

CANADA
NUNAVUT

PUBLIC HEALTH ACT, S. Nu. 2016, c. 13

COMMUNITY GATHERINGS RESTRICTION ORDER (#2)

HAMLET OF KINNGAIT

WHEREAS:

- A. The Minister of Health has declared a Public Health Emergency in Nunavut effective March 20, 2020 to address the novel coronavirus COVID-19 pandemic, and may renew this declaration every fourteen (14) days for the duration of the Public Health Emergency;
- B. Pursuant to section 41(1) of the *Public Health Act*, the Chief Public Health Officer may take certain actions, including issuing directions or orders for the purposes of protecting the public health and preventing, remedying or mitigating the effects of the public health emergency; and
- C. The Chief Public Health Officer has reasonable and probable grounds to restrict gatherings and require the use of non-medical masks or face coverings within the Hamlet of Kinngait, in order to contain the spread of novel coronavirus COVID-19;

THEREFORE, the Chief Public Health Officer hereby orders the following:

Part 1: Social Distancing

1. The *Order Respecting Social Distancing and Gatherings* (#14) March 1, 2021 to the territory of Nunavut shall not apply in the Hamlet of Kinngait while this Order remains in effect.
2. The *Community Gatherings Restriction Order* issued for the Hamlet of Kinngait on April 20, 2021 is rescinded and replaced with this Order.
3. Pursuant to subsection 41(1)(g) of the Act:
 - a. All persons in the Hamlet of Kinngait must maintain social distancing of two (2) metres wherever it is safe and practical to do so, except inside dwellings and between immediate family members.

- b. Subject to specific closures or limitations as ordered by the Chief Public Health Officer, all non-essential not-for-profit and for-profit businesses and organizations operating or carrying on business in the Hamlet of Kinngait are restricted to contactless delivery and pickup services.
- c. The following essential businesses and organizations (“Essential Organizations”) may continue to operate but must implement social distancing of two (2) metres within these workplaces:
 - i. Federal, Territorial, and Municipal governments providing essential services;
 - ii. Designated Inuit Organizations as defined in the *Nunavut Agreement* providing essential services to Nunavut Inuit;
 - iii. Grocery Stores;
 - iv. Pharmacies;
 - v. Fuel services and motor vehicle repair services, including small engine repairs;
 - vi. Canada Post Corporation and authorized agents of Canada Post Corporation;
 - vii. Financial Institutions;
 - viii. Food service establishments open for take-out and delivery services pursuant to Communicable Disease Order (#1) issued for the Hamlet of Kinngait on April 20, 2021;
 - ix. Air carriers and companies essential to airport operations;
 - x. Food banks, homeless shelters, child and youth advocacy centres, transition houses, and emergency shelters;
 - xi. Transportation service providers, including taxis;
 - xii. Snow clearing service providers;
 - xiii. Cleaning and Janitorial service providers;

- xiv. Employees or contractors of the Nunavut Housing Corporation, a local Housing Authority, or a local Housing Society performing essential maintenance of public housing and staff housing;
 - xv. Companies providing essential maintenance services to dwellings and buildings, including but not limited to plumbing, electrical, telecommunications, furnace and boiler service, and emergency repairs;
 - xvi. Tourist Accommodations as defined in the *Tourism Act*;
 - xvii. Any Court providing essential services;
 - xviii. Businesses selling hunting supplies, outdoor survival supplies, ammunition, and firearms; and
 - xix. Businesses or organizations contracted by the Government of Nunavut to assist in pandemic response.
- d. Subject to specific closures or limitations as ordered by the Chief Public Health Officer, any Essential Organization that cannot, due to its physical size, maintain the social distancing requirement set out in clause 3 (c) must limit the number of customers or clients on its premises to no more than ten (10) persons at a time.
- e. The ten-person limit referred to in clause 3 (d) does not apply to Essential Organizations who can maintain social distancing requirements, including without limitation grocery stores, pharmacies, Canada Post Corporation post offices, fuel and motor vehicle service stations, and financial institutions.
- f. The social distancing requirements set out in clause 3 (a) and the ten-person limit set out in clause 3 (d) do not apply to the following entities:
- i. Licensed Premises and Food Services Establishments subject to the Communicable Disease Order (#1) issued for the Hamlet of Kinngait dated April 20, 2021;
 - ii. Institutions as defined by the *Public Health Act*;

