
MEMORANDUM

PHD-C 4-2020

Subject: Further Details on Order to Wear Masks in Wellington-Dufferin-Guelph
Date: July 14, 2020
To: Public Health & Social Services Committee
From: M. Mustafa Hirji, Medical Officer of Health & Commissioner (Acting)

At the June 16, 2020 meeting of Public Health & Social Services Committee, Committee requested Public Health to provide more information on the requirement to wear face coverings in Guelph.

What occurred in Wellington-Dufferin-Guelph was a joint effort by their local public health agency and their municipalities. The medical officer of health issued a public health order on all businesses within the region, and in concert, every municipality issued an emergency order as well.

The substance of these orders was that all owners/operators of commercial establishments prohibit persons from entering or remaining in their premises unless they are wearing a face covering. Face coverings must be worn at all times in these establishments, except as reasonably required to receive the services provided by the establishment (i.e. a mask can be removed while receiving outdoor dine-in services). Exceptions are made for persons for whom face coverings are not recommended. The orders also mandate that alcohol-based hand rub be made available for persons entering or exiting these establishments.

In terms of enforcement of the public health order, consistent with section 23 of the *Provincial Offenses Act*, as well as sections 100–102 of the *Health Protection and Promotion Act*, enforcement of the order on any business that was not compliant would require a two stage court proceeding through the Provincial Offenses Court or a court proceeding through the Ontario Superior Court of Justice. As of June 28, 2020, Wellington-Dufferin-Guelph Public Health has not pursued any court proceedings to enforce the order.

As of July 2, 2020, the following are various jurisdictions in Ontario and requirements that they have made around wearing face coverings:

JURISDICTION	TYPE OF REQUIREMENT	OBJECT OF REQUIREMENT	CONTENT OF REQUIREMENT
WELLINGTON-DUFFERIN-GUELPH	Public Health Order & Municipal Emergency Orders	Owners/operators of commercial establishments	<ul style="list-style-type: none"> Disallow entry to anyone not wearing a face covering Hand sanitizer available at entrances
WINDSOR & ESSEX COUNTY	Public Health Order	Owners/operators of commercial establishments	<ul style="list-style-type: none"> Have a policy to prohibit entry of anyone not wearing a face covering Hand sanitizer available at entrances
KINGSTON FRONTENAC LENNOX & ADDINGTON	Public Health Order	Owners/operators of commercial establishments	<ul style="list-style-type: none"> Have a policy to prohibit entry of anyone not wearing a face covering Hand sanitizer available at entrances
CITY OF TORONTO	Bylaw	Owners/operators of indoor spaces accessible to the public	<ul style="list-style-type: none"> Have a policy to require staff, customers, and visitors wear a face covering
MIDDLESEX-LONDON	Public Health Order	Transit Operators Hair/nail salons	<ul style="list-style-type: none"> Implement local guidance for reducing risk in public spaces Ensure staff, customers, volunteers, and contractors wear face coverings

JURISDICTION	TYPE OF REQUIREMENT	OBJECT OF REQUIREMENT	CONTENT OF REQUIREMENT
PEEL REGION		Any business where workers and customers are face-to-face for more than 15 minutes	
	Bylaw (proposed)	Owners/operators of indoor spaces accessible to the public	<ul style="list-style-type: none">• Have a policy to require staff, customers, and visitors wear a face covering
WATERLOO REGION	Bylaw (proposed)	All members of the public	<ul style="list-style-type: none">• Public must wear face coverings in public spaces

Respectfully submitted and signed by

M. Mustafa Hirji, MD MPH FRCPC
Medical Officer of Health & Commissioner Acting