

November 23, 2021

To owners, operators, and persons responsible for any indoor areas of facilities used for organized sports and recreational fitness activities in the municipalities of the County of Simcoe, the District of Muskoka, and the Cities of Orillia and Barrie:

Re: Proof of vaccination requirements for persons 12 years of age and older attending or involved in indoor organized sports and recreational fitness

The following listed recreational sports and recreational settings and activities are exempt from the instructions issued by this letter and detailed below due to sector specific legislation, directives and/or guidelines currently governing these settings with and for COVID-19 measures:

- Recreational settings used within a health care provider setting and health care entity as defined in Section 77.7 of the *Health Protection and Promotion Act, 1990*, for the purposes of rehabilitation who are subject to the Chief Medical Officer of Health's Directives issued thereunder;
- Recreational and sport activities within schools and school boards licensed under the *Education Act, 1990*;
- Recreational and sport activities within schools and private schools within the meaning of the *Education Act*, that are operated in accordance with a return to school direction issued by the Ministry of Education and approved by the Office of the Chief Medical Officer of Health;
- Recreational and sport activities within Ontario provincial post-secondary institutions;
- Recreational and sport activities within childcare settings licensed under the *Child Care and Early Years Act, 2014*; and
- Recreational and sport activities taking place within an operational camp for children otherwise operating in accordance with [Ontario Regulation 503/17](#) for recreational camps and [Ontario Regulation 364/20](#) for day or overnight camps.

This letter of instruction replaces the letter of instruction issued by the Simcoe Muskoka District Health Unit (SMDHU) owners/operators of any indoor facilities or any premises or part of a premises used for sports and recreational fitness activities within Simcoe and Muskoka on October 14, 2021. This letter of instruction may be amended or rescinded without notice.

The following instructions are issued pursuant to ss. 2 (2.1), Sched 1 of O. Reg. 364/20 under the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020. The instructions are directed to owners, operators, and persons responsible for any indoor areas of facilities used for organized sports and recreational fitness activities in the municipalities of the County of Simcoe, the District of Muskoka, and the Cities of Orillia and Barrie.

Given ongoing transmission of COVID-19 variants within Simcoe Muskoka District Health Unit (SMDHU) during the fourth wave along with increases in community transmission since the beginning of the fall 2021, our collective efforts to prevent a significant spike in community transmission of the COVID-19 virus continue to be critical in the fight against the virus. This includes adhering to current restrictions in place for businesses and organizations via regulations under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020* along with the instructions provided by SMDHU on [November 23, 2021](#) which provides further restrictions for businesses and organizations. This also includes awareness of the importance of COVID-19 vaccination to reduce the number and severity of COVID-19 infections.

The new provincial proof of vaccination requirements which came into place on September 22, 2021, under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020* do not specifically apply to certain individuals attending

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or involved in organized sports and indoor recreational fitness activities, including volunteers, coaches, officials, and participants when requiring proof of vaccination. Given ongoing transmission of the virus, in addition to increased cases associated with indoor organized recreational sports and fitness activities being identified in the County of Simcoe, the District of Muskoka, and Ontario, I have determined that it is necessary to expand the requirement for vaccination to all individuals attending or involved in organized indoor sports and fitness activities. Activities related to organized sports and recreational fitness activities, particularly contact sports and high intensity fitness, put all individuals at greater risk for COVID-19 transmission due to heavy breathing, yelling/cheering, close physical contact, length of contact, and lack of masks for source control. This risk is significantly increased when activities take place indoors. Requiring and verifying proof of vaccination for all individuals 12 years of age and older who are accessing indoor facilities used for organized sport and recreational fitness activities can greatly reduce the risk of transmission of COVID-19 and improve protection from COVID-19, limiting the spread.

Following consultation with the Office of the Chief Medical Officer of Health, I am issuing the following enhanced instructions to owners, operators and persons responsible for facilities or any premises or part of a premises used for indoor organized sports and recreational fitness activities, especially given that activities related to indoor recreational and sport activities have the potential to increase COVID-19 transmission to those involved, as well as their household members and the community at large. These instructions are issued pursuant to section 2(2.1) of Schedule 1 to Ontario Regulation 364/20 under the ***Reopening Ontario (A Flexible Response to COVID-19) Act, 2020***. These instructions are to be implemented by every owner, operator, or person responsible for indoor facilities or any indoor premises or indoor part of a premises used for organized sports and recreational fitness activities in the municipalities of the County of Simcoe, the District of Muskoka, and the Cities of Orillia and Barrie, unless specifically exempt by these instructions. These instructions are to be implemented in addition to any other COVID-19 regulatory requirements, local bylaws or health unit Orders that are or may come into force or effect.

