

Special Measures Order (St. John's Metropolitan Area)

**Made pursuant to Section 28 of the
Public Health Protection and Promotion Act**

February 9, 2021

TO: All Individuals and businesses operating in the St. John's Metropolitan area

WHEREAS:

- A. While a declaration of a public health emergency is in effect, the Chief Medical Officer of Health may do one or more of the special measures authorized under section 28 of the **Public Health Protection and Promotion Act** for the purpose of protecting the health of the population and preventing, remedying or mitigating the effects of the public health emergency;
- B. On March 18, 2020, the Minister of Health and Community Services, on the advice of the Chief Medical Officer of Health, declared:
 - (i) a public health emergency as a result of the COVID-19 pandemic;
 - (ii) the public health emergency is in effect for the entire province of Newfoundland and Labrador; and
 - (iii) the public health emergency is in effect for a period of 14 days effective immediately;
- C. The public health emergency has been extended for 14-day intervals and is currently still in effect.
- D. The Chief Medical Officer of Health, pursuant to subsection 28(2) of the **Public Health Protection and Promotion Act**, may provide notice in any manner that can reasonably be expected to give actual notice;
- E. The Chief Medical Officer of Health, pursuant to section 28 of the **Public Health Protection and Promotion Act**, made Special Measures Order (General – Alert Level 2) (Updated) effective December 10, 2020 and Special Measures Order (Extracurricular Activities) effective February 8, 2021;
- F. The Chief Medical Officer of Health believes that further special measures are necessary for the purpose of protecting the health of the population and preventing, remedying or mitigating the effects of the public health emergency; and

G. The Chief Medical Officer of Health believes, in accordance with section 13 of the **Public Health Protection and Promotion Act**, that the restrictions set out in this Special Measures Order (St. John's Metropolitan Area) are the least intrusive measures reasonably required in the circumstances to respond to the public health emergency,

Pursuant to section 28 of the **Public Health Protection and Promotion Act**, I, Dr. Janice Fitzgerald, Chief Medical Officer of Health **HEREBY ORDER**:

1. Notwithstanding Special Measures Order (General Alert Level 2) (Updated) dated December 10, 2020, in the St. John's Metropolitan area only,
 - a. All group and team sport and recreation activities where children, youth and/or adults gather in-person and where close contact is required, are suspended.
 - b. Group arts and cultural activities that involve in-person gatherings where close contact is required, are suspended. This includes bands, choirs, dance and music classes.
 - c. The following businesses are ordered to close:
 - i. Gyms and fitness facilities, including yoga studios, swimming pools, tennis and squash facilities;
 - ii. Dance studios;
 - iii. Cinemas;
 - iv. Performance spaces; and
 - v. Arenas.
 - d. Businesses that hold a license under the **Liquor Control Act** whose primary purpose is the consumption of beer, wine or spirits are ordered to close.
 - e. Bingo halls are ordered to close.
 - f. Restaurants may remain open for in-person dining at 50 per cent capacity provided that physical distancing of 2 metres between patrons seated at adjacent tables may be maintained. Buffets are prohibited.
 - g. Gatherings of no more than 20 people are permitted provided the gathering is operated by a recognized business or organization and where physical distancing may be maintained. With the exception of a single person household joining another household, all other gatherings are limited to those individuals within the same household.

- h. Wakes are prohibited. Limited visitation is permitted provided physical distancing may be maintained with individuals outside of the household bubble. Funerals and burials are limited to no more than 20 people, including the officiant.
 - i. Weddings and receptions, provided they are run by a recognized business or organization, are limited to no more than 20 people, including the officiant.
2. For the purpose of this Special Measures Order, the St. John's Metropolitan area means St. John's, Mount Pearl, Paradise, Conception Bay South and those towns and communities east of Conception Bay South, and Witless Bay and those towns and communities north of Witless Bay.

IT IS FURTHER ORDERED THAT:

1. This Order applies to all individuals and businesses operating in the St. John's Metropolitan area.
2. This Order is effective as of 12:01 a.m. on February 10, 2021.
3. The Special Measures Order (St. John's Metropolitan Area), as of 12:01 a.m. on February 10, 2021, repeals and replaces the Special Measures Order (Extracurricular Activities) effective February 8, 2021.
4. All other Special Measures Orders and Exemption Orders remain in full force and effect.

TAKE NOTICE THAT:

1. Failure to comply with this order may result in an application to the Supreme Court, in accordance with section 42 of the **Public Health Protection and Promotion Act** to enforce the relevant provisions of this Order.
2. A person who is subject to an order made by the Chief Medical Officer of Health may request that the Chief Medical Officer of Health reconsider the order by filing a written request for reconsideration within 7 days after the day on which the order is served on a person. A written request for review or reconsideration of this order shall include:
 - (i) the reasons for the request;
 - (ii) a summary of the facts relevant to the request;
 - (iii) whether the order should be revoked or how it should be varied; and

(iv) the contact information of the person making the request and shall be sent to the following address:

The Chief Medical Officer of Health
Department of Health and Community Services
PO Box 8700
St. John's, NL A1B 4J6

3. The Chief Medical Officer of Health shall review this Order no less than once every 5 days while the Order is in effect.
4. This Order remains in effect during any review or reconsideration.
5. Failure to comply with this Order is an offence for which you may be liable on summary conviction in accordance with section 56 of the **Public Health Protection and Promotion Act**.
6. For greater certainty, compliance with this Order is required in addition to and not in substitution for any requirement imposed by or under any applicable law.

Signed at St. John's, Newfoundland and Labrador, this 9th day of February, 2021.



Dr. Janice Fitzgerald
Chief Medical Officer of Health