



## MUNICIPALITY OF **West Elgin**

### Staff Report

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**Report To:** Council Meeting  
**From:** Magda Badura, CAO/Treasurer  
**Date:** 2020-08-13  
**Subject:** Elgin County Mandatory Face Covering By-law No. 20-38

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#### **Recommendation:**

That West Elgin Council hereby receives the report from Magda Badura, CAO/Treasurer re: Elgin County Mandatory Face Covering By-law No. 20-38; and

That West Elgin Council hereby supports Elgin County By-law 20-38, being a by-law to temporarily require the use of face coverings and related health protection measures within enclosed public spaces during the COVID-19 Pandemic, in support of the Letter of Instruction issued on July 30<sup>th</sup>, 2020 by the Medical Officer of Health.

#### **Purpose:**

This report is to provide Council with information on a mandatory face covering by-law enacted by Elgin County and how this affects West Elgin.

#### **Background:**

On July 13, 2020, following the implementation of Phases 1 and 2, the Province announced Phase 3 with the reopening of businesses and services to the public commencing July 17, 2020. To support continued positive efforts and outcomes in Elgin County through Phase 3, on July 30<sup>th</sup>, 2020 the Southwestern Public Health Medical Officer of Health issued a Letter of Instruction for all businesses in Oxford County, Elgin County and the City of St. Thomas to mandate face coverings in enclosed public spaces.

As noted in the Medical Officer of Health's Letter of Instruction, municipal partners and Southwestern Public Health will take an "education-first" approach, however individuals and corporations who are non-compliant may face fines.

The instruction took effect at 11:59 p.m. on July 30<sup>th</sup> and includes a one-week grace period to allow businesses time to prepare. Businesses are required to develop two (2) policies: one that requires that face coverings be worn while in enclosed spaces and a second that focuses on physical distancing, face coverings when physical distancing is not possible, enhanced cleaning and disinfecting, and requiring staff to stay home while advising they be tested for COVID-19. Policies must be in place by 12:00 a.m. on August 6<sup>th</sup>. The letter of instruction is in place until further notice is received from Southwestern Public Health.

The Medical Officer of Health recommends that municipalities pass bylaws for a consistent approach to face coverings across the region. The City of St. Thomas, County of Elgin, Town of Aylmer, and Elgin's six (6) other constituent municipalities have endeavoured, as much as

possible, to coordinate and align on the implementation of all related actions, consistent with the shared Public Health and Medical Officer of Health oversight for the City and the County.

A Mandatory Face Covering By-Law was drafted by the County Solicitor and was presented to Elgin County Council on August 6, 2020. County Council endorsed this by-law. By enacting this by-law at the County level, it provides the opportunity for a consistent message to Elgin County residents and allows for local municipalities to take enforcement action and streamline any prosecution. This by-law does not prevent local municipalities from enacting their own by-law with regard to face coverings.

By passing a resolution of support for the Elgin County By-law West Elgin does not need to pass their own by-law.

### **Financial Implications:**

Enforcement of this by-law is a new responsibility for local by-law enforcement officer and charges laid under this by-law would be heard by the Provincial Offences Court, operated by the County of Elgin on behalf of the municipalities.

### **Policies/Legislation:**

*Municipal Act, 2001*