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Tél. : 416 585-7100**October 10, 2020****MEMORANDUM TO: Regional and Municipal CAOs/Clerks****City of Hamilton, Region of Durham, Region of York, Niagara
Region****SUBJECT: Enforcement of Orders under the *Reopening Ontario Act,*
2020**

As you are aware, municipal by-law officers are designated to enforce orders under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020* (ROA). We acknowledge that local partners have been working together closely and emphasize the importance of compliance promotion by all enforcement personnel to support the enforcement of orders under the ROA. A shared responsibility and sustained efforts across municipal and provincial partners remain critical to limiting the spread of infection and managing the impact of the pandemic on local communities.

Given the recent rise in COVID-19 cases in the province and specifically in Ottawa, Peel and Toronto, these communities have moved from Stage 3 to an amended version of Stage 2. To avoid further closures and public health restrictions in other communities, sustained vigilance and bolstered collaboration across local enforcement personnel, including municipal by-law enforcement officers, police officers and other provincial offences officers, to ensure compliance and the coordination of local enforcement of orders is strongly encouraged. An assertive approach to enforcement is recommended that considers the severity of the violation of an order and the Government of Ontario's public health intent to limit the spread of COVID-19.

Public health information and data collected through local inspection activities will be applied to help us to continue to focus our efforts on regions with higher rates of infection.

We are working to ensure more provincial resources are also brought forward to address critical enforcement measures locally and encourage you to do the same.

There are several offences, penalties and enforcement mechanisms under the ROA available to police and other designated enforcement personnel, including the authority to issue tickets under Part I and summonses under Part III of the *Provincial Offences Act*.

For information about the orders in effect and enforceable under the ROA, including those orders around businesses and organizations that are permitted to be open, please visit the link to the Act on e-Laws at <https://www.ontario.ca/laws/statute/20r17> and click on the “Regulations under this Act” tab.

To help support enforcement personnel, ministry staff continue to respond to inquiries via email, at EssentialWorkplacesSupport.SolGen@ontario.ca. Through this channel, assistance is available Monday to Friday, from 8:30 a.m. – 5:00 p.m. EST. Enforcement personnel may also continue to monitor www.ontario.ca/alert for information and updates on emergency orders.

Thank you again for your continued support and collaboration during this challenging time.

Sincerely,

Original Signed by

Original Signed by

Deputy Mario Di Tommaso, O. O. M.
Deputy Minister, Community Safety

Deputy Kate Manson-Smith
Deputy Minister, Municipal Affairs and Housing



Executive Council
Conseil exécutif

R.O.C./Décret 412 / 2020

I certify that the attached is a true copy of the Regulation under the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020, made by Her Honour the Lieutenant Governor in Council on October 9, 2020.

Dated at Toronto, October 9, 2020

A handwritten signature in blue ink, reading "Anna Valer".

Deputy Clerk, Executive Council



Ontario

Executive Council
Conseil exécutif

Order in Council Décret

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and concurrence of the Executive Council, orders that:

the appended Regulation be made under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*.

Sur la recommandation de la personne soussignée, la lieutenant-gouverneure, sur l'avis et avec le consentement du Conseil exécutif, décrète ce qui suit :

Le règlement ci-annexé est pris en vertu de la *Loi de 2020 sur la réouverture de l'Ontario (mesures adaptables en réponse à la COVID-19)*.

Recommandé par :

Recommended

Appuyé par :

Le président du Conseil des ministres,

Concurred

Chair of Cabinet

Approuvé et décrété le

La lieutenant-gouverneure,

Approved and Ordered

OCT 09 2020

Date

Lieutenant Governor

R.O.C./Décret (R)

E 412/2020

[Bilingual]

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Until filed with the
Registrar of Regulations

REG2020.0809.e
13-EC

ONTARIO REGULATION

made under the

REOPENING ONTARIO (A FLEXIBLE RESPONSE TO COVID-19) ACT, 2020

Amending O. Reg. 263/20

(RULES FOR AREAS IN STAGE 2)

1. Section 1 of Ontario Regulation 263/20 is revoked and the following substituted:

Terms of Order

1. The terms of this Order are set out in Schedules 1, 2 and 3.

2. The Regulation is amended by adding the following section:

Indoor vs. outdoor

4. (1) The outdoor capacity limits set out in this Order apply to a business, place, event or gathering if the people attending it are only permitted to access an indoor area,

- (a) to use a washroom;
- (b) to access an outdoor area that can only be accessed through an indoor route; or
- (c) as may be necessary for the purposes of health and safety.

