

CITY OF TORONTO

Bill 651

BY-LAW -2020

To amend City of Toronto By-law 541-2020 by imposing temporary regulations requiring the wearing of masks or other face coverings within enclosed common areas of apartment buildings and condominium buildings.

Whereas COVID-19 is a disease which is present in the City of Toronto, is readily communicable from person to person and carries a risk of serious complications such as pneumonia or respiratory failure, and may result in death; and

Whereas the spread of COVID-19 has been declared a pandemic by the World Health Organization on March 11, 2020; and

Whereas subsection 8(1) of the Act provides the City with broad authority to provide any service or thing the City considers necessary or desirable for the public; and

Whereas the City has the authority to pass by-laws respecting matters related to the economic, social and environmental well-being of the City, and the health, safety and well-being of persons under paragraphs 5 and 6 of subsection 8(2) of the Act; and

Whereas physical distancing is difficult to maintain in enclosed common areas of apartment buildings and condominium buildings, the Medical Officer of Health has advised that the following temporary regulations requiring owners of apartment buildings and condominium corporations responsible for condominium buildings with enclosed common areas adopt a policy to ensure that persons wear a mask or face covering as it is a necessary, recognized, practicable and effective method to limit the spread of COVID-19 and helping protect the health, safety and well-being of the residents of the City of Toronto;

The Council of the City of Toronto enacts:

1. City of Toronto By-law 541-2020 is amended by adding the following new section:
 - 1.1 (a) An Owner of an Apartment Building or a condominium corporation responsible for a condominium building shall adopt a policy as required under this By-law to ensure that persons permitted entry to, or otherwise remaining within, any Enclosed Common Area within their Apartment Building or condominium building respectively are wearing a Mask or Face Covering, in a manner which covers their mouth, nose and chin; and
 - (b) The Owner of an Apartment Building or the condominium corporation responsible for a condominium building shall, upon request, provide a copy of the policy for inspection by any person authorized to enforce this By-law.

2. Subsection 2(c) of City of Toronto By-law 541-2020 is amended by adding the phrase "or the Enclosed Common Area" after "the enclosed public space".

3. City of Toronto By-law 541-2020 is amended by adding the following new section:

3.1 The Owner of an Apartment Building or the condominium corporation responsible for a condominium building shall conspicuously post at all entrances to Enclosed Common Areas clearly visible signage containing the following text or similar text as recommended by the Medical Officer of Health or their designate:

**ALL PERSONS ENTERING OR REMAINING IN ENCLOSED
COMMON AREAS ON THESE PREMISES SHALL WEAR A
MASK OR FACE COVERING WHICH COVERS THE NOSE,
MOUTH AND CHIN AS REQUIRED UNDER CITY OF
TORONTO BY-LAW 541-2020**

4. Section 4 of City of Toronto By-law 541-2020 is amended by deleting "the policy and this By-law" and replacing it with "the section 1 policy and provisions of this By-law that apply to Establishments".

5. City of Toronto By-law 541-2020 is amended by adding the following new section:

4.1 The Owner of an Apartment Building or the condominium corporation responsible for a condominium building shall ensure that all persons working at the Apartment Building or condominium building respectively are trained in the requirements of the section 1.1 policy and the provisions of this By-law that apply to Apartment Buildings and condominium buildings.

6. Section 6 of City of Toronto By-law 541-2020 is amended by adding the following new definitions:

"Apartment Building" means a building that is registered or required to be registered under Toronto Municipal Code Chapter 354.

"Enclosed Common Area" includes lobby, elevator, laundry room, meeting rooms or other common use facilities.

"Owner of an Apartment Building" includes the superintendent or property manager of an Apartment Building.

7. Section 8 of City of Toronto By-law 541-2020 is amended by adding "or the Reopening Ontario Act, 2020" after "the Emergency Management and Civil Protection Act".

8. This By-law shall come into force 7 days after the date of enactment and is deemed to be no longer in effect and revoked at 12:01 a.m. on the first day after the first Council meeting after the summer recess (currently scheduled for September 30 and October 1, 2020), unless extended by City Council.

Enacted and passed on July , 2020.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)