

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

FROM: Richard Stubbings
Assistant Deputy Minister
Public Safety Division

SUBJECT: **Declaration of Provincial Emergency under the
Emergency Management and Civil Protection Act and
Amendments to the *Reopening Ontario Act***

DATE OF ISSUE:	April 8, 2021
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As you know, the government has declared a third [provincial emergency](#) under the *Emergency Management and Civil Protection Act* (EMCPA) in order to respond to rising COVID-19 cases, increasing death counts, and increasing capacity pressures in Intensive Care Units (ICUs).

Please note that the orders made under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020* (ROA) remain in force in addition to orders under the EMCPA. The EMCPA provides the government with the authority to make new orders, which is critical given the spike in COVID-19 transmission rates and associated system impacts. While the current orders under the ROA remain an important tool in stopping the spread of COVID-19, the declaration of the provincial emergency and associated EMCPA orders are necessary additional measures to protect Ontarians.

The emergency declaration is valid for up to 14 days and can be extended once for up to another 14 days, and then must receive approval by the Legislature to be extended further. The Legislature can extend the emergency declaration for additional periods of no more than 28 days for each extension.

In addition to the emergency declaration, I am providing further information on emergency orders made pursuant to section [7.0.2 \(4\)](#) of the EMCPA and further amendments to regulations under the ROA.

Stay-at-Home Order (O. Reg. 265/21)

Effective April 8, 2021, the government issued a province-wide Stay-at-Home Order requiring everyone to remain at home except for the essential purposes listed in this order. These exceptions include, but are not limited to, leaving one's residence for work or volunteering that cannot be done remotely, for school or childcare, obtaining food, obtaining goods or services necessary for health or safety, delivering goods to or assisting others who require support or assistance, seeking health care and legal services, and exercise, including walking or moving around outside using an assistive mobility device.

For more information, please refer to [O. Reg. 265/21](#) filed under the EMCPA.

Residential Evictions (O. Reg. 266/21)

Effective April 8, 2021, the order will temporarily suspend enforcement of residential evictions, except where:

- The Landlord and Tenant Board requests that the sheriff expedite the enforcement of an eviction order; or
- a judge of the Superior Court of Justice orders that the sheriff expedites the enforcement of a writ of possession removing a person from their place of residence.

For further information, please refer to [O. Reg. 266/21](#) filed under the EMCPA.

Amendments to the Rules for Areas in Stage 1 (O. Reg. 267/21)

On April 3, 2021, Ontario imposed a provincewide emergency brake to place time-limited public health and workplace safety measures into effect to help to stop the rapid transmission of COVID-19 variants in communities. The emergency brake amended the Stages of Reopening Order under the ROA, by placing all public health units (PHUs) under the Shutdown zone of stage 1.

Measures that remain in effect as a result of this order include:

- Prohibiting indoor organized public events and social gatherings and limiting the capacity for outdoor organized public events or social gatherings to a 5-person maximum, except for gatherings with members of the same household (the people you live with) or gatherings of members of one household and one other person from another household who lives alone;
- Prohibiting personal care services;
- Prohibiting indoor and outdoor dining, with limited exceptions including hospitals and airports. Restaurants, bars and other food or drink establishments will be permitted to operate by take-out, drive-through, and delivery only

- Prohibiting the use of facilities for indoor or outdoor sports and recreational fitness (e.g., gyms) with very limited exceptions;
- Requiring day camps to close; and,
- Limiting capacity at weddings, funerals, and religious services, rites or ceremonies to 15 per cent occupancy per room indoors, and to the number of individuals that can maintain two metres of physical distance outdoors. This does not include social gatherings associated with these services such as receptions, which are not permitted indoors and are limited to five people outdoors.

This regulation which came into force today contains further amendments to the rules for Shutdown zone of stage 1 include the following:

- Limiting the majority of retailers to only operate for appointment-only curbside pick-up between the hours of 7 a.m. and 8 p.m., with delivery of goods to patrons permitted between 6 a.m. and 9 p.m., and in accordance with other restrictions;
- Restricting access to shopping malls to limited specified purposes, including access for appointment-only curbside pick-up, with one single designated location inside the shopping mall, and any number of designated locations outside the shopping mall, along with other restrictions for malls;
- Restricting discount and big box stores in-person retail sales to grocery items, pet care supplies, household cleaning supplies, pharmaceutical items, health care items, and personal care items only, with exceptions for stores in fly-in communities;
- Permitting the following stores to operate for in-person retail by appointment only and subject to a 25 per cent capacity limit and restricting allowable hours of operation to 7 a.m. and 8 p.m. with the delivery of goods to patrons permitted between 6 a.m. and 9 p.m.:
 - o Safety supply stores;
 - o Businesses that primarily sell, rent or repair assistive devices, aids or supplies, mobility devices, aids or supplies or medical devices, aids or supplies;
 - o Rental and leasing services including automobile, commercial and light industrial machinery and equipment rental;
 - o Optical stores that sell prescription eyewear to the public;
 - o Businesses that sell motor vehicles, recreational vehicles, trailers and travel trailers, boats and other watercraft, and other motorized vehicles;
 - o Vehicle and equipment repair and essential maintenance and vehicle and equipment rental services; and
 - o Retail stores operated by a telecommunications provider or service, which may only permit members of the public to enter the premises to purchase a cellphone or for repairs or technical support.

- Permitting outdoor garden centres and plant nurseries, and indoor greenhouses that engage in sales to the public, to operate with a 25 per cent capacity limit and a restriction on hours of operation;
- Permitting liquor stores to operate for in-person retail, subject to 25 per cent capacity limit and restricting allowable hours of operation to 7 a.m. and 8 p.m. with the delivery of goods to patrons permitted between 6 a.m. and 9 p.m.; and,
- Adding restrictions for outdoor markets to require that products only be provided to patrons in an outdoor area, or through alternative methods of sale such as curbside pick up or delivery, and restricting allowable hours of operation to 7 a.m. and 8 p.m. with the delivery of goods to patrons permitted between 6 a.m. and 9 p.m.

For further information, please refer to the amending regulation [O. Reg. 267/21](#).

Enforcement of Orders

The ministry recognizes that province-wide, police services are continuing to work together with local enforcement partners, and to implement targeted local campaigns to reinforce the public health requirements under the ROA and EMCPA.

As you are aware, for offences under the ROA and EMCPA, police and other provincial offences officers including First Nation Constables, Special Constables, and municipal by-law officers have discretion to either issue tickets to individuals for set fine amounts or issue a summons under Part I of the *Provincial Offences Act* (POA), or to proceed under Part III of the POA by laying an information.

The ministry continues to work with enforcement ministries and municipalities to collaborate and information share, including through the dedicated 1-800 Enforcement Support Line and email resource at EssentialWorkplacesSupport.SolGen@ontario.ca. Analysis of enforcement data that your police service provides to the ministry continues to support data-driven decision-making.

As cases continue to trend sharply upward in a growing number of communities, I encourage you to continue local enforcement efforts to support compliance with orders under the EMCPA and ROA.

Thank you, as always, for your continued efforts to help keep our communities safe and healthy.

Sincerely,



Richard Stubbings
Assistant Deputy Minister
Public Safety Division