(2) The indoor capacity limits set out in this Order apply to a business, place, event or gathering if the business, place, event or gathering is fully or partially indoors.

(3) An indoor event or gathering cannot be combined with an outdoor event or gathering so as to increase the applicable limit on the number of people at the event or gathering.

3. (1) Subsection 1 (3) of Schedule 1 to the Regulation is revoked and the following substituted:

(3) Each person responsible for a business or place, or part of a business or place, that does not comply with sections 2 to 7 of this Schedule shall ensure that it is closed.

(2) Sections 2 to 7 of Schedule 1 to the Regulation are revoked and the following substituted:

General compliance

2. (1) The person responsible for a business or organization that is open shall ensure that the business or organization operates in accordance with all applicable laws, including the *Occupational Health and Safety Act* and the regulations made under it.

(2) The person responsible for a business or organization that is open shall operate the business or organization in compliance with the advice, recommendations and instructions of public health officials, including any advice, recommendations or instructions on physical distancing, cleaning or disinfecting.

(3) The person responsible for a business or organization that is open shall operate the business or organization in compliance with the advice, recommendations and instructions issued by the Office of the Chief Medical Officer of Health on screening individuals.

(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).

Capacity limits for businesses or facilities open to the public

3. (1) The person responsible for a place of business or facility that is open to the public shall limit the number of persons in the place of business or facility so that every member of the public is able to maintain a physical distance of at least two metres from every other person in the business or facility, except where Schedule 2 allows persons to be closer together.

(2) For greater certainty, subsection (1) does not require persons who are in compliance with public health guidance on households and social circles to maintain a physical distance of at least two metres from each other while in a place of business or facility.

Meeting or event space

4. (1) The person responsible for a business or place that is open may only rent out meeting or event space if,

(a) the total number of members of the public permitted to be in the business or place in its rentable meeting or event space at any one time is limited to the number that can maintain a physical distance of at least two metres from every other person in the business or place, and in any event is not permitted to exceed,

(i) 10 persons, if the meeting or event is indoors, or

(ii) 25 persons, if the meeting or event is outdoors; and

(b) no more than six people are seated together at any table in the rented space.

(2) Subsection (1) does not apply to the rental of meeting or event space for a wedding, funeral, religious service, rite or ceremony that is authorized under section 4, 5 or 6 of Schedule 3.

(3) Subsection (1) does not apply to the rental of meeting or event space for the purpose of delivering or supporting the delivery of court services.

(4) Clause (1) (a) does not apply to the rental of meeting or event space for a social gathering associated with a wedding, a funeral or a religious service, rite or ceremony if the total number of members of the public permitted to be in the business or place in its rentable meeting or event space at any one time is limited to the number that can maintain a physical distance of at least two metres from every other person in the business or place, and in any event is not permitted to exceed,

(a) 50 persons, if the meeting or event is indoors, or

(b) 100 persons, if the meeting or event is outdoors; and

Sale and service of liquor

5. (1) The person responsible for a business or place that is open and in which liquor is sold or served under a licence or a special occasion permit shall ensure that,

(a) liquor is sold or served only between 9 a.m. and 11 p.m.; and

- (b) no consumption of liquor is permitted in the business or place between the hours of 12 a.m. and 9 a.m.

(2) The conditions set out in subsection (1) do not apply with respect to businesses and places in airports.

In-person teaching and instruction

6. (1) Subject to subsection (3), the person responsible for a business or place that is open and that provides in-person teaching or instruction shall ensure that every instructional space complies with the following conditions:

1. The instructional space must be operated to enable students to maintain a physical distance of at least two metres from every other person in the instructional space, except where necessary for teaching and instruction that cannot be effectively provided if physical distancing is maintained.
2. The total number of students permitted to be in each instructional space at any one time must be limited to the number that can maintain a physical distance of at least two metres from every other person in the business or place, and in any event cannot exceed,
 - i. 10 persons, if the instructional space is indoors, or
 - ii. 25 persons, if the instructional space is outdoors.

(2) Paragraph 2 of subsection (1) does not apply to a post-secondary institution, and instead the total number of students permitted to be in each instructional space in the institution at any one time must be limited to the number that can maintain a physical distance of at least two metres from every other person in the space, and in any event cannot exceed,

- (a) 50 persons, if the instructional space is indoors; or
- (b) 100 persons, if the instructional space is outdoors.

(3) If the teaching or instruction involves singing or the playing of brass or wind instruments,

- (a) every person who is singing or playing must be separated from every other person by plexiglass or some other impermeable barrier; and
- (b) the exception in paragraph 1 of subsection (1) that allows persons to be closer than two metres where necessary for teaching and instruction does not apply.

