PUBLIC HEALTH ACT, S.Nu. 2016, c. 13

COMMUNICABLE DISEASE ORDER (#10)

CANADA
NUNAVUT

To: **All Licensed Premises as defined in the *Liquor Act* and *Liquor Regulations* operating in all Nunavut communities**

All food service establishments operating in all Nunavut communities

1. The undersigned has reasonable grounds to believe that:
    a. A communicable disease exists or may exist or that there is an immediate risk of an outbreak of a communicable disease, specifically novel coronavirus COVID-19;
    b. This communicable disease presents a risk to public health;
    c. This order is necessary to prevent, eliminate, remedy, or mitigate the risk to public health.
2. On March 20, 2020, the Minister of Health declared a public health emergency in Nunavut due to the risk to public health resulting from novel coronavirus COVID-19, and may extend this declaration every fourteen (14) days for the duration of the public health emergency.
3. Based on this declaration, the undersigned has dispensed with the notice provisions in the Public Health Administrative Regulations due to exigent circumstances.
4. In this order, “Occupant Limit” means the maximum number of occupants permitted in a Food Service Establishment or Licensed Premises.

Part 1: Food Service Establishments

5. Pursuant to paragraph 55 (4) of the *Public Health Act*, the undersigned orders that effective **12:01 am EDT Friday July 30, 2021**:
    a. All food service establishments in Nunavut may open for on-premises dining, delivery, and take-out service.
    b. Seating capacity be no greater than seventy-five per cent (75%) of the occupancy load for the food service establishment.

c. There must be at least two meters (2 m) separation between tables and between persons in line for take-out or counter service.

d. Food service establishments may establish their own hours for on-premises, take-out and delivery services.

Part 2: Licensed Premises

6. Pursuant to paragraph 55 (4) of the *Public Health Act*, the undersigned orders that effective **12:01 am EDT Friday July 30, 2021:**

   a. That all Licensed Premises may open for regular business hours, subject to any applicable licensing conditions.

   b. Seating capacity be no greater than seventy-five per cent (75%) of the occupancy load for the licensed premises.

   c. There must be at least two meters (2 m) separation between tables and between persons in line for take-out, coat check, and bar service.

Part 3: Transitional and Enforcement

7. Communicable Disease Order (#9) issued for Nunavut on April 26, 2021 is rescinded and replaced with this Order.

8. For certainty, in the event of a conflict between a territory-wide order and any order affecting a specific community or group of communities, the community-specific Order prevails to the extent of the conflict.

9. Environmental Health Officers appointed pursuant to the *Public Health Act* and inspectors appointed pursuant to the *Liquor Act* may enter any food service establishment or licensed premises during regular business hours for the purposes of inspecting, monitoring, and advising with respect to compliance with this Order.

10. For greater certainty, this Order does not apply to the Iqaluit Beer and Wine Store or any other Liquor Store operated by the Nunavut Liquor and Cannabis Commission.

11. Pursuant to paragraph 41(1)(f) of the *Public Health Act*, Environmental Health Officers appointed pursuant to the *Public Health Act*, members of the Royal Canadian Mounted Police, sheriffs appointed pursuant to the *Judicature Act*, municipal by-law enforcement officers, and inspectors appointed pursuant to the *Liquor Act* are authorized to implement this order, including entering any premises other than a dwelling without a warrant.

12. Failure to comply with this Order may be considered a breach of this Order issued under the Act and may result in penalties under the Act, which may include:
    a. A $575 fine for individuals; and

    b. A $2875 fine for corporations.

13. Making a false statement or declaration to any person listed in paragraph 8 shall constitute a breach of this Order.

Dated at Iqaluit, Nunavut on Friday, July 30, 2021.

Dr. Michael Patterson, Chief Public Health Officer
NUNAVUT