Mandatory Non-Medical Masks or Face Coverings By-law

Frequently Asked Questions: Business Owners & Operators

What is the Mandatory Mask By-law 47-20?

On July 15, 2020, Halton Regional Council passed [By-law 47-20](https://www.halton.ca/Repository/By-law-No-47-20), making it mandatory for individuals over the age of five years old to wear a non-medical mask or face covering in certain enclosed (indoor) public places. The by-law is in effect as of 12:01 a.m. on July 22, 2020. Some individuals may be exempt from the by-law. The by-law is available at [**halton.ca**](http://www.halton.ca).

Please note that businesses must continue to follow additional direction provided by the Ontario government, health and safety associations and/or Halton Region Public Health. Visit [covid-19.ontario.ca](https://covid-19.ontario.ca/) or [halton.ca/COVID19](https://www.halton.ca/For-Residents/Immunizations-Preventable-Disease/Diseases-Infections/New-Coronavirus) for more information.

Who is exempt from the by-law?

Some individuals are exempt from the by-law and not all exemptions are visible. **Please be kind and supportive to those who may be exempt from wearing a mask.** No person shall be discriminated against for not wearing a non-medical mask or face covering due to an exemption.

The following individuals are exempt from the by-law, and are not required to provide proof of their exemption:

* persons with an underlying medical condition where wearing a mask or face covering would inhibit their ability to breathe in any way
* persons who may experience a negative impact to their emotional well-being or mental health
* persons who have a developmental disability which inhibits their ability to wear a mask or face covering
* persons who have a disability whereby the wearing of a mask or face covering would limit their ability to reasonably communicate with others or present a hardship for a person(s) assisting the individual
* persons who are unable to place or remove a non-medical mask or face covering without assistance
* employees and agents of the person responsible for the public place who are separated from customers and co-workers in an area designated for them and not for public access, or within or behind a physical barrier

In addition, the by-law allows for the temporary removal of non-medical masks or face coverings when necessary for receiving services (such as having a meal), or while actively engaging in an athletic or fitness activity.

Where does the by-law apply?

The by-law applies to certain indoor public places, including:

* premises (or any part of premises) used as places of business for the sale of goods or services
* churches, mosques, synagogues, temples or other places of worship
* community centres including indoor recreational facilities
* libraries, art galleries, museums, aquariums, zoos and other similar facilities
* community service agencies providing services to the public, including municipal administrative buildings
* banquet halls, convention centres, arenas, stadiums and other event spaces
* premises utilized as an open house, presentation centre, or other facility for real estate purposes
* common areas of hotels, motels and other short-term rentals, such as lobbies, elevators, meeting rooms or other common use facilities
* concert venues, theatres, cinemas, casinos and other entertainment facilities
* public transportation and private transportation services (such as taxis, private limousine services, Uber, Lyft and other similar ride programs)

Which indoor places are exempt?

Wearing of masks or face coverings are not required in these premises:

* schools and post-secondary institutions
* child care facilities
* indoor/outdoor day cares and day camps
* correctional centres and jails
* hospitals, independent health facilities and offices of regulated health professionals
* court facilities and professional offices where clients receive purchased services (such as lawyer or accountant office) that are not open to members of the public except by appointment
* staff-only areas within a public place
* indoor areas of a building accessible to only employees

Note: Certain facilities may have their own independent policies or requirements for masks or face coverings. Contact the facility in advance of visiting.

What are businesses required to do under the new by-law?

Owners/operators of public places are required to:

* Create a [mask policy](https://www.halton.ca/For-Residents/Immunizations-Preventable-Disease/Diseases-Infections/New-Coronavirus/Reopening-Halton-Region#0.5) for the establishment. Visit [halton.ca](http://www.halton.ca) for a sample policy.
* Communicate the mask policy to employees, customers and patrons and have it readily available.
* Train staff on the Regional by-law and your policy, including applicable exemptions.
* Ensure that all employees, volunteers or patrons wear a mask indoors, unless exempt.
* Post signage at all entrances and other high visibility areas. [Download and print the mandatory mask or face covering poster](https://www.halton.ca/For-Residents/Immunizations-Preventable-Disease/Diseases-Infections/New-Coronavirus/Reopening-Halton-Region#0.5) or, create a sign containing the following text:
  + ALL PERSONS ENTERING OR REMAINING IN THESE PREMISES SHALL WEAR A NON-MEDICAL MASK OR FACE COVERING WHICH COVERS THEIR NOSE, MOUTH AND CHIN AS REQUIRED UNDER THE REGIONAL MUNICIPALITY OF HALTON BY-LAW 47-20.
  + THE FOLLOWING PERSONS SHALL BE EXEMPT FROM THE REQUIREMENT TO WEAR A NON-MEDICAL MASK / FACE COVERING IN ENCLOSED PUBLIC PLACES WITHIN HALTON REGION:

1. the person has an underlying medical condition where wearing a Mask or Face Covering would inhibit the person’s ability to breathe in any way;
2. the person may experience a negative impact to their emotional well-being or mental health;
3. the person has a developmental disability which inhibits their ability to wear a mask or face covering;
4. the person has a disability whereby the wearing of a mask or face covering would limit their ability to reasonably communicate with others or otherwise present a hardship for a person or persons assisting the individual;
5. the person is unable to place or remove a Mask or Face Covering without assistance;
6. employees and agents of the person responsible for the Public Place within an area designated for them and not for public access, or within or behind a physical barrier;

Please be respectful of the rights of individuals who are exempt from wearing a mask in conformity with the exemptions provided in the by-law.

To report an incident of noncompliance, contact the Halton Regional Police Service COVID19 Hotline: 905-825-4722.

