



CLASS ORDER

made pursuant to Section 22(5.0.1) of the Health Protection and Promotion Act

This class order issued and effective February 16, 2021 at 5:00 a.m. replaces and supersedes the order issued and effective January 6, 2021 at 5:00 a.m.

Date: February 16, 2021

TO: All persons residing or present in the City of Ottawa who:

- (a) own or operate an outdoor recreational amenity as defined in this Order; and
- (b) persons who access an outdoor recreational amenity as defined in this Order

I, Vera Etches, Medical Officer of Health for the City of Ottawa Health Unit, order persons who own or operate an outdoor recreational amenity in the City of Ottawa (persons referred to in paragraph (a) above) to take the following actions, effective 5:00 a.m. on February 16, 2021:

1. Post signage in conspicuous place(s) where it is most likely to come to the attention of individuals attending in the location as follows:
 - (a) **Capacity Limit Signage:** For skating rinks other than skating trails, the maximum capacity shall be the lesser of a maximum of 25 persons or the maximum number of persons that can maintain a two (2) metre physical distance. For all other outdoor recreational amenities, including skating trails, capacity limit signage must be posted at any areas where members of the public congregate such as at the top of tobogganing hills, trail heads, and access points to the amenity. The limits for each area where people congregate shall be the lesser of a maximum of 25 persons or the maximum number of persons that can maintain a two (2) metre physical distance.
 - (b) **Two (2) Metre Physical Distancing Signage:** Post signage that indicates persons are required to maintain a physical distance of at least two (2) metres from persons outside their household within the amenity including in all publicly accessible areas around washroom and change facilities, entrances and ice surfaces.



- (c) **Mandatory Mask Signage:** Post Mandatory Mask Signage in locations where members of the public access the outdoor recreational amenity prior to actively participating in a recreational activity or observing other persons participate in recreational activities.

Ottawa Public Health has considerations for calculating capacity limits and signage available at www.OttawaPublicHealth.ca/WorkplaceCOVID19.

2. Implement measures and adopt strategies to limit crowding. One-way walkways and workflows shall be provided where applicable to reduce the potential for and occurrence of close physical interaction between persons. Examples of workflows include, but are not limited to, directional arrows and markers for two (2) metres distance. Consider also limiting the duration members of the public are permitted to have access to the amenity, staggering entry times, and requiring pre-bookings.
3. Ensure that members of the public comply with measures to limit crowding that are adopted pursuant to section 2 of this Order in addition to requirements outlined in Sections 4 to 6 of this Order by actively monitoring compliance during supervised hours and issuing warnings to individuals for non-compliance. Instances of non-compliance may be escalated to Municipal Law Enforcement when appropriate by contacting 3-1-1.

AND FURTHER I, Vera Etches, Medical Officer of Health for the City of Ottawa Health Unit, order all persons who access an outdoor recreational amenity in the City of Ottawa (persons referred to in paragraph (b) above) to take the following actions, effective 5:00 a.m. on February 16, 2021:

4. Comply at all times with the posted capacity limits of the outdoor recreational amenity and/or places where people congregate within the outdoor recreational amenity including any public areas surrounding the outdoor recreational amenity.
5. Maintain physical distance of at least two (2) metres at all times from every other person. Persons from the same household are not required to maintain a physical distance of at least two (2) metres from each other but are required to maintain at least two (2) metres of physical distance from persons outside their household.



6. Wear a mask in a manner that covers their mouth, nose, and chin at an outdoor recreational amenity including surrounding publicly accessible areas such as change and rest areas when not actively participating in a recreational activity. Although masks are not mandatory while actively participating in a recreational activity, they are highly recommended when skating on ice rinks and participating in other outdoor recreation activities within a confined space. In addition, the following exemptions may apply, and no person shall be required to provide proof of any of the following exemptions:
 - (a) Temporarily removing a mask in order to consuming food or drink or for an emergency or medical purpose;
 - (b) a child who is younger than two (2) years of age, or a child who is under five (5) years of age chronologically or developmentally and who refuses to wear a mask and cannot be persuaded to do so by their caregiver;
 - (c) a person with a medical condition, including breathing or cognitive difficulties, or a disability, that prevents them from safely wearing a mask, and
 - (d) a person who is unable to put on or remove their mask without the assistance of another person.

DEFINITION

For the purpose of this Order:

“**outdoor recreational amenity**” means any land, premises, location or thing at, upon, in or near which an authorized outdoor recreation or sport activity takes place and to which the public is ordinarily invited or permitted access, either expressly or by implication, whether or not a fee is charged for entry. For greater clarity this includes but is not limited to ice rinks, tobogganing hills, snowmobile, cross country ski, ice skating and snowshoe trails.



THE REASONS for this ORDER are that:

1. COVID-19 is a disease of public health significance and has been designated as communicable under Ontario Regulation 135/18 as amended. COVID-19 has been declared a pandemic by the World Health Organization. The Province of Ontario has enacted emergency orders and the City of Ottawa has declared an emergency under the Emergency Management and Civil Protection Act as a result of the pandemic.
2. COVID-19 is present in the City of Ottawa and therefore poses a risk to the health of the residents of the City of Ottawa through community transmission. The COVID-19 virus is spread from an infected person to a close contact by direct contact or from respiratory secretions from the infected person.
3. While the risk of transmission of COVID-19, on average, is greater in indoor spaces compared to outdoors, the risk of transmission is elevated in outdoor spaces when there is crowding, close contact, prolonged exposure and forceful exhalation (e.g., individuals physically exerting themselves by participating in sports and recreation activities).
4. Adopting capacity limits, physical distancing and masking requirements and other measures to reduce close contact between individuals outside a household in outdoor recreational amenities is likely to reduce the risk of the spread of COVID-19 in the City of Ottawa.

I am of the opinion, on reasonable and probable grounds that:

- a. a communicable disease exists or may exist or there is an immediate risk of an outbreak of a communicable disease in the health unit served by me;
- b. the communicable disease presents a risk to the health of persons in the health unit served by me; and
- c. the requirements specified in this Order are necessary in order to decrease or eliminate the risk to health presented by the communicable disease.



I am also of the opinion that the delivery of notice of this Order to each and every member of the class is likely to cause a delay that could significantly increase the risk to the health of any person residing in the health unit, and therefore notice shall be provided through the public media and the internet via posting on the Ottawa Public Health website:

<https://www.OttawaPublicHealth.ca/Coronavirus>

NOTICE

TAKE NOTICE THAT each member of the class is entitled to a hearing by the Health Services Appeal and Review Board if the member has delivered to me and to the Health Services Appeal and Review Board, 151 Bloor Street West, 9th Floor, Toronto, Ontario, M5S 1S4, notice in writing, requesting a hearing within 15 days after publication of this Order or otherwise in accordance with applicable law.

AND TAKE FURTHER NOTICE THAT although a hearing may be requested this Order takes effect when it is delivered to a member of the class or brought to the attention of a member of the class.

FAILURE to comply with this Order is an offence for which you may be liable, on conviction, to a fine of not more than \$5,000.00 for every day or part of each day on which the offence occurs or continues.



Vera Etches, Medical Officer of Health

This Order shall be posted on the Ottawa Public Health website:

<https://www.OttawaPublicHealth.ca/Coronavirus>

Inquiries about this Order should be directed to Ottawa Public Health at (613) 580-6744.