

Special Measures Order (Campsite Exemption Order)

Made pursuant to Section 28 of the Public Health Protection and Promotion Act

April 17, 2020

TO: All Individuals, Owners and Operators of Municipal and Private Parks in Newfoundland and Labrador

WHEREAS:

- A. While a declaration of a public health emergency is in effect, the Chief Medical Officer of Health may do one or more of the special measures authorized under section 28 of the **Public Health Protection and Promotion Act** for the purpose of protecting the health of the population and preventing, remedying or mitigating the effects of the public health emergency;
- B. On March 18, 2020, the Minister of Health and Community Services, on the advice of the Chief Medical Officer of Health, declared:
 - (i) a public health emergency as a result of the COVID-19 pandemic;
 - (ii) the public health emergency is in effect for the entire province of Newfoundland and Labrador; and
 - (iii) the public health emergency is in effect for a period of 14 days effective immediately;
- C. The Chief Medical Officer of Health made a Special Measures Order (Amendment No. 3) effective March 31, 2020 whereby all campsites in municipal and privately owned parks, where currently open, are to close immediately and all others are prohibited from opening;
- D. In accordance with section 13 of the **Public Health Protection and Promotion Act**, restrictions to an individual's rights or freedoms must be no greater than is reasonably required in the circumstances to respond to the public health emergency;
- E. The Chief Medical Officer of Health believes that it is appropriate for certain campsites in municipal and privately owned parks to be exempted from the requirement to close immediately while still maintaining measures to protect the health of the population;

Pursuant to section 28 of the **Public Health Protection and Promotion Act, I**, Dr. Janice Fitzgerald, Chief Medical Officer of Health, **HEREBY MAKE THE FOLLOWING EXEMPTION TO THE REQUIREMENT FOR CAMPSITES IN MUNICIPAL AND PRIVATELY OWNED PARKS TO CLOSE IMMEDIATELY:**

1. Campsites in municipal and privately owned parks are permitted to remain open only for those individuals who are permanent residents of the campsite and who have no other residence.
2. This Exemption Order is in effect for the duration of the Special Measures Order.
3. All other orders remain in full force and effect.

TAKE NOTICE THAT:

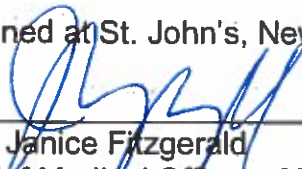
1. Failure to comply with this order may result in an application to the Supreme Court, in accordance with section 42 of the **Public Health Protection and Promotion Act** to enforce the relevant provisions of this Order.
2. A person who is subject to an order made by the Chief Medical Officer of Health may request that the Chief Medical Officer of Health reconsider the order by filing a written request for reconsideration within 7 days after the day on which the order is served on a person. A written request for review or reconsideration of this order shall include:
 - (i) the reasons for the request;
 - (ii) a summary of the facts relevant to the request;
 - (iii) whether the order should be revoked or how it should be varied; and
 - (iv) the contact information of the person making the request and shall be sent to the following address:

The Chief Medical Officer of Health
Department of Health and Community Services
PO Box 8700
St. John's, NL A1B 4J6

3. The Chief Medical Officer of Health shall review this Order no less than once every 5 days while the Order is in effect.
4. This Order remains in effect during any review or reconsideration.

5. Failure to comply with this Order is an offence for which you may be liable on summary conviction in accordance with section 56 of the *Public Health Protection and Promotion Act*.
6. For greater certainty, compliance with this Order is required in addition to and not in substitution for any requirement imposed by or under any applicable law.

Signed at St. John's, Newfoundland and Labrador, this 17th day of April, 2020.



Dr. Janice Fitzgerald
Chief Medical Officer of Health