IF YOU HAVE ANY QUESTIONS OR CONCERNS, PLEASE CALL 311.

* Provide a verbal reminder to employees, volunteers and patrons to wear a non-medical mask or face covering.
* Consider offering alternative services to patrons who are unable to wear a non-medical mask or face covering (for example, provide online, telephone, curbside pickup or off-peak hour services).
* Please note: Businesses must continue to follow additional direction provided by the Ontario government, health and safety associations and/or Halton Region Public Health. Visit [covid-19.ontario.ca](https://covid-19.ontario.ca/) or [halton.ca/COVID19](https://www.halton.ca/For-Residents/Immunizations-Preventable-Disease/Diseases-Infections/New-Coronavirus) for more information.

What are employees and volunteers required to do under the new by-law?

Employees and volunteers are required to wear a non-medical mask or face covering when working or volunteering in the indoor public place, unless they are exempt, working in an area designated for them (not accessible to the public), or are working within or behind a physical barrier. However, Occupational Health and Safety requirements must still be followed. For example, even though employees and volunteers may be exempt under Regional By-law 47-20, the organization’s policies may still require additional protective equipment, such as a mask, gloves or goggles. Also, employees and volunteers may choose to wear a mask even when exempt.

Do all businesses and organizations need to make masks mandatory?

The by-law requires masks to be worn in indoor places that are openly accessible to the public. This includes publicly accessible premises or parts of premises used as places of business (for example, for the sale of goods or services, and reception areas for private offices). The by-law does not require masks to be worn in offices that are not accessible to the public, or in professional offices where clients receive purchased services (such as lawyer or accountant offices) that are only open to the public by appointment.

What should I do if a customer is not wearing a mask or face covering?

Please keep in mind that not all exemptions are visible, and that there is no requirement to provide proof of exemption. **Please be kind and supportive to all customers, including those not wearing a mask or face covering.**

Here are some steps you can take to help your customers:

* Ask if they need assistance
* Ask if they are aware of the new mandatory mask by-law and exemptions
* Offer hand sanitizer
* Encourage them to practice physical distancing
* Offer take out options and curbside pick-up where physical distancing is a challenge

How will the by-law be enforced?

The primary goal is to educate people about the importance of wearing non-medical masks or face coverings in indoor public places. Halton Region Public Health, local by-law enforcement or Halton Regional Police Service may respond to reports of significant or on-going non-compliance. This may include enforcement measures such as set fines.

Halton residents, business and organizations are asked to do their part to protect the health of the community, and comply with the by-law.

If you have concerns about someone not wearing a mask or face covering, please keep in mind that there are a number of exemptions to the by-law and there is no requirement for people to prove they are exempt. Residents and business owners should take people at their word, and be kind and respectful. If you have additional questions related to the by-law, please email [accesshalton@halton.ca](mailto:accesshalton@halton.ca) or call 311.

How can I report an incident of non-compliance with the by-law?

Businesses and residents are asked to refrain from reporting individual non-compliance issues for now, as we all learn the new rules.

To report an incident of signifcant or ongoing noncompliance, contact the Halton Regional Police Service COVID-19 Hotline: 905-825-4722. Staff will follow up within one business day.

What is a non-medical mask or face covering?

A non-medical mask or face covering is a mask, balaclava, bandana, scarf, cloth or other similar item that covers the nose, mouth and chin without leaving a gap between the face and the mask.

Can I wear a face shield instead of a mask?

A face shield is not a non-medical mask or face covering. Face shields are not a substitute for wearing a non-medical mask or face covering as they do not filter respiratory droplets. Wearing a face shield alone does not meet the requirements of the by-law. A face shield can be worn in addition to a non-medical mask or face covering.

Where can I learn more about the by-law?

For more information and resources for businesses, please visit [**halton.ca**](https://www.halton.ca/For-Residents/Immunizations-Preventable-Disease/Diseases-Infections/New-Coronavirus/Reopening-Halton-Region). For any questions, please email [accesshalton@halton.ca](mailto:accesshalton@halton.ca) or call 311.

**Food Premises**

What are employees in food premises required to do?

Employees are required to wear a non-medical mask or face covering at all times when working in an indoor food premises unless they are:

* exempt under the by-law
* working in an area designated for them (not accessible to the public)
* working within or behind a physical barrier.

Employees may be required to wear additional protective equipment as required by their employer (for example, gloves, face shield or goggles).

Further guidance for food and drink establishments is available on this webpage.

What are customers in food premises required to do?

Customers are required to wear a non-medical mask or face covering in enclosed (indoor) food premises unless they are exempt. The non-medical mask or face covering must cover their mouth, nose and chin when they enter and remain within the food premise.

The by-law allows for the temporary removal of a mask or face covering when receiving a service, such as having a meal.

Regional By-law 47-20 does not require customers dining in outdoor restaurant patios to wear a non-medical mask or face covering.  **Personal Service Settings**

What are employees in personal service settings required to do?

Employees are required to wear a non-medical mask or face covering at all times when working in an indoor personal service setting, unless they are:

* exempt under the by-law
* working in an area designated for them (not accessible to the public)
* working within or behind a physical barrier

Employees may also be required to wear protective equipment by their employer (for example, a mask, gloves, face shield or goggles).

Further guidance for personal service settings is available on the [Reopening Halton Region webpage](https://www.halton.ca/For-Residents/Immunizations-Preventable-Disease/Diseases-Infections/New-Coronavirus/Reopening-Halton-Region).

What are customers in personal service settings required to do?

All customers five years of age and up are required to wear a non-medical mask or face covering in enclosed (indoor) spaces, unless they are exempt. This includes personal service settings. The non-medical mask or face covering must cover their mouth, nose and chin when they enter and remain within the personal service setting.