

July 16, 2020

To: All owners/operators of any place of business or facility that is indoors and open to the public in Northumberland County, Haliburton County, City of Kawartha Lakes

RE: **HALIBURTON, KAWARTHA, PINE RIDGE DISTRICT HEALTH UNIT MEDICAL OFFICER OF HEALTH INSTRUCTIONS TO COMMERCIAL ESTABLISHMENTS CURRENTLY OPERATING (UNDER THE EMERGENCY MANAGEMENT AND CIVIL PROTECTION ACT (EMCPA), R.S.O. 1990 AND RELATED REGULATIONS)**

I am writing to all persons responsible for operating a **place of business or facility**<sup>i</sup> that is indoors and open to the public currently permitted to operate under EMCPA Ontario Regulation 263/20 – Stage 2 Closures <https://www.ontario.ca/laws/regulation/r20263> and EMCPA Ontario Regulation 364/20 – Rules for Areas in Stage 3 <https://www.ontario.ca/laws/regulation/r20364> to highlight your responsibilities. These responsibilities are important in ensuring continued successful reopening and to safeguard against COVID-19 community circulation now and into the fall.

Please be reminded of your responsibilities for **general compliance** per provincial legislation (O. Reg 263/20 and O. Reg 364/20):

4. (1) The person responsible for a business or organization that is open shall ensure that the business or organization operates in accordance with all applicable laws, including the *Occupational Health and Safety Act* <https://www.ontario.ca/laws/statute/90o01> and the regulations made under it.
- (2) The person responsible for a business or organization that is open shall operate the business or organization in **compliance** with the advice, recommendations, and **instructions of public health officials**, including any advice, recommendations or instructions on physical distancing, cleaning or disinfecting.
- (3) The person responsible for a business that is open to the public, or an organization responsible for a facility that is open to the public, shall ensure that the place of business or facility is operated to enable members of the public in the place of business or facility, to the fullest extent possible, maintain a physical distance of at least two metres from other persons.

As Haliburton, Kawartha, Pine Ridge District Health Unit's Medical Officer of Health, the following are my instructions, pursuant to O. Reg 263/20 s.4(2) (or as current) <https://www.ontario.ca/laws/regulation/200263> and O. Reg 364/20 (or as current) <https://www.ontario.ca/laws/regulation/r20364> to all places of business or facilities that are indoors and open to the public during Stage 3 within Haliburton County, City of Kawartha Lakes and Northumberland County, effective 12:01 a.m., July 17, 2020:

1. To the fullest extent possible, ensure effective public health measures are in place to prevent the spread of COVID-19.
2. Public health measures include, but are not limited to, ensuring physical distancing, recommending excellent hygiene practices including hand hygiene (handwashing or the use of alcohol-based hand sanitizer), and cough and sneeze etiquette.
3. Implement screening practices for employees and members of the public, including requiring those who are ill to stay home and be advised to be tested for COVID-19.

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## PROTECTION · PROMOTION · PREVENTION

**HEAD OFFICE**  
200 Rose Glen Road  
Port Hope, Ontario L1A 3V6  
Phone · 1-866-888-4577  
Fax · 905-885-9551

**HALIBURTON OFFICE**  
Box 570  
191 Highland Street, Unit 301  
Haliburton, Ontario K0M 1S0  
Phone · 1-866-888-4577  
Fax · 705-457-1336

**LINDSAY OFFICE**  
108 Angeline Street South  
Lindsay, Ontario K9V 3L5  
Phone · 1-866-888-4577  
Fax · 705-324-0455

Any place of business or facility that is indoors and open to the public in Northumberland County, Haliburton County, City of Kawartha Lakes

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Effective 12:01 a.m., July 17, 2020, instructions to all owners/operators of any indoor place of business or facility that is open to the public during Stage 3 within Haliburton County, City of Kawartha Lakes and Northumberland County will include the following:

1. Have a written policy in place requiring Persons<sup>ii</sup> entering the indoor place of business or facility that is permitted to open under EMCPA Ontario Regulation 263/20 – Stage 2 Closures <https://www.ontario.ca/laws/regulation/r20263> and EMCPA Ontario Regulation 364/20 - Rules for Areas in Stage 3 <https://www.ontario.ca/laws/regulation/r20364> or remaining in the facility to wear a non-medical mask or face covering<sup>iii</sup>. Best efforts<sup>iv</sup> shall be made to allow entry to Persons wearing a non-medical mask or face covering. The non-medical mask or face covering must be worn inside the place of business or facility at all times, until seated to receive a service and able to maintain a 2-metre distance from others or unless it is reasonably required to temporarily remove the face covering for services provided by the establishment.

