

**Garden River First Nation**

**Order No. 2020-02-01**

***Specific Order Tightening Restrictions On the Garden River First Nation***

**(Issued Under By-Law No. 2020-02 – GRFN COVID-19 Virus By-Law)**

**Consolidated Date: December 22<sup>nd</sup>, 2020**

**WHEREAS** The Garden River First Nation passed *By-Law No. 2020-02* indexed as the *Garden River First Nation COVID-19 Virus By-Law* at a duly convened meeting of Council on December 1<sup>st</sup>, 2020;

**AND WHEREAS** Section 6(b) of the *Garden River First Nation COVID-19 Virus By-Law* empowers Council or persons designated by Council to make orders with respect to matters which include taking actions and implementing measures as the Council considers necessary in order to prevent, respond to or alleviate the effects of the COVID-19 virus;

**AND WHEREAS** The Garden River First Nation implemented measures previously for the safety, well-being and health of it's residents;

**AND WHEREAS** On December 26<sup>th</sup>, 2020, *Schedule 1 of Ontario Regulation 363/20 of the Re-Opening Ontario Act* is revoked and the District of Algoma Health Unit will be in the *Grey Zone LockDown of Stage 1, Schedule 1 of Ontario Regulation 363/20 of the Re-Opening Ontario Act*;

**AND WHEREAS** On December 26<sup>th</sup>, 2020, the District of Algoma Health Unit will follow the *Rules For Areas in Stage 1 Lockdown of Ontario Regulation 82/20 under the Re-Opening Ontario Act*;

**AND WHEREAS** There are higher incidence of confirmed cases of the COVID-19 Virus in other public health districts which may impact the status of cases for the Garden River First Nation;

**AND WHEREAS** The Garden River First Nation is of the opinion that the entry of persons into the Garden River First Nation who have recently been outside of the District of Algoma Health Unit may introduce or contribute to the spread of the COVID-19 Virus on the Reserve;

**AND WHEREAS** The Garden River First Nation deems it appropriate to enact safety measures to protect the community members in anticipation of the Holiday Season;

**AND WHEREAS** The Garden River First Nation is operating under a State of Emergency that was declared on March 31<sup>st</sup>, 2020;

**AND WHEREAS** It is desirable to make Orders for restrictions under *Section 6(b)* of the *Garden River First Nation COVID-19 Virus By-Law No. 2020-02*;

**NOW THEREFORE IT IS RESOLVED THAT:**

## **SECTION 1**

### **1. SHORT TITLE**

- a. This Order may be cited as the ***“Specific Order Tightening Restrictions On the Garden River First Nation”*** and shall be deemed to be an Order for all purposes and within the meaning of the *Garden River First Nation COVID-19 Virus By-Law* enacted on December 1<sup>st</sup>, 2020 at a duly convened meeting of Council.

## **SECTION 2**

### **2. PRIOR BY-LAW REVOKED**

- a. *By-Law Number 2020-01, A By-Law Respecting a COVID 19 Curfew for Residents, Employees, and Visitors of/to Garden River First Nation*, enacted on April 3<sup>rd</sup>, 2020 is hereby revoked.

## SECTION 3

### 3. COMPLIANCE WITH OTHER LAWS

- a. Notwithstanding anything in this Order, all other applicable Provincial Legislature related to the COVID-19 Pandemic, including the *Re-Opening Ontario (A Flexible Response to COVID-19) Act, 2020* and all Regulations under this Act, shall be enforced by officers on the Garden River First Nation pursuant to this Order for the safety, well-being, protection and health of the residents of the Garden River First Nation.
- b. The Orders created herein, are in addition to, and do not replace any applicable provincial or federal offences.
- c. The terms of this Order are set out the *Garden River First Nation COVID-19 Virus Bylaw Number 2020-02*.

## SECTION 4

### 4. RESTRICTIONS ON BUSINESSES SITUATED ON THE RESERVE

- a. All businesses described in *Schedule 2 of Ontario Regulation 82/20, Rules For Areas In Stage 1*, that may open while the Provincial Lockdown is in force, must meet the following conditions:
  - i. Sales must be exclusively made using an alternative method of sale that does not require the customers to enter any indoor area of the business,
  - ii. No customers shall enter any business to make any purchases of items, regardless of the merchandise,
  - iii. All purchased items shall be received by customers utilizing curb side pick-up, delivery or a drive through window,

- iv. Customers shall remain in their vehicle while receiving items or services by means of curbside pick-up or at a drive through window, which also includes the purchase of gas or fuel at any gas station on the Reserve,
- b. All businesses described in *Schedule 2 of Ontario Regulation 82/20, Rules For Areas In Stage 1*, shall:
  - i. Record the name and contact information of every person who is inside the business on each day, including employees, persons delivering merchandise for the sale and distribution to customers, and persons performing maintenance, repair or cleaning of the business,
  - ii. Maintain the records for a period of at least one month; and
  - iii. Only disclose the records to a medical officer of health for the purposes of contact tracing in the event of a confirmed case.