(4) Subsections (1) to (3) do not apply to,

- (a) 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;
- (b) a school operated by,
 - (i) a band, a council of a band or the Crown in right of Canada,
 - (ii) an education authority that is authorized by a band, a council of a band or the Crown in right of Canada, or
 - (iii) an entity that participates in the Anishinabek Education System; and
- (c) the Ontario Police College, training facilities operated by a police force, the Correctional Services Recruitment and Training Centre and the Ontario Fire College.

(5) In this section,

“post-secondary institution” means,

- (a) a university,
- (b) a college of applied arts and technology,
- (c) a private career college,
- (d) an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*,
- (e) an institution that is authorized to grant a degree by an act of the Legislature, or
- (f) a person who is delivering in-person teaching or instruction in accordance with a consent given under section 4 of the *Post-secondary Education Choice and Excellence Act, 2000*.

Cleaning requirements

7. (1) The person responsible for a business or place that is open shall ensure that,
 - (a) any washrooms, locker rooms, change rooms, showers or similar amenities made available to the public are cleaned and disinfected as frequently as is necessary to maintain a sanitary condition; and

- (b) any equipment that is rented to, provided to or provided for the use of members of the public must be cleaned and disinfected as frequently as is necessary to maintain a sanitary condition.

(2) For greater certainty, clause (1) (b) applies to computers, electronics and other machines or devices that members of the public are permitted to operate.

NHL hub

8. (1) In this section,

“NHL” means the National Hockey League; (“LNH”)

“NHL hub” means the businesses and places referred to in clause (3) (a); (“bulle de la LNH”)

“NHL hub participant” means a person who has been specified as a participant in the NHL hub in the professional sports plan for the NHL; (“participant à la bulle de la LNH”)

“professional sports plan for the NHL” means the professional sports plan for the NHL approved by the Office of the Chief Medical Officer of Health. (“plan de sports professionnels applicable à la LNH”)

(2) The Office of the Chief Medical Officer of Health may approve a professional sports plan for the NHL.

(3) The professional sports plan for the NHL shall list,

- (a) the businesses and places in the City of Toronto that constitute the NHL hub and that may be used by NHL hub participants, which may include,

- (i) hotels,
- (ii) facilities for indoor or outdoor sports and recreational fitness activities,
- (iii) businesses or places that are in hotels or facilities mentioned in subclause (i) or (ii), and
- (iv) restaurants or bars that are adjacent to hotels or facilities mentioned in subclause (i) or (ii); and

- (b) persons who are NHL hub participants.

(4) A business or place that constitutes part of the NHL hub may open for use by NHL hub participants if the business or place complies with the following conditions:

1. The business or place must operate in accordance with the professional sports plan for the NHL.
2. No spectators may be permitted at the business or place except in accordance with the professional sports plan for the NHL.
3. Subject to paragraph 2, any part of the business or place used by NHL hub participants must be closed to members of the public who are not NHL hub participants.
4. The business or place must ensure that subsections (6) and (7), as applicable, are complied with on the premises of the business or place.

(5) The following provisions do not apply to the provision of goods or services to an NHL hub participant when they are provided within the NHL hub:

1. Sections 3, 4 and 5 of this Schedule.
2. Section 7 of Schedule 2, but only in respect of personal physical fitness or sports trainers.
3. Sections 13 and 14 of Schedule 2.
4. Clauses 1 (1) (a) and (b) of Schedule 3.

(6) Section 1 of Schedule 2 does not apply to any part of a restaurant, bar, concession stand or other food or drink establishment that provides food, drink or services to NHL hub participants when they are provided within the NHL hub, but the establishment must operate in accordance with the conditions set out in paragraphs 2 to 5 of subsection 1 (1) and subsections 1 (2) to (4) of Schedule 2 to Ontario Regulation 364/20 (Rules for Areas in Stage 3).

(7) Section 6 of Schedule 2 does not apply to the provision of personal care services to NHL hub participants when they are provided within the NHL hub by a personal care services business, but the business must operate in accordance with the conditions set out in section 4 of Schedule 2 to Ontario Regulation 364/20 (Rules for Areas in Stage 3).

(8) Clauses 1 (1) (a) and (b) of Schedule 3 do not apply to NHL hub participants in the NHL hub.

