

ALL MANITOBA NON-ESSENTIAL RETAILERS TO CLOSE ALL OTHER RETAIL TO 25% CAPACITY IN URGENT EMERGENCY ACTION

INTRODUCTION:

Effective Thursday, November 12th, 2020, the Government of Manitoba has [imposed restrictions](#) on the types of businesses that may continue to operate in the province, as part of its enhanced efforts to control the spread of COVID-19.

All businesses that are not listed in the [Schedule of Critical Services](#) are required to close. All retailers may continue to sell online and offer curbside pickup or delivery, however as of **Thursday, November 12, 2020** only retailers defined as “**essential**” may continue to operate. The restrictions will be in place for four weeks, or two incubation periods until December 11th, 2020. (Subject to extension)

All retail businesses on the [Manitoba government list of critical services](#) remain open at **25% of the usual capacity of the premises, [not including employees]**.

TERMS AND DEFINITIONS

In these [Orders](#) and the [Schedule](#), “business” includes a trade, industry, service, profession or occupation, whether operated on a commercial or not-for-profit basis.

“Retail business” means a business that sells goods or products for use or consumption by individual purchasers, and includes a grocery store, pharmacy and hardware store.

“Essential items” means the goods and products set out in [Schedule B](#).

“Non-essential items” means goods and products that are not set out in [Schedule B](#). For certainty, this includes jewellery, flowers, perfume, consumer electronics, sporting equipment, books and toys.

“Gathering” means a grouping of persons in general proximity to each other who have assembled for a common purpose or reason, regardless of whether it occurs in public or at a private residence or on other private property, but does not include

- a gathering in which all persons are occupants of the same residence; and
- a gathering of employees at a business or facility or persons who are working at a worksite.

“Health professional” means:

- a person who is licensed or registered to provide health care under an Act of the Legislature;
- a person who is a member, or who is eligible to be a member, of any of the following:
 - the Massage Therapy Association of Manitoba Inc.,
 - the Natural Health Practitioners of Canada,
 - the Remedial Massage Therapists Society of Manitoba Inc.,
 - the Canadian Massage and Manual Osteopathic Therapists Association,
 - the London and Counties Society of Physiologists (Canadian Chapter); and
- a person who is a member, or who is eligible to be, a member of the Manitoba Athletic Therapists’ Association

“Indoor public place” means an enclosed public place within the meaning of *The Smoking and Vapour Products Control Act* and the regulations made under that Act, and includes a motor vehicle used for the public transportation of persons or property such as a bus, taxi, limousine or other vehicle for hire.

“Northern Manitoba” means the area of Manitoba located north of the 53rd parallel of latitude

PROVINCE TIGHTENS RESTRICTIONS FOR RETAIL ESTABLISHMENTS

Despite Recent Public Health Orders and Recommendation to ‘Stay Home’, Further Restrictions Needed to Protect Manitobans

[Updated public health orders](#) will come into effect 12:01 am, Friday, November, 20th to further limit residential gatherings and retail operations to help halt the spread of COVID-19 and protect Manitobans.

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The preceding information has been prepared to support the reopening of Manitoba Businesses and has been taken verbatim from material provided by the Province of Manitoba located at <https://www.gov.mb.ca/covid19/restartmb/prs/index.html#provinciallevel>

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NEW

NEW GUIDANCE FOR RETAIL BUSINESSES

A retail business deemed essential open but **may only sell only essential items in person**, and must ensure compliance with capacity limits (25 per cent the usual capacity of the premise or 250 people, whichever is lower) and implement measures to reasonably maintain a physical distance of 2 metres from other members of the public.

A retail business may open but may sell only essential items to members of the public who are shopping in person at the business. No later than 12:01 a.m., Nov. 21, 2020, the operator of a retail business must ensure that:

- non-essential items are removed from areas of the business to which members of the public have access,
 - members of the public are physically prevented from gaining access to non-essential items at the business, or
 - signs in the business or stickers on items in the business clearly identify non-essential items that cannot be purchased by members of the public at the business.
- The operator of a retail business must:
 - limit the number of members of the public shopping at the business to 25 per cent of the usual capacity of the premises or 250 people, whichever is lower;
 - implement measures to ensure that members of the public attending the business are reasonably able to maintain a separation of at least two metres from other members of the public,
 - establish a system to ensure compliance with the capacity limits, and
 - provide proof the capacity limits have not been exceeded on request from a person authorized to enforce these orders, at the time the request is made.

