

## Leeds, Grenville and Lanark District Health Unit Public Health Instructions under the Ontario Emergency Act: Stage 2

### DEFINITIONS

“**Enclosed Public Space**” means indoor public spaces accessed by the public.

These include but are not limited to:

- a) restaurants, cafés, cafeterias, banquet halls;
- b) retail establishments and shopping malls;
- c) churches, mosques, synagogues, temples, or other places of worship;
- d) libraries, museums, art galleries, recreational facilities, bingo halls, community centres and halls, cinemas, theatres, concert venues, special event venues, convention centers, or other similar entertainment, cultural, or leisure facilities;
- e) sports facilities, sports clubs, gyms, yoga studios, dance studios, and stadiums;
- f) common areas of hotels, motels, or short-term rental premises such as lobbies, elevators, meeting rooms, rest rooms, laundry rooms, gyms, and kitchens;
- g) public and private transportation including municipal buses, taxis, and rideshare services;
- h) common areas of premises under the control of a regulated health professional under the *Regulated Health Professions Act, 1991*, S.O. 1991, c. 18, as amended, such as waiting rooms;
- i) common areas of hospitals and independent health facilities such as lobbies, food courts and retail establishments;
- j) spas, hair salons, barbers, nail salons, and other personal service settings that are subject to health and safety protocols provided by the Province of Ontario during the provincial emergency;
- k) municipal public spaces.

The following are not considered an Enclosed Public Space:

- a) Spaces subject to provincial and/or local public health guidance:
  - i. Schools under the *Education Act*, R.S.O. 1990, c. E.2, as amended;
  - ii. Child care centres and providers governed by the *Child Care and Early Years Act, 2014*, S.O. 2014, c. 11, as amended;
  - iii. Day camps.

- b) Offices not open to the public including professional offices where clients receive services (e.g., lawyer, accountant)

**“Face Covering/Mask”** means: a cloth (non-medical) Mask, medical Mask or other face coverings, (e.g., bandana, a scarf or cloth), for filtering respiratory droplets that securely covers the nose, mouth, and chin and is in contact with the surrounding face without gapping.

**“Operator”** means the person who controls, governs, directs, or is responsible for the activity carried on within the Enclosed Public Space and includes the person who is actually in charge at any particular time.

## **DUTY OF OPERATOR**

1. (1) Every Operator of an Enclosed Public Space shall adopt a policy to ensure that no member of the public is permitted to enter or remain in the public areas of the Enclosed Public Space unless he or she is wearing a Face Covering/Mask in a manner that securely covers their nose, mouth and chin.  
  
(2) Subsection (1) does not apply to:
  - a) Children under two years of age, or children under the age of five years either chronologically or developmentally who refuse to wear a Mask and cannot be persuaded to do so by their caregiver;
  - b) Individuals with medical conditions rendering them unable to safely wear a Mask, including breathing difficulties or cognitive difficulties;
  - c) Individuals who are unable to apply or remove a Mask without assistance, including those who are accommodated under the Accessibility for Ontarians with Disabilities Act (AODA) or who have protections under the Ontario *Human Rights Code*, R.S.O. 1990, c.H.19, as amended
  - d) A person who is employed by or is an agent of the Operator of an Enclosed Public Space and:
    - i. is in an area of the premises that is not designated for public access, or
    - ii. is within or behind a physical barrier (e.g., Plexiglas).
2. Implementation of the policy should be enacted and enforced in ‘good faith’ and should be primarily used as a means to educate people on Face Covering/Mask use in public spaces.
3. No person shall be required to provide proof of any of the exemptions set out in Subsection 1(2)
4. The policy shall:
  - a) exempt the persons set out in Subsection 1(2) from the obligation of wearing a Face Covering/Mask,
  - b) ensure that all persons working at the Establishment are trained in the requirements of the policy
  - c) require that employees and agents wear a Face Covering/Mask when working in the public areas of the premises unless the employee or agent is within or behind a physical barrier.

- d) require that employees and agents provide a verbal reminder to any customer entering the premises without a Face Covering/Mask that the customer should be wearing a Mask.
  - e) require, for customers in a premises removing their Mask for extended periods of time, a verbal reminder to that customer of the requirement to wear a Mask under these instructions
  - f) permit the temporary removal of a Mask where necessary for the purpose of:
    - i. receiving services; or
    - ii. while actively engaging in an athletic or fitness activity including water-based activities.
5. Ensure the availability of alcohol-based hand rub at all entrances and exits for the use of all persons entering or exiting the establishment
6. Every Operator of an Enclosed Public Space, upon request, shall provide a copy of the policy to any person authorized to enforce this by-law.
7. The Operator of an Enclosed Public Space shall post, at every public entrance to the premises, prominent and clearly visible signage that contains the following messages:

**All persons entering or remaining in these premises must wear a face covering/mask that securely covers the nose, mouth, and chin.**

***Effective July 7, 2020, 12 :01 pm  
Review planned for September 30, 2020***