## **SECTION 5**

### **5. EXEMPTIONS FOR BUSINESSES SITUATED ON THE RESERVE UNDER SECTION 4 OF THIS ORDER**

- a. Laundromats can permit one member of the public to enter the premises by appointment only.
- b. Employees and delivery persons of merchandise may enter the business to drop off merchandise for continued operations.
- c. Employees and service personnel may enter the business for the purpose of cleaning, maintenance and repair services for the general upkeep of the business.

## SECTION 6

### 6. MANDATORY QUARANTINE FOR PERSONS VISITING THE RESERVE FROM OUTSIDE OF THE DISTRICT OF ALGOMA

- a. Every person who is entering the Garden River First Nation, from any District outside of the District of Algoma Health Unit, for the primary purpose of visiting a resident of the Reserve or returning to their residence on the Reserve between December 18<sup>th</sup>, 2020 until this Order is revoked, is required to quarantine themselves without delay, regardless if that person has any signs or symptoms of the COVID-19 virus, and must remain in quarantine for a 14-day period that begins on the day on which they entered the Reserve.
  
- b. Every person who enters the Garden River First Nation for the purposes outlined in *Section 6(a)*, shall immediately notify the Pandemic Response Coordinator by electronic means or by telephone and provide the following information, forthright, upon entering the Reserve, or upon this Order being enacted:
  - i. Contact Information, including their name and phone number,
  
  - ii. The civic address of the place where they plan to quarantine themselves during the 14-day period that begins on the day on which they enter(ed) the Reserve.
  
- c. At no time, will any information received by the Pandemic Response Coordinator, under any parts of *Section 6* of this Order, be shared, distributed or circulated to any other person, without the implied written or verbal consent from the person who has provided the information, and, that, such information shall be destroyed after the 14-day quarantine has expired under any parts of Section 6 of this Order.

- d. Every person who enters the Garden River First Nation for the purposes outlined in *Section 6(a)*, shall be provided with:
- i. Instructions on How to Quarantine;
  - ii. Emergency contact information for support services regarding mental health services, addictions services and social services if required.
- e. Every person who enters the Garden River First Nation for the purposes outlined in *Section 6(a)*, during the 14-day quarantine period, must:
- i. Self-monitor for signs and symptoms of the COVID-19 virus;
  - ii. Report daily on their health status relating to signs and symptoms of the COVID-19 virus by telephone and answer all relevant COVID-19 screening questions by the Pandemic Response Coordinator for the purposes of ascertaining whether they have any COVID-19 virus signs or symptoms.
  - iii. In the event that they develop signs or symptoms of the COVID-19 virus or test positive for COVID-19 virus, follow instructions provided by the Pandemic Response Coordinator specified by the Algoma Health Unit.
- f. The 14-day period of quarantine begins again, and associated requirements continue to apply if, during the 14-day period, the person develops any signs or symptoms of the COVID-19 virus, is exposed to another person who has tested positive for the COVID-19 virus or tests positive for the COVID-19 virus.
- g. The daily reporting requirement set out in *Section 6 (c)(ii)* ends if the person reports that they have developed sign and symptoms of COVID-

19, or tested positive for COVID-19, or when their 14 day quarantine has ended.

- h. Every person who enters the Garden River First Nation for the purposes outlined in *Section 6 (a)*, must, wear a mask or face covering suitable to minimize the risk of introducing or spreading the COVID-19 virus while:
  - i. They are entering the Garden River First Nation; and
  - ii. While they are in transit to their place of quarantine, unless they are alone in a private vehicle.
- i. The place of quarantine must be a place where,
  - i. The person considers suitable having regard to the risk to public health posed by the COVID-19 virus, the likelihood or degree of exposure of the person to the COVID-19 virus prior to entry onto the Reserve and any other factor they consider relevant;
  - ii. The person will not be in contact with vulnerable persons, unless the vulnerable person is a consenting adult or is the parent or dependent child in a parent-dependent child relationship;
  - iii. The person will have access to the necessities of life without leaving quarantine;
- j. Every person who enters the Garden River First Nation for the purposes outlined in *Section 6(a)*, during the 14-day quarantine period, shall be allowed to leave their place of quarantine, and immediately return to their place of quarantine, for the purpose of:
  - i. Receiving medical services, treatment or care that require the person to visit or be taken to a health care facility that is outside their place of quarantine;

