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October 19, 2021

## BULLETIN

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### **GATHERING AND EVENTS COVID ORDER FOR THE EASTERN NORTHERN HEALTH AUTHORITY**

On October 15, the Chief Medical Health Officer for the Northern Health Authority issued a second Order under the Public Health Act of BC concerning Gatherings and Events in the Northern Health Authority (the “October Northern Health Order”). In an earlier bulletin we summarized a Northern Health Order effective September 7, 2021 (the “September Northern Health Order”). The October Northern Health Order applies to the Local Health Areas east of Kitwanga: Peace River, Prince George, Quesnel, Smithers, Upper Skeena, Burns Lake, Nechako, and Fort Nelson. The September Northern Health Area remains in effect in Local Health Areas west of Kitwanga: Terrace, Kitimat, Haida Gwaii, Prince Rupert, Stikine, Telegraph Creek, Snow Country, and Nisga’a. The Local Health Areas west of Kitwanga have higher COVID vaccination rates and are not seeing the same high rates of COVID infection as the eastern part of Northern BC, so the new restrictions do not apply there.

We previously published a client bulletin on the Provincial Health Officer’s Order regarding Gatherings and Events (the “Provincial Order”). Where the October Northern Health Order and the Provincial Health Order conflict, the provisions of the October Northern Health Order govern.

The October Northern Health Order states that it does not apply to a council, board or trust committee of a local authority as defined in the *Community Charter* or the *Local Government Act* when holding a meeting or public hearing without members of the public attending in person. It also does not apply to various listed activities, including the use of any place for local, provincial, or federal government purposes; services provided by or on behalf of any level of government; public pools and public skating rinks when not associated with an event; farmers markets; health care events; court sittings; health or social services provided to people in need; or any rehabilitation or exercise therapy program. The Order also does not apply to workers at a workplace when engaged in work activities, or workers living at a work camp.

The Order includes the following parts:

1. Definitions
2. Private Residences and Vacation Accommodation
3. Inside Events
4. Outside Events
5. Flow Through Events
6. Sports

7. Worship Services
8. Restaurants, Coffee shops, Bars, etc.

### Definitions

An “event” is defined as an in-person gathering of people in any place whether public or private, inside or outside, organized or not, on a one-time, regular or irregular basis. A “place” includes inside and outside areas. These definitions are extremely broad and would include any gathering of any sort that was not explicitly excluded in the preamble.

“Sport” includes individual or group sporting activity, training and practice, but does not include sport for children or youth, varsity sports, or high-performance athlete sport. “Sport for children or youth” means an activity which is delivered by a provincial or local sport organization and may include participants under 22 years of age.

A “lifecycle event” is a wedding, baptism, funeral, medical assistance in dying, or Jewish divorce court proceedings.

### Private Residences and Vacation Accommodation

The Northern Health Order permits events to be held inside a private residence or vacation accommodation only if everyone over age 11 is vaccinated; there are no more than the occupants of one other private residence or vacation accommodation, or a maximum of five people including staff, are present in addition to the occupants; and everyone wears a mask, stays two meters apart, or is separated by a physical barrier.

It allows events to be held outside, on a deck or patio, for up to 25 people, including staff, if hand sanitizer is available; everyone over age 11 is vaccinated; and no one goes inside except to use the washroom (or the kitchen, if staff).

Owners are liable for ensuring tenants or guests comply with these requirements.

### Inside Events

The October Northern Health Order states that no person can host, organize, participate in, or permit a place to be used for, an inside event (that is not a flow through event), unless all patrons over age 11 are fully vaccinated and proof of vaccination (as per the Provincial Order) is provided and obtained. Until October 24, proof of one dose of vaccine is acceptable.

For an inside event, including lifecycle events, the following restrictions apply:

- No more than 50 persons excluding event staff are present;
- There must be a COVID safety plan and an organizer;
- Measures must be in place to prevent congregating outside the event;

- Participants who are not seated are guided by physical devices to stay two meters apart;
- For snack or drink stations, there is hand washing or sanitizers and signs reminding participants to wash or sanitize their hands and stay two meters apart, and high touch surfaces are frequently cleaned and sanitized; and
- Hand sanitation supplies and washroom facilities with running water, soap and paper towels are available.

The organizer is responsible for calculating the capacity limit, including it in the safety plan, and monitoring guests to ensure it is not exceeded.

The organizer must collect contact information for tracing, retain it for 30 days, and then destroy it.

Events can be held in more than one part of a place, if they are completely separated, and the total number of persons present does not exceed maximum allowed in the COVID safety plan. Each event must have separate entrances and exits, and participants cannot meet unless it is unavoidable to attend the washroom.

There can be no dance floors or dancing.

Patrons must disperse immediately after an event.

After an event, the place must be cleaned, sanitized and ventilated before another event starts.

### Outside Events

No person can host, organize, participate in, or permit a place to be used for, an outside event (other than a flow through event), unless all patrons over age 11 are fully vaccinated and proof of vaccination (as per the Provincial Order) is provided and obtained. Until October 24, proof of one dose of vaccine is acceptable.

An outside event, including a lifecycle event, can have up to 100 persons present, excluding staff, so long as the following conditions are met:

- There must be a COVID safety plan and an organizer;
- Measures must be in place to prevent congregating outside the event;
- Participants who are not seated must stay two meters apart unless they live together;
- For snack or drink stations, there is hand washing or sanitizers and signs reminding participants to wash or sanitize their hands and stay two meters apart, and high touch surfaces are frequently cleaned and sanitized;
- Participants don't congregate at food stations or washroom facilities;
- Patrons don't move into a fully enclosed structure; and

- Hand sanitation supplies are available.

### Flow Through Events

Flow through events are events where patrons move continually through the event over a short period of time, only interacting with vendors, including markets, trade shows, or car shows.

Flow through events require a COVID safety plan. Indoor events are limited to 50% of the venue capacity, not including vendors or volunteers.

Vendors must sanitize their booth or display every two hours. Common surfaces must be sanitized every two hours.

Vendors and patrons must wear masks at indoor flow through events and masks are highly recommended at outdoor flow through events.

### Sports

Persons may participate in, host, organize, or permit a place to be used for sport so long all participants age 22 and over are fully vaccinated (until October 24, one dose is sufficient). Proof of vaccination as per the Provincial Order must be provided and obtained. No more than 50% spectator capacity is permitted, and there must be a COVID safety plan.

There are no capacity limits for the number of persons who may participate in a sports event for children or youth, varsity sports, or high-performance athletes' events.

### Worship Services

Patrons may individually attend a place of worship for prayer or quiet reflection.

A place of worship cannot be used for a worship service, inside or outside.

### Restaurants, Bars, etc

Proof of vaccination is required at all premises unless patrons are inside only to order, purchase and collect food or drink.

Premises which are licensed to service liquor and do not serve food are closed.

If food is served, liquor service must end at 10 PM and not resume until 9:00 am the following day.

No nightclubs may be operated.

***Carolyn MacEachern & Pam Costanzo***