- iii. Hospitals and health centres designated under the *Hospital Insurance and Health and Social Services Administration Act* and the *Mental Health Act*;
 - iv. Any Court operating essential services, subject to the directions of the Chief Justice of the applicable Court;
 - v. Homeless shelters, emergency shelters, child and youth advocacy centres, and transition houses;
 - vi. Food banks;
 - vii. Home and community care programs operated by the Department of Health;
 - viii. Workplaces, including Government of Nunavut offices and the offices of public agencies listed in Schedules A, B, and C of the *Financial Administration Act*, where the employer has limited access to essential workers and implemented a remote-work program for non-essential workers;
 - ix. Licensed child day care facilities as defined in the *Child Day Care Act*;
 - x. Any building during a mandatory evacuation or evacuation drill, subject to specific guidelines and directions issued by the Office of the Fire Marshal or the Workers Safety and Compensation Commission; and
 - xi. Community vaccination clinics operated by the Department of Health.
- g. In addition and for greater clarity, the social distancing requirements set out in clause 3 (a) and the ten-person limit set out in clause 3 (d) do not apply to motor vehicles and the following entities, organizations, and individuals:
- i. The Royal Canadian Mounted Police;
 - ii. Canada Border Services Agency;
 - iii. The Canadian Armed Forces;

- iv. Municipal Enforcement Officers;
- v. Other law enforcement officers appointed pursuant to a law of Nunavut or Canada;
- vi. Child Protection Workers when acting in the course of their duties;
- vii. Employees of the Nunavut Department of Justice Corrections Division and Correctional Service of Canada when acting in the course of their duties;
- viii. Municipal Fire and Emergency Services;
- ix. Emergency medical responders, including air ambulance (medevac) crews;
- x. Persons, including volunteers, engaged in search and rescue activities;
- xi. Electrical generation facilities operated by Qulliq Energy Corporation;
- xii. Municipal utilities such as water, wastewater, and stormwater;
- xiii. Maintenance of public utilities and government facilities;
- xiv. Essential maintenance of buildings, including dwellings;
- xv. Employees or contractors of the Nunavut Housing Corporation, a local Housing Authority, or a local Housing Society performing essential maintenance of public housing and staff housing;
- xvi. Road maintenance and repair;
- xvii. Airports;
- xviii. Solid waste collection and disposal;
- xix. Individuals engaged in delivery services for food, medicine, and other goods;

- xx. Facilities operated by the Nunavut Liquor and Cannabis Commission; and
 - xxi. Transportation services, including taxis.
4. The Hamlet Council established pursuant to the *Hamlets Act* may continue to meet. Quorum requirements for council members and members of the public may be satisfied through virtual means or a combination of in-person and virtual attendance.
 5. All providers of personal services as defined in the *Public Health Act*, including but not limited to chiropractors, massage therapists, hairdressers and barbers, are prohibited from providing in-person services and may only provide virtual care services.
 6. Dental practitioners licensed under the *Dental Profession Act* are deemed to be a medical service and may engage in the practice of dentistry.
 7. Veterinary practitioners licensed under the *Veterinary Profession Act* may provide:
 - i. In-patient emergency or urgent care services; and
 - ii. Essential veterinary supply chain services, such as prescription refills and prescription diets.
 8. Psychologists licensed under the *Psychologists Act* may provide in-person emergency or urgent care services and may provide virtual services within their scope of practice.
 9. Licensed child day care centres as defined in the *Child Day Care Act* may open to provide child care for the children of essential workers only, subject to specific limitations as ordered by the Chief Public Health Officer or directed by the Minister responsible for the *Child Day Care Act*.
 10. Recreation centres, fitness centres, school gymnasias, cadet halls, public swimming pools, and private fitness clubs must close.
 11. Places of worship, including but not limited to churches, mosques, and synagogues shall be restricted to virtual services and in-person services without singing that comply with the gathering limits in clause 22.