(9) A business or place that constitutes part of the NHL hub shall not provide goods or services to members of the public who are not NHL hub participants unless,

- (a) the business or place is permitted to do so by the professional sports plan for the NHL;

- (b) the business or place provides the goods or services in accordance with the professional sports plan for the NHL; and
- (c) the business or place complies with any other applicable requirements or conditions in this Order.

(3) Subsection 4 (4) of Schedule 1 to the Regulation, as made by subsection (2), is revoked.

4. (1) Sections 1 and 2 of Schedule 2 to the Regulation are revoked and the following substituted:

Restaurants, bars, etc.

1. (1) Restaurants, bars, food trucks, concession stands and other food or drink establishments may open if they comply with the following conditions:

1. Patrons must be served through takeout, drive-through or delivery service or at an outdoor dining area that meets the following conditions:
 - i. The outdoor dining area must be in or adjacent to the place of business.
 - ii. No buffet-style service may be provided.
 - iii. Patrons in the outdoor dining area must be seated at all times except,
 - A. while entering the area and while moving to their table,
 - B. while placing or picking up an order,
 - C. while paying for an order,
 - D. while exiting the area,
 - E. while going to or returning from a washroom,
 - F. while lining up to do anything described in sub-subparagraphs A to E, or
 - G. where necessary for the purposes of health and safety.
 - iv. The outdoor dining area must be configured so that patrons seated at different tables are separated by,
 - A. a distance of at least two metres, or

B. plexiglass or some other impermeable barrier.

- v. If the outdoor dining area is covered by a roof, canopy, tent, awning or other element, at least two full sides of the outdoor dining area must be open to the outdoors and must not be substantially blocked by any walls or other impermeable physical barriers.
 - vi. If the outdoor dining area is equipped with a retractable roof and the roof is retracted, at least one full side of the outdoor dining area must be open to the outdoors and must not be substantially blocked by any walls or other impermeable physical barriers.
2. Public access to any indoor portions of the establishment must be limited to food pickup, payment, washroom access, access required to get to the outdoor dining area or access that is otherwise required for the purposes of health and safety.
 3. Dancing, singing and the live performance of brass or wind instruments are prohibited at the establishment.
 4. The person responsible for the establishment must,
 - i. subject to subsection (4), record the name and contact information of every patron that enters an indoor or outdoor dining area in the establishment, other than patrons who temporarily enter the area to place, pick up or pay for a takeout order,
 - ii. maintain the records for a period of at least one month, and
 - iii. only disclose the records to a medical officer of health or an inspector under the *Health Protection and Promotion Act* on request for a purpose specified in section 2 of that Act or as otherwise required by law.
 5. The establishment must be closed to the public between the hours of 12 a.m. and 5 a.m. except as may be necessary to,
 - i. allow patrons to temporarily enter the establishment to place, pick up or pay for a takeout order,
 - ii. provide drive-through or delivery service,
 - iii. provide dine-in service, which may include indoor dine-in service, only for persons who are performing work for the business or place in which the establishment is located, or

- iv. provide access to washrooms.
- 6. No more than six people may be seated together at a table in the establishment.
- 7. No patron may be permitted to line up or congregate outside of the establishment unless they are,
 - i. maintaining a physical distance of at least two metres from other groups of persons outside the establishment, and
 - ii. wearing a mask or face covering in a manner that covers their mouth, nose and chin, unless they are entitled to any of the exceptions set out in subsection 2 (4) of Schedule 1.

(2) Despite paragraph 1 of subsection (1), indoor dine-in service may be provided,

- (a) to persons who perform work for the business or place in which the establishment is located;
- (b) at an establishment on hospital premises or in an airport, or
- (c) at a social gathering associated with a wedding, a funeral or a religious service, rite or ceremony.

(3) If indoor dining is provided in accordance with subsection (2), the conditions set out in subsection (1) apply to the indoor dining area with necessary modifications.

(4) The requirement set out in subparagraph 4 i of subsection (1) does not apply if the patrons temporarily enter the area to place, pick up or pay for a takeout order.

(5) Paragraph 5 of subsection (1) does not apply with respect to establishments on hospital premises or in airports.

(6) For greater certainty, a restaurant, bar, food truck, concession stand or other food or drink establishment that is in compliance with the conditions set out in subsection (1) may open in any business or place that is otherwise permitted to open under this Order.

(7) In this section,

“party” means a group of one or more patrons.

Public libraries

2. Public libraries may open if circulating materials that are returned or accessed within the library are disinfected or quarantined for an appropriate period of time before they are recirculated.

(2) Clause 1 (2) (c) of Schedule 2 to the Regulation, as made by subsection (1), is revoked.

