this Part are met.
  3. A person must not be present as a patron in a retail business, unless the conditions in this Part are met.

## **J. EPISODIC MARKETS**

### **In this Part**

**“accommodated safely”** means that there are five square metres of unencumbered space available for each person present, including patrons and vendors.

1. A person may permit a place, other than a private residence or vacation accommodation, to be used for, or may manage, an episodic market, subject to the conditions in this part.
2. The owner of an inside place at which an episodic market is to be held must calculate the maximum number of patrons who can be accommodated safely, and must document this number in the COVID-19 safety plan.
3. A person must not enter an inside episodic market if advised by the owner, manager or a staff member that the person cannot be accommodated safely.
4. A person must leave an inside episodic market if advised by the owner, manager or a staff member that the person cannot be accommodated safely.
5. A manager of an inside episodic market must
  - a. monitor the number of patrons present and ensure that the number of patrons present does not exceed the maximum number documented in the COVID-19 safety plan;

- b. take measures, such as the placement of two metre distance indicators, the posting or erection of signs, or the use of arrows or markers on the floor, to guide patrons in maintaining a two metre distance from other patrons when waiting to enter and in areas where line-ups may occur, such as washrooms;
  - c. post or erect signs advising patrons to move in one direction, keep moving, maintain a distance of two metres from other patrons, and not congregate in one spot;
  - d. arrange the placement of vendors' booths two metres apart, or install physical barriers between booths which block the transmission of droplets between vendors;
  - e. arrange the placement of vendors' booths in such a way as to facilitate the movement of patrons in one direction;
  - f. ensure that there is a distance of two metres between vendors and patrons or install physical barriers between vendors and patrons which block the transmission of droplets, or, if neither of the foregoing is practical, require vendors to wear a face covering;
  - g. provide facilities with running water, soap and paper towels for hand washing and drying purposes or provide hand sanitation supplies;
  - h. place hand sanitation supplies in spots that are readily available to patrons and post or erect signs reminding patrons to regularly wash their hands or use hand sanitizer;
  - i. if there are tables with chairs, arrange the tables and chairs so that there are two metres between the patrons seated at one table and the patrons seated at another table;
  - j. post or erect signs advising that there must be no more than six patrons seated at a table;
  - k. ensure that each day a vendor participates in an episodic market the vendor has carried out a health check and confirmed with the manager that the vendor has passed the health check;
  - l. if a manager is not satisfied that a vendor has carried out and passed the daily health check, the manager must not permit the vendor to be present at the episodic market;
6. The manager of an outside episodic market must take steps to avoid the market becoming crowded, and for this purpose must

- a. control the number of patrons present in order to ensure that there is sufficient space available to enable patrons to maintain a distance of two metres from other patrons at all times;
  - b. arrange the layout of the market so as to prevent the congregation of patrons;
  - c. arrange the placement of vendors' booths so that they are two metres apart, or install physical barriers between booths which block the transmission of droplets between vendors;
  - d. arrange the placement of vendors' booths in such a way as to facilitate the movement of patrons in one direction;
  - e. either ensure that there is a distance of two metres between vendors and patrons, or install physical barriers between vendors and patrons which block the transmission of droplets, or, if neither of the foregoing is practical, require vendors to wear a face covering;
  - f. provide facilities with running water, soap and paper towels for hand washing and drying purposes or provide hand sanitation supplies;
  - g. place hand sanitation supplies in spots that are readily available to patrons and post or erect signs reminding patrons to regularly wash their hands or use hand sanitizer;
  - h. if there are picnic tables or tables with chairs, arrange the picnic tables, or the tables and chairs, so that there are two metres between the patrons seated at one table and the patrons seated at another table;
  - i. post or erect signs advising that there must be no more than six patrons seated at a table;
  - j. ensure that each day a vendor participates in an episodic market the vendor has carried out a health check and confirmed with the manager that the vendor has passed the health check;
  - k. if a manager is not satisfied that a vendor has carried out and passed the daily health check, the manager must not permit the vendor to be present at the episodic market;
7. If the manager is not the owner of the place at which an episodic market is held, the owner must be satisfied that the manager is aware of the requirements in the COVID-19 safety plan and section 5 or 6, as applicable, and has the capacity to fulfill them.