12. Funeral and memorial services shall be restricted to virtual services and in-person services without singing that comply with the gathering limits in clause 21.
13. All Government of Nunavut offices, offices of Nunavut public agencies listed in Schedules A, B, and C of the *Financial Administration Act* and municipal government offices located in the Hamlet of Kinngait must close to all but essential workers.
14. All schools in the Hamlet of Kinngait must close.
15. All Nunavut Arctic College facilities in the Hamlet of Kinngait must close.
16. The health centre shall be closed to visitors and movement of residents shall be restricted to the facilities and grounds, except as authorized by the Chief Public Health Officer.
17. Taxi operators may only collect one fare during a single trip. For certainty, a single family constitutes “one fare” for the purpose of this Order. All passengers must wear masks for the duration of a trip.
18. Group counselling and support groups including, but not limited to, Alcoholics Anonymous and Narcotics Anonymous shall be restricted to virtual services.
19. Operators of tourist accommodations as defined in the *Tourism Act* shall not assign the same room to two or more individuals who are not travelling in the same party without the consent of all parties.
20. Public Libraries as defined in the *Library Act*, school libraries, libraries operated by Nunavut Arctic College, museums, and galleries must close.
21. All public playgrounds, municipal parks, territorial parks, and territorial park reserves must close.

Part 2: Gatherings

22. All organized public gatherings shall be restricted to:
 - a. For outdoor gatherings other than funeral and memorial services, no greater than five (5) persons;

- b. For indoor gatherings other than funeral and memorial services, no greater than five (5) persons;
- c. For funeral and memorial services:
 - i. No greater than five (5) persons at indoor services; and
 - ii. The officiant, funeral director, and the immediate family of the deceased at outdoor services. For the purposes of this clause, “immediate family” means the deceased individual’s spouse, grandparents, parents, siblings, children, grandchildren, and includes step-parents and siblings-in-law.

23. There shall be no public gatherings in dwellings.

24. For greater certainty, an organized public gathering as set out in clause 22 includes but is not limited to:

- a. Community feasts;
- b. Organized sporting events;
- c. Marriage ceremonies, funerals, and memorial services;
- d. Meetings open to members of the general public; and
- e. In-person religious, spiritual, or cultural assemblies.

25. Outdoor gatherings shall be restricted to no greater than five (5) persons.

26. There shall be no social gatherings in private dwellings. No more than five (5) persons who do not normally reside in a dwelling may enter the dwelling for the purposes of providing urgent or critical services to the dwelling or to its residents.

27. For greater certainty, a social gathering is any scheduled or informal assembly, and includes but is not limited to:

- a. A party or celebration;
- b. Play groups;
- c. Club meetings;

- d. Meals with individuals who do not reside together; and
- e. Individuals gathering to play sports and games.

28. For greater certainty, a social gathering as set out in clause 27 does not include:

- a. Members of a household residing together;
- b. Essential employees and contractors of the organizations listed in clauses 3 (c), (f) and (g) attending at their place of work;
- c. Individuals with no fixed address temporarily residing at the dwelling of a family member;
- d. Individuals entering a building, including a dwelling to perform essential cleaning, janitorial, or maintenance services;
- e. Religious, Cultural, or Spiritual officiants entering a dwelling or institution to provide religious, cultural, or spiritual care to residents;
- f. Delivery services for food, medicine, and other goods;
- g. Individuals travelling in a motor vehicle provided that the number of passengers does not exceed the number of seats in the vehicle;
- h. The Member of Parliament for Nunavut, the Senator for Nunavut, or a Member of the Legislative Assembly entering a building, including a dwelling, to conduct official or constituency business;
- i. Individuals evacuating any building, including a dwelling, as part of a mandatory evacuation or evacuation drill;
- j. Individuals attending a community vaccination clinic operated by the Department of Health.
- k. Individuals entering the dwelling of an essential worker for the purposes of providing childcare to the children of the essential worker; and
- l. Minor children of essential workers entering the dwelling of a guardian or caretaker for the purposes of receiving childcare while their parents are working.

