



CLASS ORDER

made pursuant to Section 22(5.0.1) of the Health Protection and Promotion Act

Date: September 10, 2021

TO: All persons responsible for hosting a social gathering in the Regional Municipality of Durham, including homeowners, tenants and owners and operators of businesses permitted to be open under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020* (ROA).

I, Dr. Robert Kyle, Medical Officer of Health for the Regional Municipality of Durham, order persons responsible for hosting social gathering in the Regional Municipality of Durham ("The Region") to take the following actions, **effective 12:01 am on September 11, 2021:**

1. Maintain a list of full names and contact information (including phone numbers) for all attendees at the social gathering, regardless of age, in a private dwelling and/or commercial premises and, upon request, shall provide Durham Region Health Department (DRHD) with this information within 24 hours of the request, or other time specified.
2. Maintain the list of names and contact information (including phone numbers) for attendees at the social gathering for a period of at least one month.
3. Provide DRHD with any other requested information as it pertains to the investigation within 24 hours of the request, or other time specified.
4. Comply with all requirements that apply to the social gathering as set out under the ROA and the applicable regulations. Where this Order imposes an additional requirement not set out in the ROA, the requirement under this Order must be followed.

The Regional Municipality of Durham

Health Department

605 ROSSLAND ROAD EAST
LEVEL 2
PO BOX 730
WHITBY, ON L1N 0B2
CANADA

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If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3324.

THE REASONS for this ORDER are that:

1. COVID-19 has been designated as communicable under Ontario Regulation 135/18 as amended. COVID-19 has been declared a pandemic by the World Health Organization.
2. COVID-19 is present in the Region and therefore poses a risk to the health of the residents of the Region through community transmission. The COVID-19 virus is spread from an infected person to a Close Contact primarily by direct contact or when respiratory secretions from the infected person enter the eyes, nose or mouth of another person.
3. A VOC is a mutation in the SARS-CoV-2 genome for which there is conclusive or strong evidence of an impact on public health and clinical practice, including transmission. There is evidence of presence and community transmission of VOCs in Ontario.
4. Timely and efficient case and contact management plays a key role in preventing the spread of COVID-19 in the community.

I am of the opinion, on reasonable and probable grounds that:

- a) a communicable disease exists or may exist or there is an immediate risk of an outbreak of a communicable disease in the health unit served by me;
- b) the communicable disease presents a risk to the health of persons in the health unit served by me; and
- c) the requirements specified in this Order are necessary in order to decrease or eliminate the risk to health presented by the communicable disease.

I am also of the opinion that the delivery of notice of this Order to each and every member of the class is likely to cause a delay that could significantly increase the risk to the health of any person residing in the health unit, so notice shall be provided through public media and the internet via posting on the DRHD website:

<https://www.durham.ca/en/health-and-wellness/novel-coronavirus-update.aspx>.

The following definitions apply to this Order:

“Durham Region Health Department” means the Medical Officer of Health or Durham Region Health Department staff acting under the direction of the Medical Officer of Health.

“Social Gathering” means a gathering of two or more people who do not reside in the same household.

NOTICE

TAKE NOTICE THAT each member of the class is entitled to a hearing by the Health Services Appeal and Review Board if the member has delivered to me and to the Health Services Appeal and Review Board, 151 Bloor St W, 9th Floor, Toronto, Ontario, M5S 1S4, notice in writing, requesting a hearing within 15 days after publication of this Order or otherwise in accordance with applicable law.

At the time of this Order, all requests for appeals and reviews, submissions, material and inquiries must be sent to the Health Services and Review Board by e-mail to hsarb@ontario.ca or faxed to the HSARB at 416-327-8524. See <http://www.hsarb.on.ca/> for current information.

AND TAKE FURTHER NOTICE THAT although a hearing may be requested this Order takes effect when it is delivered to a member of the class or brought to the attention of a member of the class.

FAILURE to comply with this Order is an offence in accordance with section 100 of the *Health Protection and Promotion Act* for which you may be liable, on conviction, to a fine of not more than \$5,000 (for a person) or \$25 000 (for a corporation) for every day or part of each day on which the offence occurs or continues.

Original signed by

Robert Kyle, BSc, MD, MHSc, CCFP, FRCPC, FACPM
Commissioner & Medical Officer of Health
Durham Region Health Department
605 Rossland Road East
Whitby, Ontario L1N 0B2

This Order shall be posted on the Durham Region Health Department website:
<https://www.durham.ca/en/health-and-wellness/novel-coronavirus-update.aspx>.

Inquiries about this Order should be directed to the Durham Region Health Department at (905) 668-2020 or 1-800-841-2729.