8. A vendor at an episodic market may sell food, non-food products, services and personal services.
9. A vendor must do a health check before being present at an episodic market and must confirm with the manager that the vendor has passed the daily health check.
10. A vendor who has not done a health check, or not confirmed with the manager that the vendor has passed a health check, or who has not passed a health check, must not be present at an episodic market.
11. A vendor must either ensure that there is a distance of two metres between the vendor and patrons, or that there is a physical barrier between the vendor and patrons which blocks the transmission of droplets, or, if this is not practical, wear a face covering.
12. A vendor who sells food for human consumption must only sell food prepared at an episodic market in single-use containers or dishes.
13. A vendor who is a manufacturer of liquor with an on-site retail endorsement on their liquor licence, must
  - a. only sell products in sealed retail containers, such as bottles, cartons, boxes and cans.
14. Despite sections 5 (e), 6 (e) and 12, a vendor is not required to wear a face covering if any of the following applies:
  - a. the vendor is unable to put on or remove a face covering without the assistance of another person;
  - b. the vendor is unable to wear a face covering because of
    - i. a psychological, behavioural or health condition, or
    - ii. a physical, cognitive or mental impairment;
  - c. the face covering is removed temporarily for the purpose of identifying the vendor;
  - d. the face covering is removed temporarily to communicate with a person with a disability or diverse ability, where visual cues, facial expressions or lip reading or lip movements are important;
  - e. the vendor is eating or drinking and is not involved in a transaction with a patron.

15. A patron must

- a. comply with sections 3 and 4 and signs, directions or measures intended to promote physical distancing and to prevent congregation;
- b. not sit at a table with more than 5 other patrons.

16. A person must not permit a place to be used for, or use a place for, or be a patron at, an episodic market unless the conditions in this Part are met.

## **K. RELATED MEDICAL HEALTH OFFICERS ORDERS**

Recognizing that the risk differs in different regions of the province and that medical health officers are in the best position to assess local circumstances and to determine whether additional or more restrictive steps need to be taken to reduce the risk of the transmission of COVID-19, **I FURTHER ORDER:**

1. A medical health officer may issue an order further to this Order for the purpose of having the provisions of the order incorporated into this Order. Such an order may add further prohibitions, or impose more restrictive limitations or conditions in the whole or part of the geographic area of the province for which the medical health officer is designated and, subject to section 2, the provisions of the order are incorporated into this Order when posted on my website. For certainty, a contravention of an order of a medical health officer issued further to this Order and posted on my website is a contravention of this Order.
2. While it is in force, a provision in an order made by a medical health officer further to this Order and posted on my website, which adds further prohibitions or imposes more restrictive limitations or requirements than this Order, applies in the whole or part of the geographic area of the province for which the medical health officer is designated, despite the provisions of this Order.

This Order does not have an expiration date.

Pursuant to section 54 (1) (h) of the *Public Health Act*, and in accordance with the emergency powers set out in Part 5 of the *Public Health Act*, I will not be accepting requests for reconsideration of this Order.

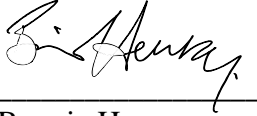
You are required under section 42 of the *Public Health Act* to comply with this Order. Failure to comply with this Order is an offence under section 99 (1) (k) of the *Public Health Act*.

If you fail to comply with this Order, I have the authority to take enforcement action against you under Part 4, Division 6 of the *Public Health Act*.

You may contact me at:

Dr. Bonnie Henry, Provincial Health Officer  
4th Floor, 1515 Blanshard Street  
PO Box 9648 STN PROV GOVT, Victoria BC V8W 9P4  
Fax: (250) 952-1570  
Email: [ProvHlthOffice@gov.bc.ca](mailto:ProvHlthOffice@gov.bc.ca)

DATED THIS 15<sup>th</sup> day of June 2021

SIGNED:   
\_\_\_\_\_  
Bonnie Henry  
MD, MPH, FRCPC  
Provincial Health Officer

DELIVERY BY: Posting to the BC Government the BC Centre for Disease Control websites.

Enclosure: Excerpts of the *Public Health Act*.

## ENCLOSURE

### Excerpts of the *Public Health Act* [SBC 2008] c. 28

#### **Definitions**

**1** In this Act:

**"health hazard"** means

- (a) a condition, a thing or an activity that
  - (i) endangers, or is likely to endanger, public health, or
  - (ii) interferes, or is likely to interfere, with the suppression of infectious agents or hazardous agents, or
- (b) a prescribed condition, thing or activity, including a prescribed condition, thing or activity that
  - (i) is associated with injury or illness, or
  - (ii) fails to meet a prescribed standard in relation to health, injury or illness;

#### **When orders respecting health hazards and contraventions may be made**

**30** (1) A health officer may issue an order under this Division only if the health officer reasonably believes that

- (a) a health hazard exists,
- (b) a condition, a thing or an activity presents a significant risk of causing a health hazard,
- (c) a person has contravened a provision of the Act or a regulation made under it, or
- (d) a person has contravened a term or condition of a licence or permit held by the person under this Act.