- ii. Travelling to their place of employment, whereas, they must immediately return to their place of quarantine;
  
- iii. Engaging in one of the following activities:
  - 1. To attend to the death of or provide support to a person residing on the Reserve, or in the District of Algoma, and who is deemed to be critically ill by a licensed health care practitioner;
  - 2. To provide care for a person on the Reserve, or in the District of Algoma, who is deemed by a licensed health care practitioner to have a medical reason that they require support, or
  - 3. To attend a funeral or end-of-life ceremony.
  
- iv. Attending any court related services by order of a Judge, Justice of the Peace, bailiff, Crown Attorney or police officer.
  
- k. A person who must quarantine themselves under this Section, may leave the Reserve before the expiry of the 14-day period to return to their place of residence outside the District of Algoma.

## **SECTION 7**

### **7. EXEMPTIONS FOR MANDATORY QUARANTINE UNDER SECTION 6 OF THIS ORDER**

- a. A person who enters the Reserve at the invitation of Council of the Garden River First Nation for the purpose of assisting in the COVID-19 Pandemic;



- b. A member of the Canadian Forces or a visiting force who enters the Reserve for the purpose of performing duties as a member of either of those forces to assist in the COVID-19 Pandemic;
- c. A person or any person in a class of persons who, as determined by the Pandemic Response Coordinator, will provide an essential service, if the person complies with any conditions imposed on them by the Pandemic Response Coordinator to minimize the risk of introduction or spread of COVID-19;
- d. A person who is permitted to work on the Reserve as a provider of emergency services and who enters the Reserve for the purpose of providing those services;
- e. A person who enters the Reserve for the purpose of providing medical care, transporting essential medical equipment, supplies or means of treatment, or delivering, maintaining or repairing medically necessary equipment or devices;
- f. A licensed health care practitioner with proof of employment on the Reserve who enters the Reserve for the purpose of performing their duties as a licensed health care practitioner;
- g. A habitual resident of an integrated border District that exists on both sides of the District border who enters the Reserve within the boundaries of the community, if entering the Reserve is necessary for carrying out an everyday function within that community;
- h. A person who enters the Reserve to return to their place of residence on the Reserve after carrying out an everyday function that, due to geographical constraints, necessarily involves leaving the District of Algoma;

- i. A dependent child who normally enters the Reserve under the terms of a written/verbal agreement or court order regarding custody, access or parenting;
- j. A driver of a vehicle who is a normal resident of the Reserve and enters the Reserve from outside the District of Algoma to drop off or pick up a dependent child under the terms of a written/verbal agreement or court order regarding custody, access or parenting, if the driver leaves the vehicle while outside the District of Algoma, if at all, only to escort the dependent child to or from the vehicle and they wear a non-medical mask or face covering while outside the vehicle;
- k. A driver of a vehicle who enters the Reserve from outside the District of Algoma to drop off or pick up a dependent child under the terms of a written/verbal agreement or court order regarding custody, access or parenting, if the driver left the vehicle while outside the District of Algoma, if at all, only to escort the dependent child to or from the vehicle and they wore a non-medical mask or face covering while outside the vehicle;
- l. A person who is normally a resident of the Reserve and enters the Reserve in a vehicle from a border District if the person remained in their vehicle while outside the District of Algoma.

## **SECTION 8**

### **8. ENFORCEMENT OF ORDERS**

- a. Without limiting the generality of Section 9 of the Garden River First Nation COVID-19 Virus By-Law, a person to whom powers under Section 9 of the Garden River First Nation COVID-19 Virus By-Law have been delegated, and any Officer, may,

- i. Stop any person entering onto, leaving from, or travelling within the Reserve to enforce compliance with this Order; and
- ii. Require any person entering onto, leaving from, or travelling within the Reserve to produce evidence excusing the person from compliance with any restrictions imposed by this Order.

## **SECTION 9**

### **9. EFFECTIVE DATE**

- a. This Order takes effect at 12:01am on December 26<sup>th</sup>, 2020 and will remain in force until revoked.