Retailers are not prohibited from selling essential or non-essential items online, by telephone or by remote means for delivery or pick up.

EXCEPTIONS FOR RETAIL BUSINESSES IN NORTHERN MANITOBA

Subsections within the Orders 5(1) and 5(2) do not apply to retail businesses in northern Manitoba, other than retail businesses in Thompson, Flin Flon and The Pas.

These subsections are as follows:

5(1)A retail business may open but it may only sell essential items to members of the public who are shopping in person at the business.

5(2) By no later than 12:01 a.m. on November 21, 2020, the operator of a retail business must ensure that

- non-essential items are removed from areas of the business to which members of the public have access;
- members of the public are physically prevented from gaining access to non-essential items at the business; or
- signs in the business or stickers on items clearly identify non-essential items that cannot be purchased.

NEW

A RETAIL BUSINESS MAY ONLY SELL THE FOLLOWING ESSENTIAL ITEMS IN PERSON

- Food and beverages
- Products related to food preparation or storage such as aluminum foil, saran wrap and food containers
- Personal care products such as soap and skin care products, hair care products, dental care products, eye care products, deodorant, feminine hygiene products, razors and shaving cream
- Health-related products such as prescription drugs, over the counter medication, vitamins and supplements, birth control and first aid products

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- Mobility or assistive devices, such as wheel chairs, walkers, canes, splints and similar products or supplies
- Diapers, wipes, baby bottles and other infant feeding and nursing accessories, infant clothing and sleepers, car seats, cribs, strollers, infant carriers and monitors
- Household paper products such as toilet paper and paper towels
- Household cleaning products and supplies such as laundry detergent, dish soap, bleach, cleaning agents, mops and brooms
- Household safety and protection products such as smoke alarms, carbon monoxide detectors and fire extinguishers
- Batteries and light bulbs
- Winter jackets, snow pants, underwear, winter headwear, gloves and mitts, socks and winter boots
- Personal protective equipment and protective clothing for use in the workplace
- Tobacco products
- Alcohol
- Cannabis
- Pet food and supplies
- Postage stamps
- Cell phones and cell phone accessories
- Parts and supplies for all types of motor vehicles and watercraft
- Major household appliances
- Hunting, fishing and trapping supplies
- Tools and hardware
- Materials, parts and components for the maintenance, repair or construction of residential or commercial building systems, including plumbing, electrical and lighting, heating, cooling and ventilation systems
- Products related to property maintenance such as shovels, snow blowers, sand and road salt

“Non-essential items” refers to any good and products not set out in the orders. This includes jewelry, flowers, perfume, consumer electronics, sporting equipment, books and toys.

A retail business may open but may only sell only essential items in person, and implement measures to ensure physical distancing. Retailers can continue to sell essential or non-essential items online, by telephone or by remote means for delivery or curbside pickup.

CAPACITY MUST NOT EXCEED 25%
[To a maximum of 250 - Not including employees]

THE LIST OF ESSENTIAL BUSINESSES: (Unchanged from Nov 12 Order)

SUPPLY CHAINS:

- A business
 - that provides another business permitted to operate under these Orders with goods or services necessary for the business to operate, including transportation and logistics management relating to those goods or services; or
 - that supports or facilitates the two-way movement of essential goods within integrated North American and global supply chains.

RETAIL AND WHOLESALE

- A business that provides, either by wholesale or by retail sale, food or household consumer goods necessary for the safety, sanitation or operation of residences and businesses such as personal hygiene items, cleaning supplies, baby and child care products, hardware and

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3

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household appliances. Such a business includes a grocery store, supermarket, convenience store, butcher shop, bakery, market (including a farmer's market), convenience store, hardware store and any other similar wholesale or retail business.

- A business that provides personal protective equipment or protective clothing for use in the workplace.
- A business that provides essential goods and services for the health and well-being of animals, including animal feed, pet food, and animal supplies such as bedding.
- A gas station or other business that provides diesel, aviation, propane, heating fuel or other fuel used to power a motor vehicle, aircraft or watercraft.
- A business that provides office supplies and services. The supplies and services include computer products and related repair and maintenance services for businesses and for individuals working from home.
- A business that holds a retail liquor licence, a manufacturer's licence, including a manufacturer's licence with a retail endorsement, or a retail cannabis licence or that is authorized by the Government of Canada to produce cannabis.

