



Required Use of Non-Medical Masks and Face Coverings within Indoor Public Places

Under what authority are these instructions being issued?

These instructions are being issued by the Medical Officer of Health for the Haliburton, Kawartha, Pine Ridge District Health Unit (HKPR) under the authority of *Ontario Regulation 364/20 – Rules for Areas in Stage 3* of the provincial *Emergency Management and Civil Protection Act* (EMCPA). These instructions update earlier instructions (under the EMCPA *Ontario Regulation 263/20 – Stage 2 Closures*) on mask use issued by the local Medical Officer of Health on July 7, 2020, in order to reflect an expanded list of businesses/services allowed to reopen as part of Ontario's Stage 3 Framework for Reopening.

What are the instructions?

People who are responsible for a place of business or facility that is indoors and open to the public and currently operating during Stage 3 will be required to have policies in place to inform people about the need to wear a mask or face covering before entering the establishment. Certain exemptions do apply on the use of masks in these indoor settings.

Why are these instructions being issued?

These instructions are being issued to ensure the public health recommendations of the Chief Medical Officer of Health for Ontario and the HKPR Medical Officer of Health are being followed in order to stop the spread of COVID-19 within Northumberland and Haliburton counties, and the City of Kawartha Lakes. These instructions reinforce the requirements that all persons responsible for a business or organization permitted to open per the EMCPA O. Reg. 263/20 and O. Reg. 364/20 (or current) shall operate the business or organization in compliance with the advice, recommendations and instructions of public health officials.

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Why are these instructions being issued now?

While cases of COVID-19 are currently decreasing in the HKPR region, the risk for the ongoing spread of COVID-19 remains as the re-opening process continues across Northumberland and Haliburton counties and the City of Kawartha Lakes. The use of non-medical masks or face coverings within indoor public places is an additional public health measure (along with physical distancing, hand and cough hygiene, and staying home when sick) that may prevent the spread of COVID-19 within the community.

When are these instructions in effect? How long must people comply with these instructions?

These additional instructions for masking are effective as of 12:01 a.m. Friday, July 17, 2020. Non-medical masks or face coverings will be required for any place of business or facility that is indoors and open to the public currently operating in Stage 3 while the provincial Emergency Orders remain in force or until such time as these instructions are discontinued by the local Medical Officer of Health.

How is this being enforced?

The HKPR District Health Unit will be taking a progressive enforcement approach to ensure compliance, with a focus on education. The focus will be to educate people on the use of non-medical masks or face coverings in premises where physical distancing may be difficult. As per the EMCPA, businesses that do not comply with the requirements may be fined.

What is a place for business or facility that is indoors and open to the public? Which ones are included in the instructions?

A place of business or facility includes a place of business, as well as any other portions of a fixed premise 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. They include the following:

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- 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, churches and/or places of worship, 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.

What establishments are NOT included in the instructions?

Establishments that do not fall under the definition of a place of business or facility open to the public are:

- Schools, child care centres, business offices that are not open to members of the public, professional offices where clients receive purchased services (e.g., lawyers' offices) that are not open to members of the public, hospitals, independent health facilities, and offices of regulated health professionals.

What areas of a place of business or facility that are indoors and open to the public are subject to the non-medical mask and face covering requirements?

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).

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Are there exemptions on the use of non-medical masks and face coverings in certain settings (e.g. restaurants, sports/recreational facilities, places of worship, etc.)?

Non-medical masks and face coverings must be worn in most indoor places and situations. Generally, this applies when patrons/customers are 'roaming' around inside the business/facility and are not yet 'in place' (i.e. seated) with a secured distance of 2 metres (6 feet) from others. The only exceptions to mask use in indoor public spaces are in following instances:

- In restaurants/food courts, patrons eating inside must wear a mask until seated. Masks must be worn upon entry and exit, and if patrons get up to walk around the restaurant (including to use the washroom). Patrons eating on an outdoor patio do not need to wear masks.
- In sports and recreation facilities (like gyms and fitness clubs), masks must be worn at all times in change rooms, washrooms and waiting areas. The only exception is when people take part in a specific activity or sport.
- In cinemas/movie theatres, performing arts centres, and casinos/bingo halls/gaming establishments, people must wear masks in all public spaces. The only exception is when patrons are seated with a secured physical distance of 2 metres (6 feet) from others.
- For indoor weddings, funeral services or religious services/rites or ceremonies, attendees must wear masks until seated with a secured physical distance of 2 metres (6 feet) from others.

Who is exempt from wearing a non-medical mask or face covering in a commercial establishment/service or indoor public place?

A person is exempt from wearing a non-medical mask or face covering on the premises if:

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- 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 he or she refuses to wear a face covering and cannot be persuaded to do so by their caregiver;
- The person is unable to remove their mask without assistance;
- 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;
- 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.

Note - A person means any customer, patron, employee or visitor, who enters the premises.

Do patrons have to disclose their medical condition if they don't wear a mask?

No one is required to disclose a medical condition or reason why they are exempt from wearing a mask. All a person has to say is that: "I am not able to wear a mask."

People who are responsible for a place of business/facility that is indoors and open to the public should respect this answer. For privacy reasons, owners/operators are not allowed to ask specifics on why someone cannot wear a mask. All that owners/operators are required to do is make patrons and members of the public aware of the mask use requirement.

It is recognized there are a variety of reasons why a person cannot wear a mask and people are asked to continue to be kind to each other and support everyone in the community as we work together to stop the spread of the virus.

The requirement to have people wear masks within a place of business or facility is not meant to stigmatize people who are unable to wear a mask due to medical reasons or their age.

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What is the best approach to take for owners/operators to address patrons who don't have, or refuse to wear, a mask for both reasons that are legitimate and those that are not?

People who are responsible for a place of business or facility that is indoors and open to the public are asked to use their “best effort” to ensure patrons and members of the public wear a mask while in the premise. This means offering a verbal reminder to the patron that mask use is required within the establishment or a verbal reminder about mask use if the person removes the mask while in the premise.

No one should be denied service if they cannot wear a mask.

For privacy reasons, if you are someone who is responsible for a place of business or facility that is indoors and open to the public, you cannot ask patrons the reasons they cannot wear a mask. All you are required to do is make patrons and members of the public aware of the mask use requirement.

Is it mandatory that employees working in indoor public places are required to wear masks?

Yes, while in areas that are servicing the public.

More Information

If you have questions about these instructions for commercial establishments, please call the HKPR District Health Unit at 1-866-888-4577 ext. 5020, or visit www.hkpr.on.ca

Dated: July 16, 2020

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