(3) Paragraph 3 of subsection 3 (1) of Schedule 2 to the Regulation is amended by striking out “that are permitted to be open under section 19”.

(4) Section 5 of Schedule 2 to the Regulation is revoked and the following substituted:

Real estate open houses

5. Real estate agencies may open if they ensure that the total number of members of the public permitted at any open house event they host or facilitate at any one time is limited to the number that can maintain a physical distance of at least two metres from every other person in the open house event, and in any event is not permitted to exceed 10 persons.

(5) Section 6 of Schedule 2 to the Regulation is revoked and the following substituted:

Personal care services

6. (1) Personal care services relating to the hair or body, including hair salons and barbershops, manicure and pedicure salons, aesthetician services, piercing services, tanning salons, spas and tattoo studios, may open if they comply with the following conditions:

1. No personal care services that require the removal of a mask or face covering may be provided.
2. Persons who provide personal care services in the business must wear appropriate personal protective equipment.
3. Subject to subsection 19 (2), any locker rooms, change rooms, and showers must be closed, except to the extent they provide access to equipment storage, a washroom or a portion of the business that is used to provide first aid.
4. Any steam rooms, saunas, whirlpools or bathhouses must be closed.
5. Any baths, hot tubs, floating pools or sensory deprivation pods must be closed, unless they are used for a therapeutic purpose prescribed by, or administered by, a regulated health professional.
6. Oxygen bars must be closed.

(2) Subsection (1) does not apply to hair and makeup services described in section 16 or 17.

(6) Section 8 of Schedule 2 to the Regulation is revoked.

(7) Schedule 2 to the Regulation is amended by adding the following section:

Conference centres and convention centres

8. (1) Conference centres and convention centres are closed, subject to subsection (2).

(2) Conference centres and convention centres may open to provide meeting or event space for the purpose of delivering or supporting the delivery of court services.

(8) Sections 10, 11 and 12 of Schedule 2 to the Regulation are revoked and the following substituted:

Fitting rooms

10. Fitting rooms in a business may open if patrons are not permitted to occupy adjacent fitting room stalls at any one time.

(9) Paragraph 2 of the English version of section 12.1 of Schedule 2 to the Regulation is amended by striking out “vehicle” and substituting “motor vehicle”.

(10) Sections 13 and 14 of Schedule 2 to the Regulation are revoked and the following substituted:

Facilities for indoor sports and recreational fitness activities

13. (1) Subject to subsections (2) to (5), facilities for indoor sports and recreational fitness activities, including gymnasiums, health clubs, community centres, multi-purpose facilities, arenas, exercise studios, yoga and dance studios and other fitness facilities, may open if they comply with the following conditions:

1. Indoor fitness, exercise or dance classes must not be provided.
2. Any areas containing weights or exercise machines must be closed.
3. The total number of members of the public permitted to be in a class, organized program or organized activity at the facility cannot exceed 10 people and each class, organized program or organized activity must take place in a separate room.
4. No spectators are permitted.
5. Any person who enters or uses the facility must maintain a physical distance of at least two metres from any other person who is using the facility.

6. Team sports must not be practised or played within the facility, with the exception of training sessions for members of a sports team that do not include games or scrimmage games.
7. Activities that are likely to result in individuals coming within two metres of each other must not be practised or played within the facility.
8. Subject to subsection 19 (2), any locker rooms, change rooms, showers and clubhouses in the facility must be closed, except to the extent they provide access to equipment storage, a washroom or a portion of the facility that is used to provide first aid.
9. Any equipment that is rented to, provided to or provided for the use of users of the facility must be cleaned and disinfected between each use.
10. Activities that require the use of equipment or fixed structures that cannot be cleaned and disinfected between each use must not be practised or played within the facility.

(2) The conditions set out in subsection (1) do not apply to indoor training facilities that are operated by a sports team in one of the following leagues if they operate in compliance with the conditions set out in subsection (3):

1. Canadian Elite Basketball League.
2. Canadian Football League.
3. Major League Baseball.
4. Major League Soccer.
5. National Basketball Association.
6. National Hockey League.
7. National Lacrosse League.

(3) The conditions referred to in subsection (2) are the following:

1. The facility may only be used if,
 - i. the team's league has established a health and safety protocol for the use of training facilities, and

- ii. the training facility is operated in compliance with the health and safety protocol.
- 2. The only persons permitted to enter and use the facility are,
 - i. players on the team who are using the facility for the purposes of training or conditioning, and
 - ii. such staff as are strictly necessary to operate the facility and support the training or conditioning of the players.
- 3. Any equipment that is rented to, provided to or provided for the use of users of the facility must be cleaned and disinfected between each use.