29. The individuals listed in clauses 28 (d), (e), and (f) shall conduct themselves in a manner that will not expose others to infection or to take other precautions to prevent or limit the direct or indirect transmission of novel coronavirus COVID-19 to others, including wearing appropriate personal protective equipment.

30. Nothing in this Order shall affect parents and their children from exercising their custody and access rights, except:

- a. As ordered by a court of competent jurisdiction; or
- b. Where parent or the child is subject to a mandatory isolation order.

31. For greater certainty, parents and children exercising their custody and access rights is not a social gathering for the purposes of clause 27 of this Order.

Part 3: Masks

32. For the purposes of this Part:

- a. “mask” means a commercial medical or non-medical mask or a home-made mask that covers the nose and mouth;
- b. “public place” means
 - i. All outdoor areas within the municipal boundaries of the Hamlet of Kinngait;
 - ii. Federal, territorial, and municipal government workplaces;
 - iii. retail businesses, or a building or room of a business where personal care services are provided;
 - iv. food service establishments or licensed premises as defined in the *Liquor Act*;
 - v. places of worship;
 - vi. fitness centres, gymnasia, public swimming pools, arena, and other recreation facilities;
 - vii. theatres, public libraries, museums, and cultural centres;

- viii. conference facilities, community halls, and other rental meeting spaces
- ix. places where federal, territorial, or municipal government services are available to the public;
- x. common areas, including elevators, of tourist accommodations;
- xi. lobbies, reception areas, or elevators in office buildings;
- xii. common areas or public spaces at schools and at Nunavut Arctic College;
- xiii. public conveyances, including taxis;
- xiv. hospitals, health centres, medical boarding homes, and long-term care facilities;
- xv. airports; and
- xvi. all Courts, administrative tribunals, and institutions of public government.

33. All persons within the municipal boundaries of the Hamlet of Kinngait must wear a mask while in a public place and at their place of work.

34. A person is exempt from the mask requirement set out in clause 33 if the person:

- h. is less than four (4) years of age and their caregiver cannot persuade them to wear a mask;
- i. cannot wear a mask due to a medical condition;
- j. is reasonably accommodated by not wearing a mask in accordance with the *Human Rights Act*;
- k. is in the public place receiving care or being provider a service or while participating in an activity requiring the mask to be removed, in which the person may remove the mask for the duration of the care, service, or activity;

- l. removes the mask momentarily for identification or ceremonial purposes;
- m. is in a court, or a room where a proceeding or meeting of an administrative tribunal or institution of public government is being held;
- n. is an essential government worker in a workplace set out in clause 13 when the worker is seated at their personal workstation;
- o. is a worker or child at a child day care centre.

Part 3: Enforcement

35. Pursuant to subsection 41(1)(f) of the Act, members of the Royal Canadian Mounted Police, municipal by-law enforcement officers, sheriffs appointed pursuant to the *Judicature Act*, the Chief Environmental Protection Officer and Inspectors appointed pursuant to the *Environmental Protection Act*, and Conservation Officers appointed pursuant to the *Wildlife Act* are authorized to implement this order, including entering any premises other than a dwelling without a warrant.
36. Pursuant to subsection 41(4) of the Act, the peace officers listed in clause 34 may not enter a dwelling without a warrant unless the occupant or person in charge of the dwelling consents.
37. In the event of conflict between this Order and the *Order Respecting Social Distancing and Gatherings* (#14), the terms of this Order shall prevail.
38. Failure to comply with this Order may be considered a breach of this Order issued under the *Public Health Act* and may result in penalties under the Act, which may include:
- c. A \$575 fine for individuals; and
 - d. A \$2875 fine for corporations.

This order is effective at 12:01 pm EDT (UTC-4:00) on Tuesday, May 4, 2021 and remains in effect for the duration of the Public Health Emergency, unless otherwise rescinded.

A handwritten signature in black ink, appearing to read "MPatt", is positioned above a horizontal line.

Dr. Michael Patterson
Chief Public Health Officer