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October 14, 2020

Dear Business Owner/Operator,

On October 3rd, 2020 [Ontario Regulation 364/20: Rules for Areas in Stage 3](#) was once again amended. Among the changes was the introduction of mandatory masking in indoor spaces. This supplements [our instructions for masking](#) that were sent to you on July 15th, 2020. In the event that the regulation and our instructions disagree, the more restrictive requirement applies. The new requirements are as follows:

2 (4) The person responsible for a business or organization that is open shall ensure that any person in the indoor area of the premises of the business or organization, or in a vehicle that is operating as part of the business or organization, wears a mask or face covering in a manner that covers their mouth, nose and chin during any period when they are in the indoor area unless the person in the indoor area,

- (a) is a child who is younger than two years of age;
- (b) is attending a school or private school within the meaning of the *Education Act* that is operated in accordance with a return to school direction issued by the Ministry of Education and approved by the Office of the Chief Medical Officer of Health;
- (c) is attending a child care program at a place that is in compliance with the child care re-opening guidance issued by the Ministry of Education;
- (d) is receiving residential services and supports in a residence listed in the definition of “residential services and supports” in subsection 4 (2) of the *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008*;
- (e) is in a correctional institution or in a custody and detention program for young persons in conflict with the law;
- (f) is performing or rehearsing in a film or television production or in a concert, artistic event, theatrical performance or other performance;
- (g) has a medical condition that inhibits their ability to wear a mask or face covering;
- (h) is unable to put on or remove their mask or face covering without the assistance of another person;
- (i) needs to temporarily remove their mask or face covering while in the indoor area:
 - (i) to receive services that require the removal of their mask or face covering;
 - (ii) to engage in an athletic or fitness activity;
 - (iii) to consume food or drink; or
 - (iv) as may be necessary for the purposes of health and safety;

- (j) is being accommodated in accordance with the *Accessibility for Ontarians with Disabilities Act, 2005*;
- (k) is being reasonably accommodated in accordance with the *Human Rights Code*; or
- (l) performs work for the business or organization, is in an area that is not accessible to members of the public and is able to maintain a physical distance of at least two metres from every other person while in the indoor area.

(5) Subsection (4) does not apply with respect to premises that are used as a dwelling if the person responsible for the business or organization ensures that persons in the premises who are not entitled to an exception set out in subsection (4) wear a mask or face covering in a manner that covers their mouth, nose and chin in any common areas of the premises in which persons are unable to maintain a physical distance of at least two metres from other persons.

(6) For greater certainty, it is not necessary for a person to present evidence to the person responsible for a business or place that they are entitled to any of the exceptions set out in subsection (4).

I would like to highlight to you that under the provincial requirements, that workers are now required to wear face coverings in areas not accessible to the public when distancing may be a challenge. Additionally, workers that are behind an impermeable barrier are no longer exempt from wearing a face covering. We have reached out to the province to confirm that this is the case.

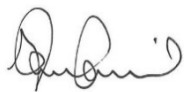
The exemption for musical performances does remain in effect. We wish to remind everyone that anyone singing or playing a woodwind or brass instrument needs to be separated from all other individuals by a barrier such as plexiglass. This requirement extends to all settings, including churches.

As you are no doubt aware, on October 9th, the province responded to increased cases of COVID-19 in certain areas and rolled back Ottawa, Toronto, and Peel into a modified version of the stage 2 reopening. This includes reducing the capacity of rental halls, prohibiting indoor dining, banning indoor exercise classes, and restrictions on other indoor settings. These types of businesses are considered to be higher risk. We want to ensure everyone is doing their best to keep Timiskaming open for business.

If you operate a higher risk setting, we are encouraging you to exceed the minimum requirements wherever possible. This includes additional distancing, increasing the ventilation of indoor spaces, the use of barriers such as plexiglass, and encouraging the proper use of masks.

If you have any questions, please contact the Timiskaming Health Unit at 1-866-747-4305.

Sincerely,



Dr. Glenn Corneil
Acting Medical Officer of Health/CEO