Instructions to owners, operators and/or persons responsible for facilities, or any premises or part of a premises, used for organized sports and recreational fitness activities in the municipalities of the County of Simcoe, the District of Muskoka, and the Cities of Orillia and Barrie:

Effective **the prescribed dates provided below** and until further notice, I am instructing all owners, operators, and persons responsible for any indoor areas of facilities used for organized sports and recreational fitness activities in the municipalities of the County of Simcoe, the District of Muskoka, and the Cities of Orillia and Barrie to implement the following measures:

1. As communicated in the October 14, 2021 letter of instruction, effective November 25, 2021 at 12:01 a.m., require each individual, age 12 years of age and older on the date of entry, at the point of entry, who attends the indoor area of the facility for the purpose of: coaching, teaching, instructing, officiating at organized sports or volunteering in any capacity for any purpose, to provide
 - i. personal identification; and
 - ii. proof of being fully vaccinated* against COVID-19 or provide a valid medical exemption each time they enter.

** Acceptable proof of vaccination going forward shall be in the form as required by the [Ministry of Health Proof of Vaccination Guidelines](#).*

2. Effective December 8, 2021, implement and enforce a policy that requires each participant, 12 years of age and older, who attends an indoor area of the facility for the purpose of:

- a. Attending or being involved, in any capacity, in indoor organized sports and/or indoor recreational fitness activities; to provide, at the point of entry:
 - i. identification and proof of having received at least one dose of a Health Canada approved COVID-19 vaccine for any entry on or after December 8, 2021, and
 - ii. identification and proof of being fully vaccinated against COVID-19 for any entry on or after February 16, 2022, or
 - iii. a valid exemption as set out in section 2.1(6) of Schedule 1, each time they enter.
3. Effective January 1, 2022, implement and enforce a policy that provides that all children have a grace period of 12 weeks from their 12th birthday during which they provide identification at the point of entry, but do not need to provide proof of being fully vaccinated against COVID-19. This is to allow a reasonable opportunity for vaccination to be completed, and to accommodate the current recommended 8-week interval between dose 1 and dose 2.
4. Otherwise comply with, and implement the above instructions, in accordance with all applicable requirements under the ***Reopening Ontario (A Flexible Response to COVID-19) Act, 2020***, including the Proof of Vaccination requirements in Section 2.1 of Schedule 1, and the [Ministry of Health's Proof of Vaccination Guidance for Businesses and Organizations](#).

The instructions set out above shall be in full force and in effect until further notice despite any changes that may be made by the Province to SMDHU's step of reopening under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*, as may be amended from time to time.

You are required to comply with the additional measures above, pursuant to regulations under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*, including any successor legislation or regulations. As per the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*, individuals who do not comply with the above noted requirements may be liable for a fine up to a maximum of \$100,000 or in the case of a corporation, not more than \$10,000,000 for each day or part of each day on which the offence occurs or continues.

For the purpose of these Instructions:

- **“Facility”** means any indoor facility or premises located in the County of Simcoe, District of Muskoka, City of Barrie, and the City of Orillia where organized sports or recreational fitness activities are participated in, played and/or practiced for any part of the day, even if that facility or premises operates as another business or organization during other parts of the day(s).
- **“Fully Vaccinated”** is as defined within Section 2.1(5) of Schedule 1 to Ontario Regulation 364/20: Rules for Areas at Step 3 and at the Roadmap Exit Step made under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*.
- **“Owner/Operator”** means an owner/operator of an indoor organized sports and recreational fitness facility located in the County of Simcoe, District of Muskoka, City of Barrie, and the City of Orillia where organized sports or recreational fitness activities are played and/or practiced.
- **“Organized Sport(s)”** means sport(s) and recreation including, but not limited to, organized sports leagues, organized pick-up sports, dance classes, gymnastics classes, martial arts classes and swimming classes, or as otherwise described in the Ministry of Health's Proof of Vaccination Guidance for Businesses and Organizations under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*.
- **“Medical exemption”** means an exemption confirmed by an individual who provides a written documentation as per the Ministry of Health Proof of Vaccination Guidance.

- **“Person Responsible”** means the holder of a license/permit/rental agreement or otherwise authorized to use the facility or designated individual which may include, but is not limited to, a coach, instructor, coordinator, trainer, organizer, or other person responsible for the compliance with public health measures related to COVID-19 and the facility.

Any questions regarding the application of this letter of instruction shall be directed to the Simcoe Muskoka District Health Unit’s Health Connection line at 705-721-7520 or 1-877-721-7520.

Sincerely,

ORIGINAL Signed By:

Charles Gardner, MD, CCFP, MHSc, FRCPC
Medical Officer of Health

CG:SR:cm