

Ministry of Health

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Ministère de la Santé

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May 3, 2020

MEMORANDUM

TO: Medical Officers of Health and Associate Medical Officers of Health

RE: Advice on the Access to Secondary Residences

I have been asked for my advice on prohibiting property owner access to secondary residences, such as cottages, vacation homes, beach houses, cabins, etc. as a public health measure to further prevent the spread of COVID-19 in Ontario. I understand that there has been at least one class section 22 order issued under the *Health Protection and Promotion Act* (HPPA) to require this.

After consultation with the Public Health Measures Table chaired by Dr. David McKeown, Associate Chief Medical Officer of Health, my current recommendation is to not prohibit access to secondary residences through legal order, but to continue to provide communications that discourage their use. I similarly recommend that medical officers of health do not issue Section 22 class orders under the HPPA prohibiting access to these residences.

For greater clarity, where there is a health hazard at a secondary residence requiring the issuance of a section 13 health hazard order, or a specific concern respecting COVID-19 or other communicable disease requiring the issuance of an individual section 22 communicable disease order, medical officers of health should be free to consider issuing these orders to individual owners of secondary residences, where the statutory test to do so has been met.

My advice has been, and remains, that people should preferentially stay home and not access secondary residences, recognizing that there may be limited, essential reasons to do so. I will be continuing to communicate this as a key message.

If you have any questions please contact Chris Harold, A/Manager, Integrated Strategy and Policy Coordination, at chris.harold@ontario.ca, or Colleen Kiel, Director, Strategy and Planning at colleen.kiel@ontario.ca.

Thank you for your continued efforts and commitment to respond to this emergency in Ontario.

Yours truly,

A handwritten signature in cursive script that reads "D Williams".

David C. Williams, MD, MHSc, FRCPC
Chief Medical Officer of Health

cc: Dr. David McKeown, Associate Chief Medical Officer of Health
Alison Blair, ADM, Emergency Health Services and Public Health Modernization Lead