



For posting to web and provision at time of inspection

Issued July 9 2021

**TO:** All Persons responsible for High-rise Apartment Buildings and High-rise Condominium Buildings in the City of Hamilton, Effective: 12:01 AM on Monday, July 12th, 2021

**RE: Instructions on Requirements to Reduce the Spread of COVID-19**

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I would like to acknowledge and thank you for your efforts being made to protect the health and safety of residents, employees, and visitors. As our community continues to respond to COVID-19 and sees an overall decreasing trend of COVID-19 cases, we must keep following public health measures and getting vaccinated at our earliest opportunity. To effectively prevent the spread of COVID-19 and its variants — even with decreasing case counts —we must continue to follow public health measures.

I am issuing these Instructions to all Persons responsible for High-rise Apartment Buildings and High-rise Condominium Buildings, as defined below, requiring them to take the additional measures set out herein to protect residents, employees, and visitors of these residential buildings from contracting and/or spreading COVID-19.

These Instructions are being provided pursuant to *the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*, S.O. 2020, c. 17 ("the *Reopening Ontario Act*") and its regulations, as amended.

To the extent that anything in these Instructions conflicts with other applicable Provincial legislation or directives, those Provincial requirements prevail. Where conflicts do not exist, these Instructions are additional to any applicable Provincial requirements.

Effective 12:01 a.m., July 12, 2021, I am instructing all Persons responsible for a High-rise Apartment Building or a High-rise Condominium Building in the City of Hamilton to implement the following COVID-19 prevention measures:

1. Create a COVID-19 Safety Plan which:
  - (a) describes the measures and procedures which have been implemented or will be implemented to reduce the transmission risk of COVID-19 in resident common areas in the building, in compliance with the *Reopening Ontario Act* and these Instructions;
  - (b) is in writing and made available to any person for review on request; and,
  - (c) is prepared, implemented, and made available no later than five (5) days after the requirement first applies, which means by July 17, 2021.
2. Designate an employee in a managerial role to be responsible for:
  - (a) the preparation and implementation of a COVID-19 safety plan (as described above);
  - (b) monitoring compliance with that COVID-19 safety plan;
  - (c) the implementation and compliance with all required and recommended occupational health and safety and infection prevention and control measures; and,
  - (d) ensuring that the COVID-19 safety plan is reviewed and updated regularly and any additional relevant advice, recommendations, and instructions of public health officials is promptly incorporated into the plan.
3. Post the safety plan in a conspicuous place in the residential building where it is most likely to come to the attention of residents, employees, or visitors.
4. Actively screen all employees in compliance with any advice, recommendations and instructions issued by the Office of the Chief Medical Officer of Health.
5. Ensure physical distancing in common areas of the building by establishing capacity limits for common areas such as laundry rooms and elevators to allow for physical distancing of at least 2 metres.
6. Ensure individuals wear a mask or face covering in common areas of residential buildings pursuant to the *Reopening Ontario Act* and City of Hamilton By-law 20-155, as amended. Clearly visible signs shall be posted at all entrances to common areas that contain the following wording:

All persons entering or remaining in this area shall wear a face covering which covers the nose, mouth, and chin as required under City of Hamilton By-law No. 20-155 (unless exempt). Please also respect the rights of those persons who are exempt from the requirement to wear a face covering in accordance with this By-law.
7. Immediately ensure that employees and contractors working at the building are made aware of the face covering requirements and are provided education on how to wear a face covering properly.
8. Ensure employees wear appropriate personal protective equipment pursuant to the *Reopening Ontario Act*, which states that a person shall wear appropriate personal

protective equipment that provides protection of the person's eyes, nose and mouth if, in the course of providing services, the person,

- a) is required to come within two metres of another person who is not wearing a mask or face covering; and
- b) is not separated by plexiglass or some other impermeable barrier from a person described above.

9. Ensure cleaning and disinfecting of commonly touched surfaces and objects by:
- a) immediately implementing and complying with a cleaning schedule for the cleaning & disinfection of shared items and high touched surfaces in common areas twice daily and when surfaces are visibly dirty to maintain sanitary conditions;
  - b) immediately posting a cleaning schedule in a conspicuous place in the building that outlines the cleaning frequency of commonly touched surfaces in all areas accessible to the public, including washrooms, doorknobs, accessible/elevator buttons, pay machines, access keypads, intercoms, phone systems, handrails, touch screen surfaces, package storage areas, light switches, garbage room buttons, laundry machine dials etc; and
  - c) cleaning areas using cleaners and disinfectants with a drug identification number (D.I.N.), ensuring manufacturer instructions for use are followed.
10. Immediately provide access to hand hygiene stations or alcohol-based hand sanitizer in all common area rooms that remain open such as building entrances and laundry areas; and in staff work and rest areas within the Workplace.
11. Keep residents informed of COVID-19 public health measures by providing regular updates by immediately posting information from [Hamilton Public Health Services](#) in a conspicuous location in the residential building where it is most likely to come to the attention of residents, employees, and visitors. Include signage on physical distancing, capacity limits, wearing a face mask or face covering, handwashing, and information on COVID-19 vaccines.
12. Ensure heating, ventilation, and air conditioning (HVAC) system (including duct and filter system) is functioning as intended and is maintained as per manufacturer's instructions.

## **DEFINITIONS**

For the purpose of these Instructions:

“High-rise Apartment Building” means a multiple dwelling unit with 12 or more storeys and does not include a hotel, motel, hospital, retirement home, or long-term care facility;

“High-rise Condominium Building” means a multiple dwelling unit established pursuant to the *Condominium Act*, 1998, S.O. 1998, c. 19, which has 12 storeys or more and does not include a hotel, motel, hospital, retirement home, or long-term care facility;

“Persons responsible” shall include, but is not limited to, a superintendent, a corporation, a board of directors of a corporation, a management services provider, a property manager or any other legal entity that has care and control over the residential building.

## **ENFORCEMENT:**

While the City of Hamilton will commence with an educational and supportive approach, the *Reopening Ontario Act* provides individuals who do not comply with the requirements of a continued section 7.0.2 order, are guilty of an offence and may be liable to a fine of \$750 up to a maximum of \$100,000 and for a term of imprisonment of not more than one year, while corporations may be liable to a fine of up to \$10,000,000, for each day or part of each day on which the offence occurs or continues.

Enforcement of these Instructions may be conducted by municipal by-law officers and public health enforcement personnel.

These Instructions shall be posted on the City of Hamilton public website: [www.hamilton.ca/coronavirus](http://www.hamilton.ca/coronavirus).

Inquiries about these Instructions should be directed to:

- Municipal Law Enforcement: 905-546-2782
- Infection Prevention and Control Measures: Public Health Services COVID hotline 905-974-9848, Option 1

[Hamilton Public Health Services posts information](#) regarding how to protect yourself and others from COVID-19 on its website that can assist local businesses and organizations in operating safely.

Should you require additional COVID-19 related health information, please contact Hamilton Public Health Services by telephone at: 905-974-9848 Option 1(COVID hotline) or by email at: [phscovid19@hamilton.ca](mailto:phscovid19@hamilton.ca).

SIGNED THIS 9TH DAY OF JULY, 2021



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**Dr. Ninh Tran, MD MSc CCFP FRCPC**

**Associate Medical Officer of Health**

Public Health Services – Office of the Medical Officer of Health

Healthy and Safe Communities Department

City of Hamilton [www.hamilton.ca](http://www.hamilton.ca)