



Urgent Update: New Provincial Health Officer Public Order Released

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Dear ABLE BC members and industry colleagues,

More than a week after Dr. Henry [issued verbal orders](#) ending on-premise liquor sales at 10 pm, the written public order is finally available.

[Download a copy of the new public order](#) for Food and Liquor Serving Premises.

This public order is addressed to: restaurants, coffee shops, cafes, cafeterias, and food primary and liquor primary establishments, including pubs, bars, lounges, and nightclubs, liquor manufacturing facilities that have tasting rooms, lounges, and private clubs.

This order does not apply to events as defined in the [Gatherings and Events order](#), or to meetings or conferences held in hotels or anywhere else.

This order repeals and replaces the order made on July 31, 2020 and confirms Dr. Henry's oral order on September 8, 2020, with respect to nightclubs, liquor sales, and sound.

Per the new order:

- Owners and operators of liquor primaries operating as nightclubs must cease operating as a nightclub.
- Liquor sales for onsite consumption must cease by 10:00 pm.
- Unless a full meal service is provided, premises must close by 11:00 pm and all patrons must vacate the premises. If a full meal service is provided, premises may stay open, but liquor must not be served until 11:00 am the following day.
- Liquor must not be consumed on premises by owners, operators, or staff after 11:00 pm.
- Background music and any other background sounds, such as from televisions or other electronic sound producing devices, must be no louder than the volume of normal conversation.
- If background music is provided by a live performer or performers or a disc jockey, a physical barrier must be installed between the performers or disc jockey and the patrons, which blocks the transmission of droplets produced by performers or disc jockey, or there must be at least a three metre separation between performers and patrons.

Also, as a reminder:

- Liquor may only be served to patrons who are seated, other than in cafeterias, private clubs, or tasting rooms with a liquor manufacturer license.
- Dance floors must be closed with physical barriers or occupied with tables.
- Patrons must not sing, engage in Karaoke, or dance on the premises.
- Jam and open mic sessions must not be held on premises.
- [The Gatherings and Events Order](#) applies to the holding of events on your premises.

For the full list of conditions, including physical distancing, background music, contact tracing, and seating requirements, please [read the public order](#).

The public order for gatherings and events has also be amended.
[Download the new order.](#)

This public order is addressed to: owners and operators of places and persons who organize or attend events at premises subject to the food and liquor serving premises order (above), vacation accommodation, or other places.

This order applies to meetings or conferences held in hotels or anywhere else.

This order repeals and replaces the order made on August 7, 2020 and confirms Dr. Henry's oral order on September 8, 2020, with respect to banquet halls and liquor sales.

Per the order:

- The holding of an event in a banquet hall is prohibited.
 - A banquet hall is defined as: a stand-alone premises built for the purpose of holding large social events, including banquets, generally involving many hundreds of people. It does not include the premises associated with an hotel, house of worship, recreation centre, sports organization or other non-profit organization with a community, educational, historical, sports or similar purpose, or owned or operated or otherwise controlled by a government.
- In places other than banquet halls:
 - The gathering of more than fifty patrons at a place for the purpose of an event is prohibited.
 - Liquor service must stop at 10:00 pm.

For full event and gathering conditions, please [read the public order.](#)

ABLE BC's Response

We are very disappointed that Dr. Henry did not consider the immense economic fallout from the order or consult industry on these changes, despite stating otherwise during yesterday's press conference.

Since September 8, ABLE BC and our industry partners have been working tirelessly to get the order amended. On September 11, ABLE BC and members of the Business Technical Advisory Panel (BTAP) [sent an urgent letter](#) to the

Premier, Attorney-General, Minister of Health, Minister of Jobs, Economic Development and Competitiveness, and the Provincial Health Officer expressing our significant concerns about certain aspects of the public order.

We also [surveyed members](#) on the financial impacts of this public order.

On September 17, BTAP released a [press release](#), calling on the Premier to intervene and Dr. Henry to bring industry representatives to the table – before it is too late.

We will continue to fight on your behalf to get the order amended.

ABLE BC and BTAP once again call on Dr. Henry to bring industry representatives to the table, so we can discuss practical recommendations to achieve Dr. Henry's stated objectives while balancing the financial realities of our industry.

If you have any other questions or concerns, please don't hesitate to contact us: info@ablebc.ca.

-Jeff