RESTAURANTS

- All restaurants and other commercial facilities that serve food are prohibited from serving food to customers in their premises or on any associated patio or outdoor area, but can prepare and serve food for delivery or takeout from the premises.
- Restaurants must ensure that all people maintain the appropriate social distancing from other customers when picking up food.
- Liquor must not be served in the licensed premises during this period.
- Beer, wine, cider and coolers may be sold with food that is purchased for delivery or takeout as permitted under section 24.1 of *The Liquor, Gaming and Cannabis Control Act*.

PUBLIC TRANSPORTATION AND TRANSPORTATION FOR PRIVATE HIRE

- Municipal transit services, taxis and other private vehicles for hire (taxis, limousines and other vehicles) can continue to operate. The operator of the vehicle must take measures to ensure there is a reasonable separation of people in a vehicle.

POST-SECONDARY EDUCATIONAL INSTITUTIONS

- Universities, colleges and private vocational institutions and other businesses that provide group training or instruction may open and may provide online and remote instruction.
- In-person instruction may occur if occupancy in all classrooms and other areas of instruction is restricted to 50% of the usual capacity and the total number of students in any classroom or other area of instruction does not exceed 25.
- Where reasonably possible, measures must be implemented to ensure that there is a two-metre separation between all persons in the classroom or other area of instruction.
- Measures must be implemented to ensure that persons in common indoor areas of a university, college, private vocational institution or other instruction or training facility are reasonably able to maintain a separation of at least two metres from other persons.

LICENSED PREMISES

- If licensed premises are located within retail premises or other multi-use premises, the Order does not prevent members of the public from being present in the licensed premises, provided that food and liquor are not served for consumption in the licensed premises otherwise all premises that are the subject of a liquor service licence issued under *The Liquor, Gaming and Cannabis Control Act* must be closed while the Order is in effect.

ACCOMMODATIONS

- A hotel or motel or a business that provides rental units or similar living accommodations, (hunting/fishing lodge etc) including student residences, provided that reasonable measures are taken to ensure that guests or residents are not able to access a pool, hot tub, sauna,

fitness centre or game room on the premises that is normally accessible to all guests or residents, and that any beverage room associated with a hotel is closed.

- A business that operates a seasonal campground or recreational vehicle park, or that offers vacation cabins, yurts or other seasonal residences, provided that reasonable measures are taken to ensure that guests are not able to access a pool, hot tub, sauna, fitness centre or game room on the premises that is normally accessible to all guests.

INSTITUTIONAL, RESIDENTIAL, COMMERCIAL AND INDUSTRIAL MAINTENANCE

- A business that provides support and maintenance services, including urgent repair, to maintain the safety, security, sanitation and essential operation of institutional, commercial, industrial and residential properties, and includes
 - property management services, including residential snow clearing;
 - services provided by skilled trades, such as plumbers, electricians and HVAC technicians;
 - custodial or janitorial services and cleaning services;
 - fire safety and sprinkler systems installation and monitoring; and
 - similar services provided by other service providers.

TELECOMMUNICATIONS AND INFORMATION TECHNOLOGY

- A business that provides telecommunications services, such as phones and cell phones, internet services and radio, as well as support facilities necessary for support and service delivery, such as a call centre.
- A business that provides information technology, and includes online services, software products and related support services, as well as technical facilities such as data centres and other network facilities.

COMMUNICATIONS INDUSTRIES

- A business that provides information through radio or television broadcasting, telecommunication services or newspaper publications.

TRANSPORTATION SECTOR

- A business that provides transportation services necessary for the activities of daily living including couriers and food delivery services.
- A business that provides transportation services to other businesses or individuals by road, rail, air or water, including a business that provides logistical support, distribution services or warehousing and storage, or truck stops.
- A business that sells, services or repairs motor vehicles, farm equipment, aircraft, watercraft, snowmobiles, all-terrain vehicles or bicycles, as well as a business that provides parts and supplies for such vehicles.
- A gas station or other business that provides diesel, aviation, propane, heating fuel or other fuel used to power a motor vehicle, aircraft or watercraft.
- A business that provides towing services or roadside repair assistance.
- A business that provides goods and services for the operation, maintenance and safety of the road, rail, air and water transportation systems.
- A business that provides maintenance services such as clearing snow and completing necessary repairs to the transportation system.

MANUFACTURING AND PRODUCTION

- A business that manufactures or processes goods or materials, including a component manufacturer or a business that produces inputs used by another manufacturer.

