

**MEMORANDUM TO:** All Chiefs of Police and  
Commissioner Thomas Carrique  
Chairs, Police Services Boards

**FROM:** Richard Stubbings  
Assistant Deputy Minister  
Public Safety Division and Public Safety Training Division

**SUBJECT:** Recent Changes to Emergency Orders

<b>DATE OF ISSUE:</b>	<b>May 31, 2020</b>
<b>CLASSIFICATION:</b>	<b>General Information</b>
<b>RETENTION:</b>	<b>Indefinite</b>
<b>INDEX NO.:</b>	<b>20-0084</b>
<b>PRIORITY:</b>	<b>High</b>

Further to All Chiefs Memos 20-0074 and 20-0075 on emergency orders O. Reg. 82/20 (Closure of Places of Non-Essential Businesses) and O. Reg. 52/20 (Organized Public Events, Certain Gatherings) under the *Emergency Management and Civil Protection Act* (EMCPA), I am writing to inform you of recent amendments that impact enforcement of these orders.

**Amendments to O. Reg. 82/20 and O. Reg. 51/20: Operation of Drive-In Cinemas and Batting Cages**

O. Reg. 82/20 and O. Reg. 51/20 have been amended to authorize drive-in cinemas that were in existence as of May 29, 2020 to operate, in compliance with certain requirements. These amendments are effective as of **12:01 a.m. on Sunday, May 31, 2020.**

The amendments provide that every person responsible for a drive-in cinema must ensure the following:

- Each person in attendance at the drive-in cinema, other than persons working at the drive-in cinema, must remain within a motor vehicle designed to be closed to the elements except:
  - Where necessary to purchase admission to the drive-in cinema;
  - Where necessary to use a washroom; or,
  - As may otherwise be required for the purposes of health and safety.

- A person must not be in a motor vehicle at the drive-in cinema that contains members of more than one household.
- The driver of a motor vehicle at the drive-in cinema must ensure that it is positioned at least two metres away from other motor vehicles.
- Every person working at the drive-in cinema must remain at least two metres apart from motor vehicles and from other persons, except for the purposes of facilitating the purchase of admission to the drive-in cinema.
- Any washrooms that are open for use at the drive-in cinema must be cleaned and disinfected as frequently as is necessary to maintain a sanitary environment.
- No food or beverages may be sold or provided to persons attending the drive-in cinema.
- No materials may be exchanged between persons at the drive-in cinema, except:
  - Materials exchanged between members of the same household;
  - Materials exchanged between persons who are working at the drive-in cinema; and,
  - Such materials as are necessary to facilitate the purchase of admission to the drive-in cinema.

Additional information can be found by consulting [O. Reg 82/20](#).

Amendments have also been made to O. Reg. 82/20 on the matter of operating batting cages. Starting May 31, 2020, outdoor batting cages following public health and safety measures will be permitted to reopen. Requirements can be found by consulting the [regulation](#).

### **Amendments to O. Reg. 52/20: Drive-In Religious Gatherings and Organized Public Events**

O. Reg. 52/20 prohibits organized public events, social gatherings and gatherings for the purposes of conducting religious services, rites or ceremonies of more than five people.

The prohibitions do not apply to:

- A gathering of members of a single household; or,
- A gathering for the purposes of a funeral service that is attended by not more than 10 persons.

On May 16, 2020, the government amended O. Reg. 52/20 to permit drive-in religious services, rites and ceremonies to take place in Ontario providing certain precautions are followed, including that each person attending the gathering, other than the persons conducting the service, rite or ceremony, must remain within a motor vehicle that is designed to be closed to the elements.

Effective immediately, amendments have been made to O. Reg. 52/20 to permit persons attending a drive-in religious service, rite or ceremony to leave their vehicles and/or enter a building located at the gathering where necessary to use a washroom or as may otherwise be required for the purposes of health and safety.

The persons conducting the service, rite or ceremony must ensure that any washrooms that have been made available to persons attending the gathering are cleaned and disinfected as frequently as is necessary to maintain a sanitary environment.

Details on these changes can be found by consulting [O. Reg. 52/20](#).

### **Clarification Regarding the Application of Prohibitions on Organized Public Events of More Than Five Persons to Essential Businesses**

Amendments have also been made to O. Reg. 52/20 to clarify that prohibitions on attending organized public events of more than five persons do not apply to attendance at a place of business that is not required to close under O. Reg. 82/20 (e.g., an essential business), for a purpose related to providing or receiving the goods or services provided by the business. For example, purchasing tickets and attending at a drive-in cinema for the screening of a film, as authorized by O. Reg. 82/20, is not prohibited by requirements in O. Reg. 52/20 related to organized public events.

### **O. Reg. 142/20 - Recreational Camping on Crown Land**

The previous [extension](#) to June 9, 2020 of [O. Reg. 142/20](#), which prohibits recreational camping on Crown land, has been shortened and the emergency order is revoked effective June 1, 2020.

As of June 1, backcountry camping will also be available at Ontario Parks, including access points, paddle and portage routes and hiking trails. Ontario Parks will also be expanding day-use activities to include picnicking and off-leash pet areas.

### **General Enforcement Considerations**

Policing personnel should continue to use their discretion to determine whether a congregation of people is an organized public event, social gathering or religious gathering.

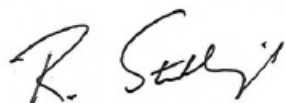
Policing personnel are free to ask questions and obtain voluntary answers, as well as rely on other objective observations, in order to form reasonable and probable grounds. Policing personnel should NOT make any assumptions about who is a member of the same household based on race, gender or any other protected grounds. Policing personnel should continue to use their discretion and consider objective information that may be available to form grounds that an organized public event, social or religious gathering of more than five people includes members of more than one household, or that a vehicle at a religious gathering includes members of more than one household.

In addition to the provincial emergency orders, there may be other municipal or First Nation by-laws that apply to various types of events and gatherings. Policing personnel should work with local by-law enforcement personnel on these issues, where they arise.

To support enforcement needs, you may call the **COVID-19 Enforcement Support Line at 1-866-389-7638**. The line is only available to chiefs of police, policing personnel, and other enforcement personnel for specific questions related to the enforcement of the emergency orders under the EMCPA. **Assistance is available Monday to Sunday, from 8:00 a.m. EST – 9:00 p.m. EST.**

I trust that this is of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Stubbings". The signature is written in a cursive, slightly slanted style.

Richard Stubbings  
Assistant Deputy Minister  
Public Safety Division and Public Safety Training Division