(4) The conditions set out in subsection (1) do not apply to facilities for indoor sports and recreational fitness activities that open to provide space for a day camp for children that is in compliance with section 15.

(5) This section does not apply to pools, splash pads, spray pads and wading pools.

Facilities for outdoor sports and recreational fitness activities

14. (1) Facilities for outdoor sports and recreational fitness activities may open if they comply with the following conditions:

- 1. Any person who enters or uses the facility must maintain a physical distance of at least two metres from any other person who is using the facility.
- 2. Team sports must not be practised or played within the facility, with the exception of training sessions for members of a sports team that do not include games or scrimmage games.
- 3. Activities that are likely to result in individuals coming within two metres of each other must not be practised or played within the facility.
- 4. Subject to subsection 19 (2), any locker rooms, change rooms, showers and clubhouses in the facility must be closed, except to the extent they provide access to equipment storage, a washroom or a portion of the facility that is used to provide first aid.
- 5. Any equipment that is rented to, provided to or provided for the use of users of the facility must be cleaned and disinfected between each use.
- 6. Activities that require the use of equipment or fixed structures that cannot be cleaned and disinfected between each use must not be practised or played within the facility.

(2) Outdoor playgrounds, play structures and facilities containing outdoor fitness equipment may open.

(3) This section does not apply to pools, splash pads, spray pads and wading pools.

(11) Section 19 of Schedule 2 to the Regulation is revoked and the following substituted:

Water features

19. (1) Steam rooms, saunas and bathhouses are closed.

(2) Despite any other provision in this Schedule that would require a locker room, change room or showers to be closed, any locker room, change room or showers that is used in conjunction with a pool, splash pad, spray pad or wading pool may be open for that purpose.

(3) For greater certainty, a pool, splash pad, spray pad, whirlpool, wading pool or water slide that is in compliance with section 7 of Schedule 1 may open in any business or place that is otherwise permitted to open under this Order.

(12) Paragraphs 1 and 2 of section 24 of Schedule 2 to the Regulation are revoked and the following substituted:

1. The tour must be operated to enable every person on the tour, including tour guides, to maintain a physical distance of at least two metres from every other person, except where necessary,
 - i. to facilitate payment, or
 - ii. for the purposes of health and safety.
2. The number of members of the public on the tour must not exceed the number of persons that would permit compliance with paragraph 1 while on the tour, and in any event cannot exceed,
 - i. 10 persons, if they will be indoors during the tour, or
 - ii. 25 persons, if they will be outdoors during the tour.

(13) Schedule 2 to the Regulation is amended by adding the following section:

Strip clubs

26.1 Strip clubs are closed.

(14) Paragraph 1 of section 27 of Schedule 2 to the Regulation is amended by striking out “that are permitted to be open under section 19” at the end.

5. (1) Schedule 3 to the Regulation is revoked and the following substituted:

SCHEDULE 3
ORGANIZED PUBLIC EVENTS, CERTAIN GATHERINGS

Gatherings, Stage 2 areas

1. (1) Subject to subsection (2) and sections 2 to 6, no person shall attend,

(a) an organized public event of more than,

(i) 10 people if the event is held indoors, or

(ii) 25 people if the event is held outdoors;

(b) a social gathering of more than,

(i) 10 people if the gathering is held indoors, or

(ii) 25 people if the gathering is held outdoors; or

(c) a social gathering associated with a wedding, a funeral or a religious service, rite or ceremony of more than,

(i) 50 people if the gathering is held indoors, or

(ii) 100 people if the gathering is held outdoors.

(2) Despite clause (1) (c), no person shall attend a social gathering associated with a wedding, a funeral or a religious service, rite or ceremony held at a place described in subsection (3) of more than,

(a) 10 people if the gathering is held indoors, or

(b) 25 people if the gathering is held outdoors.

(3) The places referred to in subsection (2) are,

(a) residential buildings, including houses, apartment buildings, condominium buildings and post-secondary student residences; and

- (b) any places not already described in clause (a), except for places that are operated in accordance with this Order by a business or organization.

(4) For greater certainty, the limits in clause (1) (c) and subsection (2) apply to a social gathering associated with a wedding, a funeral or a religious service, rite or ceremony, such as a wedding reception, while the limits that apply to the wedding, funeral or religious service, rite or ceremony itself are set out in sections 4 to 6.