AGRICULTURE AND FOOD PRODUCTION

- A business that is engaged in farming, harvesting, processing, manufacturing, producing or distributing food or farm products such as crops, animal products and by-products or beverages.
- A business that is engaged in fishing, hunting or aquaculture, including the provision of guiding or outfitting services.
- A business that supports the food supply chain, including assembly yards, livestock auctions, food distribution hubs, feed mills, farm equipment suppliers, feed suppliers, food terminals and warehouses, animal processing plants and grain elevators.
- A business that supplies agricultural producers with necessary products or services, such as seed, fertilizers, herbicides, pesticides, agricultural equipment, custom application of herbicides and pesticides and the repair of agricultural equipment.
- A business that supports the safety of food, including animal and plant health and animal well-being.
- A business that supplies goods or services for the health and well-being of animals, including feed and supplies such as bedding.
- A business that provides veterinary services or that supplies veterinary or animal control medications and related supplies and testing kits.
- A business involved in ensuring the safe and effective management of animal waste, and includes a business responsible for the disposal of dead animals, rendering, nutrient management and biohazardous materials treatment or disposal.

CONSTRUCTION SECTOR

- A business engaged in construction work or services in the industrial, commercial, institutional and residential sectors, including demolition services and expanding, renovating, converting or repurposing existing spaces.
- A business engaged in construction work or services that are required to ensure safe and reliable operations of provincial and municipal infrastructure.
- A business engaged in construction work or services that support environmental rehabilitation projects.

FINANCE INCLUDING BANKS, CREDIT UNIONS AND OTHER FINANCIAL SERVICES

- A business engaged in the capital markets.
- A bank, credit union or caisse populaire.
- A business that is a payday lender or a cheque-cashing service.
- A business that provides insurance services, and includes the adjustment of insurance claims.
- A business that provides pension services and employee benefits services.
- A business that provides financial services, including any of the following:
 - payment processing;
 - the payroll division of any employer or an entity whose operation is the administration of payroll.
- A business that deals in securities or manages financial portfolios.

NATURAL RESOURCES SERVICES

- A business engaged in the extraction or processing of natural resources, such as minerals, forest products, oil and gas, or aggregates, including a business engaged in the production or sale of biofuels.
- A business engaged in natural resource exploration and development.
- A business that provides supplies or materials used in the natural resource sector.
- A business that supplies or ensures the supply of natural resources, such as petroleum and petroleum by-products or aggregate, to other businesses.

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- A business that supports the health and safety of natural resource extraction or processing operations.

ENVIRONMENTAL SERVICES

- A business that supports environmental management or monitoring services or that provides environmental clean-up and response services or services in respect of industrial sewage or effluent, and includes environmental consulting firms, septic haulers, portable toilet suppliers, well drillers, pesticide applicators and exterminators.
- A business that provides laboratory services in respect of water or wastewater.
- A business engaged in waste collection or recycling, waste and sewage treatment and disposal, the operation of a land fill or hazardous waste disposal

UTILITIES AND PUBLIC WORKS

- A business that operates a utility, and includes a business that provides goods, materials and services needed for the delivery of utilities, such as potable drinking water, electricity and natural gas.
- A business engaged in or supporting the operation, maintenance or repair of provincial or municipal infrastructure, such as railways, dams, bridges, highways, erosion control structures and water control works.

RESEARCH

- A business that maintains research facilities and engages in research, including medical research and other research and development activities.
- A business that provides goods and services that support research activities

HEALTH CARE, SENIORS CARE AND SOCIAL SERVICES

- A business that provides land medical emergency response services, air medical response services or stretcher transportation services.
- A business that provides home care services.
- A child and family services authority and a child and family services agency.
- A business that operates a personal care home, supportive housing or an assisted living facility.
- A business that provides personal support services in-home or provides residential services for children or for individuals with physical or mental disabilities, including developmental disabilities.
- A business that provides or supports the provision of food, shelter, safety or protection, or social services and other necessities of life to economically disadvantaged and other vulnerable individuals, including food banks, family violence, and abuse shelters, homeless shelters, community housing, supportive housing, services that promote or protect the welfare of children, services to newcomers, and custody and detention programs for persons in conflict with the law.
- A business, including a pharmacy or other business, engaged in the manufacturing, wholesaling, distribution or retail sale of pharmaceutical goods and medical supplies, such as medications, medical isotopes, vaccines and antivirals, medical devices and medical supplies.
- A business engaged in providing logistic services or manufacturing or distributing goods or services that support the delivery of health care, and includes a business that provides laboratory services
- A business that provides mental health or addictions supports or services, such as counselling.
- A business that provides goods or services that support the health sector including the sale, rental or repair of assistive devices, mobility devices or medical devices, and other similar devices or supplies.