(2) For greater certainty, subsection (1) (a) to (c) applies even if the person subject to the order is complying with all terms and conditions of a licence, a permit, an approval or another authorization issued under this or any other enactment.



## **General powers respecting health hazards and contraventions**

**31** (1) If the circumstances described in section 30 [*when orders respecting health hazards and contraventions may be made*] apply, a health officer may order a person to do anything that the health officer reasonably believes is necessary for any of the following purposes:

- (a) to determine whether a health hazard exists;
- (b) to prevent or stop a health hazard, or mitigate the harm or prevent further harm from a health hazard;
- (c) to bring the person into compliance with the Act or a regulation made under it;
- (d) to bring the person into compliance with a term or condition of a licence or permit held by that person under this Act.

(2) A health officer may issue an order under subsection (1) to any of the following persons:

- (a) a person whose action or omission
  - (i) is causing or has caused a health hazard, or
  - (ii) is not in compliance with the Act or a regulation made under it, or a term or condition of the person's licence or permit;
- (b) a person who has custody or control of a thing, or control of a condition, that
  - (i) is a health hazard or is causing or has caused a health hazard, or
  - (ii) is not in compliance with the Act or a regulation made under it, or a term or condition of the person's licence or permit;
- (c) the owner or occupier of a place where
  - (i) a health hazard is located, or
  - (ii) an activity is occurring that is not in compliance with the Act or a regulation made under it, or a term or condition of the licence or permit of the person doing the activity.

## Specific powers respecting health hazards and contraventions

**32** (1) An order may be made under this section only

(a) if the circumstances described in section 30 [*when orders respecting health hazards and contraventions may be made*] apply, and

(b) for the purposes set out in section 31 (1) [*general powers respecting health hazards and contraventions*].

(2) Without limiting section 31, a health officer may order a person to do one or more of the following:

(a) have a thing examined, disinfected, decontaminated, altered or destroyed, including

(i) by a specified person, or under the supervision or instructions of a specified person,

(ii) moving the thing to a specified place, and

(iii) taking samples of the thing, or permitting samples of the thing to be taken;

(b) in respect of a place,

(i) leave the place,

(ii) not enter the place,

(iii) do specific work, including removing or altering things found in the place, and altering or locking the place to restrict or prevent entry to the place,

(iv) neither deal with a thing in or on the place nor dispose of a thing from the place, or deal with or dispose of the thing only in accordance with a specified procedure, and

(v) if the person has control of the place, assist in evacuating the place or examining persons found in the place, or taking preventive measures in respect of the place or persons found in the place;

(c) stop operating, or not operate, a thing;

(d) keep a thing in a specified place or in accordance with a specified procedure;

- (e) prevent persons from accessing a thing;
- (f) not dispose of, alter or destroy a thing, or dispose of, alter or destroy a thing only in accordance with a specified procedure;
- (g) provide to the health officer or a specified person information, records, samples or other matters relevant to a thing's possible infection with an infectious agent or contamination with a hazardous agent, including information respecting persons who may have been exposed to an infectious agent or hazardous agent by the thing;
- (h) wear a type of clothing or personal protective equipment, or change, remove or alter clothing or personal protective equipment, to protect the health and safety of persons;
- (i) use a type of equipment or implement a process, or remove equipment or alter equipment or processes, to protect the health and safety of persons;
- (j) provide evidence of complying with the order, including
  - (i) getting a certificate of compliance from a medical practitioner, nurse practitioner or specified person, and
  - (ii) providing to a health officer any relevant record;
- (k) take a prescribed action.

(3) If a health officer orders a thing to be destroyed, the health officer must give the person having custody or control of the thing reasonable time to request reconsideration and review of the order under sections 43 and 44 unless

- (a) the person consents in writing to the destruction of the thing, or
- (b) Part 5 [*Emergency Powers*] applies.

### **Contents of orders**

**39** (3) An order may be made in respect of a class of persons.

### **Duty to comply with orders**

**42** (1) A person named or described in an order made under this Part must comply with the order.

(2) Subsection (1) applies regardless of whether the person leaves the geographic area for which the health officer who made the order is designated.

### **General emergency powers**

**54** (1) A health officer may, in an emergency, do one or more of the following:

(h) not reconsider an order under section 43 [reconsideration of orders], not review an order under section 44 [review of orders] or not reassess an order under section 45 [mandatory reassessment of orders];

(2) An order that may be made under this Part may be made in respect of a class of persons or things, and may make different requirements for different persons or things or classes of persons or things or for different geographic areas.

### **Offences**

**99** (1) A person who contravenes any of the following provisions commits an offence:

(k) section 42 [*failure to comply with an order of a health officer*], except in respect of an order made under section 29 (2) (e) to (g) [*orders respecting examinations, diagnostic examinations or preventive measures*];