(5) For the purposes of this section, an indoor event or gathering cannot be combined with an outdoor event or gathering so as to increase the applicable limit on the number of people at the event or gathering.

(6) A person attending an organized public event or social gathering shall comply with public health guidance on physical distancing.

(7) For greater certainty, subsections (1) to (6) apply with respect to an organized public event or social gathering even if it is held at a private dwelling, including houses, apartment buildings, condominium buildings and post-secondary student residences.

Exception, members of single household

2. Section 1 does not apply with respect to a gathering of members of a single household.

Exceptions from organized public event requirements

3. The prohibitions on attendance at an organized public event in clause 1 (1) (a) do not apply with respect to attendance at,

- (a) an event to which a capacity limit set out in Schedule 1 or 2 applies, if the event is held in accordance with that capacity limit;
- (b) a day camp for children that is in compliance with section 15 of Schedule 2; or
- (c) a drive-in cinema, or a business or place that provides drive-in or drive-through concerts, artistic events, theatrical performances and other performances, that is in compliance with section 18 of Schedule 2.

Indoor wedding, funeral or religious service, rite or ceremony

4. (1) This section applies with respect to gatherings for the purposes of a wedding, a funeral or a religious service, rite or ceremony, if the gathering is held in a building or structure other than a private dwelling.

(2) No person shall attend a gathering to which this section applies unless the following conditions are met:

1. The number of persons occupying any room in the building or structure while attending the gathering must not exceed 30 per cent of the capacity of the particular room.
2. All persons attending the gathering must comply with public health guidance on physical distancing.

Outdoor wedding, funeral or religious service, rite or ceremony

5. (1) This section applies with respect to outdoor gatherings for the purposes of a wedding, a funeral or a religious service, rite or ceremony.

(2) No person shall attend a gathering to which this section applies unless the following conditions are met:

1. No more than 100 people may be in attendance.
2. All persons attending the gathering must comply with public health guidance on physical distancing.

Gathering in motor vehicles for religious service, rite or ceremony

6. (1) This section applies with respect to gatherings for the purposes of a religious service, rite or ceremony if the persons attending the gathering, other than those conducting the service, rite or ceremony, do so in a motor vehicle.

(2) No person shall attend a gathering to which this section applies unless the person follows all of the following precautions that apply to the person:

1. 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, except,
 - i. where necessary to use a washroom, or
 - ii. as may otherwise be necessary for the purposes of health and safety.
2. The driver of a motor vehicle must ensure that it is positioned at least two metres away from other motor vehicles.
3. A person who ordinarily uses a non-motorized vehicle because of their religious belief and who attends the gathering must remain within their non-motorized vehicle except where necessary to use a washroom or as may otherwise be required for health and safety, and paragraph 2 applies with necessary modifications.

(2) Section 1 of Schedule 3 to the Regulation, as remade by subsection (1), is revoked and the following substituted:

Gatherings, Stage 2 areas

1. (1) Subject to subsection (2) and sections 2 to 6, no person shall attend,

(a) an organized public event of more than,

(i) 10 people if the event is held indoors, or

(ii) 25 people if the event is held outdoors;

(b) a social gathering of more than,

(i) 10 people if the gathering is held indoors, or

(ii) 25 people if the gathering is held outdoors; or

(c) a social gathering associated with a wedding, a funeral or a religious service, rite or ceremony of more than,

(i) 10 people if the gathering is held indoors, or

(ii) 25 people if the gathering is held outdoors.

(2) For greater certainty, the limits in clause (1) (c) apply to a social gathering associated with a wedding, a funeral or a religious service, rite or ceremony, such as a wedding reception, while the limits that apply to the wedding, funeral or religious service, rite or ceremony itself are set out in sections 4 to 6.

(3) For the purposes of this section, an indoor event or gathering cannot be combined with an outdoor event or gathering so as to increase the applicable limit on the number of people at the event or gathering.

(4) A person attending an organized public event or social gathering shall comply with public health guidance on physical distancing.

(5) For greater certainty, subsections (1) to (4) apply with respect to an organized public event or social gathering even if it is held at a private dwelling, including houses, apartment buildings, condominium buildings and post-secondary student residences.

6. Schedule 4 to the Regulation is revoked.

Commencement

7. (1) Subject to subsection (2), this Regulation comes into force on the later of October 10, 2020 and the day it is filed.

(2) Subsections 3 (3), 4 (2), 4 (7) and 5 (2) come into force on October 13, 2020.



Ontario

Executive Council
Conseil exécutif

R.O.C./Décret 413 / 2020

I certify that the attached is a true copy of the Regulation under the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020, made by Her Honour the Lieutenant Governor in Council on October 9, 2020.