JUSTICE SECTOR

- A business that provides professional or social services supports in the justice system.

Last Updated: November 19, 2020

PROFESSIONAL SERVICES

- A lawyer, paralegal, accountant, translator, veterinarian, engineer or geoscientist.
- A regulatory body of a profession.

CHILD CARE

- Child care centres and child care homes may open and provide care to children in accordance with *The Community Child Care Standards Act*.

SHOPPING CENTRES AND MALLS

- A shopping centre or mall may open to enable public access to businesses that are permitted to open under these Orders if the operator of the shopping centre or mall
 - limits the number of members of the public at the shopping centre or mall to 25% of the usual capacity of the premises; and
 - implements measures to ensure that members of the public at the shopping centre or mall are reasonably able to maintain a separation of at least two metres from other members of the public
- A food court in a shopping centre or mall must be closed while the Order is in effect.

OTHER BUSINESSES

- A business that provides rental and leasing services, including renting or leasing automobiles and commercial and light industrial machinery and equipment.
- A business that provides mailing, shipping, courier or delivery services, including post office boxes.
- A business that operates a laundromat or provides dry cleaning or laundry services.
- A business that provides funeral, mortician, cremation, transfer or burial services, or any related goods and products such as coffins and embalming fluid.
- A business that operates a land registration service or that provides real estate services or moving services.
- A business that provides security services, including private security guards, or provides monitoring or surveillance equipment and services.
- A business that provides staffing services, including temporary help.
- A business that provides tax preparation services.
- A business that provides travel consulting services.
- A business that is producing a motion picture or television show, if filming had started before these Orders came into effect.
- A business that supports the safe operations of residences and critical businesses.
- A business that provides arboriculture or lawn care services.
- A business that provides bedding plants, seeds and garden supplies, including a greenhouse that sells these items to the public or other retailers.
- A business that provides for the health and well-being of animals, including farms, boarding kennels, stables, animal shelters, zoos, aquariums, research facilities, pet groomers and other service providers.
- A business that operates a pawnshop.
- A business that provides tutoring or other individualized educational instruction.
- A business that provides education or training programs required for a business listed in the Schedule, such as a pilot school or a commercial truck driver training course, or training for persons delivering health care services or providing any pandemic-related services.

A business listed in the Schedule may remain open. However, if the business allows members of the public to attend at the place of business, the operator of the business must implement measures to ensure the persons attending the business are reasonably able to maintain a separation of at least 2 metres from other persons who are attending the business.

CAPACITY MUST NOT EXCEED 25% (Not including employees)

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ALL “NON-ESSENTIAL” BUSINESSES MAY:

- Continue to operate where customers can order goods online, by telephone or other remote means but customers cannot be on the businesses’ premises or property to order goods;
- Continue to sell goods to customers where those goods can be picked up ‘curbside’ or delivered to customers.
- If a business or facility allows members of the public to attend to pick up goods, the operator must implement measures to ensure that members of the public attending are reasonably able to maintain a separation of at least two metres from other members of the public.
- Allow staff to attend the businesses’ premises, without limitation on the number of staff, as long as staff take measures to keep social distancing of one to two metres apart from each other

EXCEPTIONS AND OTHER IMPORTANT NOTES:

- The operator of a business or facility must not rent, reserve or allow the business or facility to be used for a gathering that would contravene the [public health order](#).
- If a business or facility is used for a gathering, its operator must ensure that the gathering is conducted in a manner that does not contravene [public health order](#).
- The operator of a business or facility that is required to be closed under these Orders must ensure that no members of the public enter the business or facility while these Orders are in effect, except as permitted under [the Orders](#). Temporary access to a closed business or facility is authorized for any of the following purposes:
 - performing work at the business or facility in order to comply with any applicable law;
 - allowing for inspections, maintenance and repairs to be carried out at the business or facility;
 - allowing for security services to be provided at the business or facility;
 - attending the business or facility to deal with critical matters relating to its closure.

ENFORCEMENT

Fines for breaching or failing to comply with public health or emergency orders have recently been increased to \$1,296 for individuals and \$5,000 for corporations.

QUESTIONS?

If you are still uncertain if your business can be open and what your next steps are, please visit [EngageMB.ca](#) to submit your questions or contact your local chambers of commerce for more information.

Find more **COVID-19 support and other programs and services
for your business at [jointhechamber.ca](#)**