



MEMO / NOTE DE SERVICE

To / Destinataire	Mayor and Members of Council	File/N° de fichier :
From / Expéditeur	Kim Ayotte Acting General Manager Emergency and Protective Services	
Subject / Objet	Step 1 Rules for Food and Drink Establishments	Date : June 9, 2021

The purpose of this memorandum is to provide an overview of the rules for areas in Step 1 of [Ontario Regulation 82/20](#) under the *Reopening Ontario Act* as they apply to food and drink establishments. Please note however, that these rules may be subject to change by the Province.

Background

The provincial [Roadmap to Reopen](#) is a three-step plan to safely and cautiously reopen the province and gradually lift public health measures.

Ontario will be moving into Step 1 of the [Roadmap to Reopen](#) on Friday, June 11, 2021 at 12:01 a.m. Step 1 focuses on the resumption of more outdoor activities with smaller crowds where risk of transmission is lower.

Rules for Food and Drink Establishments in “Step 1”

Under “Step 1” of [Ontario Regulation 82/20](#), restaurants, bars, food trucks, concession stands, and other food and drink establishments may open for outdoor dining, with conditions. Indoor dining and buffet-style service will not be permitted in “Step 1”.

The new regulations under the [Roadmap to Reopen](#) no longer require food and drink establishments to close by a certain hour. Effective June 11 at 12:01 a.m., these businesses will be permitted to remain open for outdoor dining and alcohol service until 2:00 a.m., in accordance with their liquor license and the [Right of Way Patio By-law](#) (2017-92, as amended).

Seating

Under the rules for areas in Step 1, no more than four people are permitted to be seated together at an outdoor table unless everyone seated at the table is a member of the same household, a member of up to one other household who lives alone, or, a caregiver for any member of either household.

Patrons must also remain seated at all times in any outdoor dining area except:

- while entering/exiting the area and while moving to their table
- while placing, picking up, or paying for an order
- while going to or returning from a washroom
- while lining up to do any of the actions listed above
- where necessary for the purposes of health and safety

The outdoor dining area must be configured in a manner to ensure that patrons seated at different tables are separated by a distance of at least two metres, or plexiglass or some other impermeable barrier.

Capacity

The total number of patrons permitted to be seated outdoors at the establishment must be limited to the number that can maintain a physical distance of at least two metres from every other person at the establishment (excluding patrons seated at the same table, in accordance with the regulations).

Contact Tracing and Screening

The person responsible for the establishment must record the name and contact information of every patron that enters the establishment, unless the patron temporarily enters to pick up or pay for a takeout order. These records must be kept for a period of at least one month and must only be disclosed to a medical officer of health or an inspector under the [Health Protection and Promotion Act](#) on request.

The establishment must actively screen any dine-in patrons in accordance with the advice, recommendations and instructions of the Office of the Chief Medical Officer of Health before they enter the premises of the establishment.

Line-ups

No patron is permitted to line up or congregate outside of the establishment unless they are maintaining a physical distance of at least two metres from other groups of persons inside or outside of the establishment.

No patron may be permitted to line up inside the establishment, for the purpose of using a washroom or to pay, unless they are maintaining a physical distance of at least two metres from other groups of persons inside or outside the establishment and wearing a face covering in a manner that covers their mouth, nose and chin, unless they are entitled to any of the exceptions listed in the regulations (i.e. a medical condition that inhibits ability to wear a mask or face covering).

Other Applicable Rules

- Masks must be worn when entering, exiting, or walking through the establishment (i.e. when getting up from seat to go to the washroom or to pay).

- The person responsible for the establishment must post a sign in a conspicuous location visible to the public that states the maximum capacity under which the establishment is permitted to operate.
- Music must not be played at a decibel level that exceeds the level at which normal conversation is possible.
- No person shall dance, sing or perform music at the establishment.
- If an outdoor dining area at the establishment is covered by a roof, canopy, tent, awning or other element, at least two full sides of the entire outdoor dining area must be open to the outdoors and must not be substantially blocked by any walls or other impermeable physical barriers.
- If an outdoor dining area at the establishment is equipped with a retractable roof and the roof is retracted, at least one full side of the outdoor dining area must be open to the outdoors and must not be substantially blocked by any walls or other impermeable physical barriers.

Enforcement

While the provincial Step 1 rules address the requirements applicable to the spaces immediately associated with food and drink establishments, there may be concerns about patrons congregating outside of those spaces, such as in the right-of-way, particularly in areas of the city where roads have been closed to vehicular traffic to provide for patios.

By-law and Regulatory Services will monitor those food and drink establishments and enforce the Step 1 provincial regulations, and any other applicable regulations, accordingly.

Respectfully,

Kim Ayotte
Acting General Manager
Emergency and Protective Services

c.c. Steve Kanellakos, City Manager
Anthony Di Monte, General Manager, Emergency and Protective Services
Roger Chapman, Director, By-law and Regulatory Services
Peter Sloly, Chief, Ottawa Police Service