Dated at Toronto, October 9, 2020

Deputy Clerk, Executive Council



Ontario

Executive Council
Conseil exécutif

Order in Council Décret

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and concurrence of the Executive Council, orders that:

the appended Regulation be made under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*.

Sur la recommandation de la personne soussignée, la lieutenant-gouverneure, sur l'avis et avec le consentement du Conseil exécutif, décrète ce qui suit :

Le règlement ci-annexé est pris en vertu de la *Loi de 2020 sur la réouverture de l'Ontario (mesures adaptables en réponse à la COVID-19)*.

Recommandé par :

Recommended

Appuyé par : Le président du Conseil des ministres,

Concurred

Chair of Cabinet

Approuvé et décrété le

La lieutenant-gouverneure,

Approved and Ordered

OCT 09 2020

Date

Lieutenant Governor

R.O.C./Décret (R)

413/2020

[Bilingual]

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Until filed with the
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2-EC

ONTARIO REGULATION

made under the

REOPENING ONTARIO (A FLEXIBLE RESPONSE TO COVID-19) ACT, 2020

Amending O. Reg. 363/20

(STAGES OF REOPENING)

1. Paragraph 1 of Schedule 2 to Ontario Regulation 363/20 is revoked and the following substituted:

1. City of Ottawa Health Unit.
2. City of Toronto Health Unit.
3. Peel Regional Health Unit.

2. Paragraphs 4, 5 and 23 of Schedule 3 to the Regulation are revoked.

Commencement

3. This Regulation comes into force on the later of October 10, 2020 and the day it is filed.



Executive Council
Conseil exécutif

R.O.C./Décret 414 / 2020

I certify that the attached is a true copy of the Regulation under the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020, made by Her Honour the Lieutenant Governor in Council on October 9, 2020.

Dated at Toronto, October 9, 2020

A handwritten signature in blue ink, reading "Anna Vallée".

Deputy Clerk, Executive Council



Ontario

Executive Council
Conseil exécutif

Order in Council Décret

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and concurrence of the Executive Council, orders that:

the appended Regulation be made under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*.

Sur la recommandation de la personne soussignée, la lieutenant-gouverneure, sur l'avis et avec le consentement du Conseil exécutif, décrète ce qui suit :

Le règlement ci-annexé est pris en vertu de la *Loi de 2020 sur la réouverture de l'Ontario (mesures adaptables en réponse à la COVID-19)*.

Recommandé par :

Recommended

Appuyé par : Le président du Conseil des ministres,

Concurred

Chair of Cabinet

Approuvé et décrété le

Approved and Ordered

OCT 09 2020

Date

La lieutenant-gouverneure,

Lieutenant Governor

R.O.C./Décret (R)

414/2020

[Bilingual]

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ONTARIO REGULATION

made under the

REOPENING ONTARIO (A FLEXIBLE RESPONSE TO COVID-19) ACT, 2020

Amending O. Reg. 364/20

(RULES FOR AREAS IN STAGE 3)

1. Section 2 of Ontario Regulation 364/20 is revoked.
2. (1) Subsection 1 (3) of Schedule 1 to the Regulation is amended by striking out “sections 3 to 6” and substituting “sections 2 to 6”.
 - (2) Subsection 4 (5) of Schedule 1 to the Regulation is revoked.
 - (3) Sections 7 and 8 of Schedule 1 to the Regulation are revoked.
3. (1) Subparagraph 5 i of subsection 1 (1) of Schedule 2 to the Regulation is amended by striking out “subject to subsection (1.0.1)” at the beginning.
 - (2) Subparagraph 6 ii of subsection 1 (1) of Schedule 2 to the Regulation is revoked and the following substituted:
 - ii. provide drive-through or delivery service,
 - (3) Paragraphs 7 to 9 of subsection 1 (1) of Schedule 2 to the Regulation are revoked.
 - (4) Subsections 1 (1.0.1) and (1.0.2) of Schedule 2 to the Regulation are revoked.
 - (5) Paragraph 2 of section 4 of Schedule 2 to the Regulation is revoked and the following substituted:

2. Patrons must wear masks or face covering at all times while receiving personal care services, except while receiving services that tend to an area of their face that would be covered by a mask or face covering.

(6) Subsection 8 (1.2) of Schedule 2 to the Regulation is revoked.

4. Section 6 of Schedule 3 to the Regulation is revoked.

Commencement

5. This Regulation comes into force on the later of October 10, 2020 and the day it is filed.