A Person shall be exempt from wearing a non-medical mask or face covering on the premises if:

- a. The Person is a child under the age of two years; or a child under the age of five years either chronologically or developmentally and they refuse to wear a face covering and cannot be persuaded to do so by their caregiver;
  - b. The Person is incapacitated and unable to remove their mask without assistance;
  - c. For any other medical reason, the Person cannot safely wear a non-medical mask or face covering such as, but not limited to, respiratory disease, cognitive difficulties or difficulties in hearing or processing information.
  - d. For any religious reason, the Person cannot wear a non-medical mask or face covering or cannot cover the face in a manner that would properly control the source.
2. The policy should be enacted and enforced in ‘good faith’ and should be used as an opportunity to educate about the use of non-medical masks or face coverings in indoor places of business or facilities.
  3. Post appropriate visible signage indicating that non-medical masks or face coverings are required inside the place of business or facility. Sample signage can be found on the Haliburton, Kawartha, Pine Ridge District Health Unit website at [www.hkpr.on.ca](http://www.hkpr.on.ca).
  4. Ensure all employees are aware of the policy and are trained on your establishment’s expectations.

These instructions shall remain in effect until such time as they are modified or revoked by Haliburton, Kawartha, Pine Ridge District Health Unit’s Medical Officer of Health.

While the science on the use of non-medical masks or face coverings by the general public is not definitive, there is a growing body of evidence on the effectiveness of these masks to prevent the spread of COVID-19. To further reduce the risk of spreading COVID-19 in your establishment and within the broader community, it is important to adhere to the above listed public health instructions.

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The Haliburton, Kawartha, Pine Ridge District Health Unit will be taking a progressive enforcement approach to compliance, in partnership with our other local provincial offences officers (by-law officers and local police services), with a focus on education. As per the EMCPA, those who do not comply with the above noted requirements may be liable for a fine of \$750 - \$1,000 for an individual, 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.**

Should you require additional information, please contact the Haliburton, Kawartha, Pine Ridge District Health Unit at toll-free 1-866-888-4577 ext. 5020. Visit [www.hkpr.on.ca](http://www.hkpr.on.ca) for additional information and resources.

Sincerely

**BOARD OF HEALTH FOR THE HALIBURTON, KAWARTHA,  
PINE RIDGE DISTRICT HEALTH UNIT**

A handwritten signature in blue ink, appearing to read "A. Lynn Noseworthy".

A. Lynn Noseworthy, MD, MHSc, FRCPC  
Medical Officer of Health  
Haliburton, Kawartha, Pine Ridge District Health Unit  
200 Rose Glen Road  
Port Hope ON L1A 3V6

ATTACHMENTS

<sup>i</sup> A **place of Business or Facility** includes a place of business as well as any other portions of a fixed premises that are openly accessible to members of the public and that are used for the purposes of offering goods or services including recreation to members of the public and include the following:

- Retail stores, convenience stores, malls/plazas, restaurants, food courts and bars serving food, personal service settings, grocery stores and bakeries, gas stations, indoor farmers' markets, areas of mechanics' shops/garages/repair shops, facilities for sports and recreational fitness including gyms, cinemas, performing arts spaces, meeting and event spaces, libraries, in-person instruction/tutoring, casinos, bingo halls and gaming establishments, museums, galleries, aquariums, zoos, science centres, indoor historical sites, indoor botanical gardens, indoor tours and real estate open houses, which are open to the public.

The areas of a facility that are subject to the non-medical mask and face covering requirements of these instructions are:

- Any areas in which customers interact with one another or with staff members, OR
- Any areas that are open or accessible to members of the public
- Except where: the area is outside, whether or not the area is covered (e.g. a restaurant patio)

<sup>ii</sup> A **Person** means any customer, patron, employee or visitor, who enters the place of business or facility.

<sup>iii</sup> A **face covering** means a non-medical mask or other face coverings such as a bandana, a scarf or cloth (including hijab and niqab) that covers the mouth and nose ensuring a barrier that limits the community transmission. Face shields are not equivalent to non-medical masks or face coverings for source protection and are best suited to be used as additional personal protective equipment along with to a non-medical mask or other face covering but not alone.

<sup>iv</sup> **Best efforts** when restricting entry to customers wearing face coverings are defined as follows:

- Where an establishment has a person restricting occupancy into the place of business or facility, a verbal reminder that the customer should be wearing a face covering as a result of these instructions shall be given to any customer entering the premises without one. For greater clarity, there is no need for a business to turn away the customer to achieve the best effort standard.
- For customers in a place of business or facility seen removing their face covering for extended periods of time, a verbal reminder to that customer of the requirement to wear face coverings under these instructions.