

## COVID-19 RESOURCE FOR CHARITIES & NFPs

### ONTARIO GOVERNMENT DECLARES ANOTHER STATE OF EMERGENCY

JANUARY 12, 2021

FEARS OF overwhelming the health care system in Ontario due to COVID-19 cases has led to a second declaration of emergency in Ontario during the ongoing pandemic. In an [announcement](#) on January 12, 2021, the provincial government, in consultation with the Chief Medical Officer of Health, declared the emergency “effective immediately” under s 7.0.1(1) of the *Emergency Management and Civil Protection Act*<sup>1</sup> (the “Act”). As such, the executive council filed Ontario Regulation 7/21, *Declaration of Emergency*, under the Act. The entirety of O Reg 7/21 states:

WHEREAS COVID-19 constitutes a danger of major proportions that could result in serious harm to persons;

AND WHEREAS the criteria set out in subsection 7.0.1 (3) of the Act have been satisfied;

NOW THEREFORE, an emergency is hereby declared pursuant to section 7.0.1 of the Act in the whole of the Province of Ontario.

The government also filed Ontario Regulation 8/21, *Enforcement of COVID-19 Measures*, under the Act, which provides authority to all provincial offences officers, including the Ontario Provincial Police, local police forces, bylaw officers, and provincial workplace inspectors to issue tickets to individuals and organizations who do not comply with public health measures or do not enforce requirements issued under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020* (“ROA”),<sup>2</sup> or the Act.

The announcement further states that “[e]ffective Thursday, January 14, 2021 at 12:01 a.m., the government is issuing a stay-at-home order requiring everyone to remain at home with exceptions for

<sup>1</sup> RSO 1990, c. E.9.

<sup>2</sup> SO 2020, c. 17.

permitted purposes or activities, such as going to the grocery store or pharmacy, accessing health care services, for exercise or for work where the work cannot be done remotely.” The announcement also states that “all businesses must ensure that any employee who can work from home, does work from home”.

Additional public health measures are expected to be released and come into effect between January 12, 2021 and January 14, 2021, according to the announcement, including the following:

- Outdoor organized public gatherings and social gatherings are further restricted to a limit of five people with limited exceptions. This is consistent with the rules during the lockdown during the first wave of COVID-19 in spring 2020 and will allow individuals and families to enjoy time outdoors safely.
- Individuals are required to wear a mask or face covering in the indoor areas of businesses or organizations that are open. Wearing a mask or face covering is now recommended outdoors when you can't physically distance more than two metres.
- All non-essential retail stores, including hardware stores, alcohol retailers, and those offering curbside pickup or delivery, must open no earlier than 7 a.m. and close no later than 8 p.m. The restricted hours of operation do not apply to stores that primarily sell food, pharmacies, gas stations, convenience stores, and restaurants for takeout or delivery.
- Non-essential construction is further restricted, including below-grade construction, exempting survey.

Orders will be made under the Act and amendments to regulations under the ROA.

For further information about how this may impact your charity or not-for-profit, call us toll-free at 1-877-942-0001 or email [tcarter@carters.ca](mailto:tcarter@carters.ca).