



SUBJECT: Physical Distancing By-law

TO: Mayor and Members of Council

FROM: Building and By-law Department

Report Number: BB-03-20

Wards Affected: all

File Numbers: 110-04

Date to Committee: NA

Date to Council: April 6, 2020

Recommendation:

Receive transmittal report BB-03-20 dated April 5, 2020; and

Adopt the proposed Physical Distancing By-law, as contained in Appendix A to Report BB-03-20.

Vision to Focus Alignment:

Vision to Focus identifies key priorities like the environment and climate change, transit, and the health and well-being of our residents and businesses. While the proposed by-law has no specific alignment to a Key Action from Vision to Focus, the proposed by-law aligns with the broader purpose and intent of Vision to Focus by contributing to the quality of life for our community.

Background and Discussion:

1.0 Background

On March 11, 2020 the World Health Organization declared a worldwide pandemic regarding the Novel Coronavirus 19 ("COVID-19 Pandemic").

On March 17, 2020, the Province of Ontario declared an emergency relating to the COVID-19 Pandemic under the provisions of the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c.E.9 ("*Emergency Management Act*").

On March 21, 2020 an emergency was declared by the Mayor of the City of Burlington, under the provisions of the *Emergency Management Act*, relating to the COVID-19 Pandemic.

The Council of the City of Burlington considers the protection of health and safety of the public to be a paramount concern, and has suspended the operations of all City facilities, other than those deemed essential for the welfare of the citizens of the City of Burlington, during the COVID-19 emergency.

The direction for the proposed by-law comes from the City's Emergency Control Group as our priority is to keep people safe and minimize the spread of COVID-19.

2.0 Discussion

The Provincial Government's modelling and forecast projects that the State of Emergency will last months and will result in a severe and long-term challenge to the health care system.

Pursuant to Ontario Regulation 114/20 and under a Ministerial designation under the *Provincial Offences Act*, the Province of Ontario granted power to municipal law enforcement officers to enforce Orders issued by the Province under the *Emergency Management Act*.

The Medical Officer of Health has recommended physical distancing measures to prevent the spread of COVID-19, including maintaining a distance of at least 2 metres from other individuals who are not members of the same household.

The Corporation of the City of Burlington considers it necessary to enact the proposed by-law to support the intent and purpose of the Provincial Orders made under the *Emergency Management Act* in order to protect property and the health, safety and welfare of the citizens of the City of Burlington, by prohibiting certain activities and regulating physical distancing during the COVID-19 Pandemic Emergency.

Financial Matters:

At this time, implementation of the proposed by-law will be conducted by existing By-law Enforcement Officers; no additional staff are being requested. By-law Enforcement Officers will involve Halton Regional Police should an enforcement situation escalate.

Contravention of the proposed by-law may lead to charges being laid and issuance of tickets which can carry a fine.

Climate Implications

N/A

Engagement Matters:

A Questions and Answers document has been prepared (see Appendix B of this report) and the City's Communications staff are preparing a media release and updates to the City's website to ensure public awareness of the by-law.

Conclusion:

The Physical Distancing By-law is proposed to support and reinforce the Province's physical distancing orders and complement the intent of the physical distancing ordered by the Province and which is recommended by Halton Public Health and health experts throughout the province.

Respectfully submitted,

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Appendices:

- A. Physical Distancing By-law
- B. Questions and Answers document

Notifications:

N/A

Report Approval:

Final approval of this report is by the Executive Director of Community Planning, Regulation, and Mobility.