

September 17, 2021

MEMORANDUM TO: Municipal Chief Administrative Officers and Clerks

SUBJECT: Ontario Proof of Vaccination Guidance for Businesses and Organizations

As the province continues to respond to the fourth wave of the pandemic driven by the highly transmissible Delta variant, the government is further protecting Ontarians through continued actions that encourage every eligible person to get vaccinated and help stop the spread of COVID-19.

On September 14, 2021 the government released [the regulations](#) under the *Reopening Ontario (A Flexible Response to COVID-19) Act* (ROA) and [guidance for businesses and organizations](#) to support them in implementing proof of vaccination requirements, which take effect on September 22, 2021. Requiring proof of vaccination will help increase vaccination rates, protect individuals in higher-risk indoor settings, and keep businesses open.

This requirement focuses on higher-risk indoor (unless otherwise stated) public settings:

- Indoor areas of restaurants, bars, and other food and drink establishments without dance facilities
- Indoor and outdoor areas of food or drink establishments with dance facilities, including nightclubs and restaurants, clubs and other similar establishments
- Indoor areas of meeting and event spaces
- Indoor areas of facilities used for sports and recreational fitness activities, including waterparks, and personal physical fitness training with limited exemptions
 - Includes gyms, fitness/sporting/recreational facilities, pools, leagues, sporting events, waterparks, and indoor areas of facilities where spectators watch events
- Indoor areas of casinos, bingo halls, and other gaming establishments
- Indoor areas of concert venues, theatres, and cinemas
- Indoor areas of bathhouses, sex clubs and strip clubs
- Indoor areas of horse racing tracks, car racing tracks and other similar venues
- Indoor areas where commercial film and TV productions take place with studio audiences

In addition to the guidance, there is a [questions and answers document](#) to help clarify the requirements for businesses and organizations.

Businesses can contact Stop the Spread information line at 1-888-444-3659 if they have any questions about the guidance.

Compliance and Enforcement

Businesses and organizations are responsible for ensuring they meet the requirements regarding proof of vaccination outlined in the ROA, [O. Reg. 364/20](#) (Step 3).

Patrons are required to ensure that any information provided to the business or organization to demonstrate proof of vaccination or proof of identification is complete and accurate.

Failure of a business or organization or a patron to comply with the requirements in [O. Reg. 364/20](#) is an offence under the [Reopening Ontario \(A Flexible Response to COVID-19\) Act, 2020](#).

As a reminder, for offences under the ROA, police and other provincial offences officers, including First Nation Constables, special constables, and municipal by-law officers, have discretion to either issue tickets to individuals for set fine amounts or issue a summons under Part I of the Provincial Offences Act (POA) or to proceed under Part III of the POA by laying an information.

The 1-800 Enforcement Support Line (1-866-389-7638) and dedicated enforcement email address (EssentialWorkplacesSupport.SolGen@ontario.ca) are intended to provide guidance to policing personnel and other enforcement personnel in relation to the enforcement of provincial orders.

I strongly encourage our municipal partners to work closely with provincial enforcement officers and public health officers to coordinate compliance activities in your communities. To identify opportunities for and to plan coordinated compliance activities in your community, please email Stephen Wilson at: Stephen.J.Wilson@ontario.ca.

Thank you for your support and for joining our shared commitment to work together to protect the health and well-being of Ontarians.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Manson-Smith".

Kate Manson-Smith
Deputy Minister