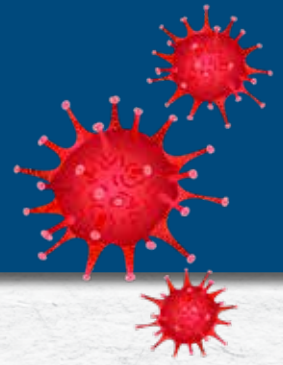


Durham Region Health Department

COVID-19 Fact Sheet



Instructions to ensure the mandatory use of non-medical masks and face coverings within enclosed public spaces and common areas of apartment buildings and condominiums in Durham Region.

Under what authority are these instructions being issued?

These instructions are being issued by the Durham Region Medical Officer of Health under the authority of Ontario Regulation 364/20 – Rules for Areas in Stage 3 of the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020* (ROA).

What are the instructions?

All owners and operators of a business or organization that is an indoor enclosed public space and open to the public in Durham Region during Stage 3, are required to have a policy in place to ensure those entering the establishment wear a non-medical mask or face covering.

Additionally, persons responsible for apartment buildings and condominiums are required to have a policy in place to ensure residents and visitors wear a non-medical mask or face covering in common areas such as laundry rooms, elevators, lobbies, meeting rooms or other common-use facilities.

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 Durham Region Medical Officer of Health are being followed in order to stop the spread of COVID-19 within Durham Region.

These instructions reinforce the requirements that all persons responsible for a business or organization permitted to open per the ROA Ontario Regulation 364/20 – Rules for Areas in Stage 3 (or current) and persons responsible for apartment buildings and condominiums shall operate in compliance with the advice, recommendations and instructions of public health officials.

While cases of COVID-19 continue to occur, the risk for the ongoing spread of COVID-19 remains as the re-opening process continues across Durham Region. The use of non-medical masks or facial coverings in enclosed public spaces and apartment buildings and condominiums, is an additional public health measure (along with physical distancing, hand and cough hygiene, and staying home when sick) that prevents the spread of COVID-19 within the community.

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What is an enclosed public space? Which ones are included in the instructions?

An enclosed public space means either indoor public spaces of businesses and organizations accessed by the public where the public interacts with each other and with staff, or common areas of apartment buildings or condominiums accessed by residents and/or visitors. These currently include, but are not limited to, the following:

1. Places where goods and services are sold:
 - retail stores,
 - food stores,
 - indoor farmers' markets and flea markets,
 - gas stations,
 - malls, food courts and plazas,
 - mechanic shops, garages and repair shops,
 - personal service settings,
 - showrooms,
 - open house, presentation centre, or other facility for real estate purposes.
2. Churches, mosques, synagogues, temples, or other places of worship (masks do not need to be worn during a religious rite or ceremony that's incompatible with the face being covered)
3. Municipal facilities (libraries, community centres).
4. Indoor attractions, including art galleries, museums, aquariums, zoos, escape rooms, games rooms, arcades, paintball, bowling, indoor play spaces and other similar facilities.
5. Event spaces, including banquet halls, convention centres, arenas, stadiums, auditoriums, and other similar facilities.
6. Common areas of commercial buildings, hotels, motels and other short-term rentals, such as lobbies, elevators, meeting rooms or other common use facilities.
7. Common areas of residential apartment and condominium buildings such as laundry rooms, elevators, lobbies, meeting rooms or other common-use facilities.
8. Indoor entertainment facilities and venues, including concert venues, theatres, cinemas, casinos, bingo halls and other similar facilities.
9. Athletic facilities, including gyms, fitness centres, studios, dojos, and sports and recreational centres, and other similar facilities (masks do not need to be worn when engaging in physical activity, but are required in common areas).
10. Dining establishments, including restaurants and patios, cafes, pubs, bars, nightclubs and other similar facilities (masks do not need to be worn when sitting at a table).
11. Private transportation services such as taxis, shuttles, limousine services, and other similar ride-share programs.

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The areas of enclosed public spaces that are subject to the face covering instructions are:

1. Any areas in which customers, patrons, visitors and/or residents interact with one another and/or with staff members, OR
2. Any areas that are open or accessible to members of the public or residents.
3. Except where: The area is outside, whether or not the area is covered, not including dining establishment patios (when seated).

What businesses and organizations are NOT included in the instructions?

These instructions do not apply to the following:

1. Schools, post-secondary institutions and other facilities used solely for educational purposes.
2. Child care centres and providers governed by the *Child Care and Early Years Act, 2014, S.O. 2014, c. 11*, as amended.
3. Day camps.
4. Business offices that are not open to members of the public.
5. Hospitals.
6. Independent health facilities.
7. Offices of regulated health professionals.
8. An area that is not enclosed or indoors.

It is strongly recommended that businesses and organizations not included in these instructions develop and enforce COVID -19 policies that include non-medical mask or face covering in their establishment.

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

The new instructions for masking in enclosed public spaces are effective 12:01 p.m. September 28, 2020. Before this date, the previous instructions for masking in enclosed public spaces (from July 28, 2020) still apply. Non-medical masks or face coverings are required in enclosed public spaces and common areas of apartment building and condominiums while Durham Region remains in Stage 3.

How is this being enforced?

Durham Region Health Department will be taking a progressive enforcement approach to ensure compliance, with a focus on education. Best efforts should be taken which include reminding customers verbally to wear a face covering, and to not deny service and/or access if a non-medical mask or face covering cannot be worn. As per the ROA, both individuals and businesses who do not comply with the instructions may be fined.

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Who is exempt from wearing a non-medical mask or face covering in an enclosed public space?

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

- 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;
- Wearing a non-medical mask or face covering would inhibit the person's ability to breathe in any way;
- 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, visitor or resident who enters the enclosed public space.

Does a person have to show proof of their exemption?

No, a person does not have to show proof of their exemption. There is no need for an exemption card, or a letter from a physician.

Can a person be refused service if they do not wear a mask?

Owners and operators of businesses or organizations with enclosed public spaces are encouraged to look for alternatives for those that are exempt from wearing a mask to still be able to receive their goods and services, such as making appointments, having special hours for shopping, or curbside pick-up. Owners and operators are encouraged to not deny services to people who are unable to wear a non-medical mask or face covering.

Do these instructions apply while using public transportation?

These specific instructions do not apply as Durham Region Transit (DRT) has its own policy for mask use. DRT passengers are required to wear a face covering or non-medical mask at all times during their travels on public transit, except for those that have exemptions. Please see durhamregiontransit.com for the full list of passenger requirements to protect yourself and others while using public transit.

More information

If you have questions about these instructions, please call Durham Health Connection Line at 905-668-2020 or 1-800-841-2729.

