

**Ministry of Municipal  
Affairs and Housing**

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**January 14, 2021**

**MEMORANDUM TO:       Municipal Chief Administrative Officers and Clerks**

**SUBJECT:                 Declaration of Provincial Emergency under the  
*Emergency Management and Civil Protection Act***

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As COVID-19 cases continue to rise at an alarming rate, the Ontario government, in consultation with the Chief Medical Officer of Health and other health experts, announced a [Declaration of Emergency](#) under the *Emergency Management and Civil Protection Act* (EMCPA) with new measures being effective **January 14, 2021 at 12.01 a.m.**

By declaring a provincial emergency, the EMCPA provides the government with authority to make new orders to address the increasing COVID-19 cases. The Declaration of Emergency is valid for up to 14 days and can be extended once for up to another 14 days by the Lieutenant Governor in Council, and then must receive approval by the Legislature to be extended further. The Legislature can extend the emergency declaration for additional periods of no more than 28 days for each extension.

Orders made under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020* (ROA) remain an important tool in stopping the spread of COVID-19 and continue to be in effect. These can be found online on the Government of Ontario's website at <https://www.ontario.ca/laws/statute/20r17>.

**Enforcement**

Under the declaration of a provincial emergency, the province has provided authority to all enforcement and provincial offences officers, including the Ontario Provincial Police, local police forces, bylaw officers, and provincial workplace inspectors to issue tickets to individuals who do not comply with the stay-at-home-order, or those not wearing a mask or face covering indoors as well as retail operators and companies who do not ensure individuals wear face coverings in their premises. Those who decide not to abide by orders will be subject to set fines and/or prosecution under both the ROA and EMCPA.

In addition, all enforcement personnel will have the authority to temporarily close a premise and disperse individuals who are in contravention of an order and will be able

to disperse people who are gathering, regardless whether a premise has been closed or remains open such as a park or house.

Individuals can continue to be ticketed or prosecuted under the ROA with respect to orders under the ROA.

In addition to the Declaration of Emergency, new Orders under the EMPCA and changes to the Stage 1 Order (O. Reg 82/20) under the ROA are now in effect. This includes: O. Reg. 10/21 – Rules for Areas in Stage 1 (Lockdown); O. Reg. 11/21 – Stay-at-Home Order; O. Reg. 12/21 – Set Fines under the Provincial Offences Act; and O. Reg. 13/21 – Residential Evictions Order. These Orders include requirements for gatherings; the stay-at-home order; a moratorium on residential evictions under the Residential Tenancies Act, 2006; hours of operation for non-essential businesses that remain open; and, the requirement that individuals wear masks and distance inside businesses and other public indoor settings.

To help support municipal enforcement activities, I am attaching information the Ministry of the Solicitor General has shared with Chiefs of Police regarding the Declaration of Emergency, and Orders under the *Emergency Management and Civil Protection Act*. These attachments provide detail on the Orders.

As I mentioned in my previous correspondence to you, to ensure we continue to maximize the impact of enforcement efforts on the ground, I strongly encourage our municipal partners to work closely with provincial enforcement officers and public health officers to coordinate enforcement activities in your communities. To identify opportunities for and to plan coordinated compliance activities in your community, please email Natasha Bartlett at [natasha.bartlett@ontario.ca](mailto:natasha.bartlett@ontario.ca).

To help support enforcement personnel, staff at the Ministry of the Solicitor General continue to respond to inquiries via [EssentialWorkplacesSupport.SolGen@ontario.ca](mailto:EssentialWorkplacesSupport.SolGen@ontario.ca). Through this confidential channel, assistance is available to enforcement personnel seven days a week. In addition, a confidential Enforcement Support Phone Line (1-866-389-7638) is operational and available to assist enforcement personnel Monday to Friday (8:30 a.m. – 5:30 p.m.).

## **Reporting**

The Ministry of the Solicitor General has requested that municipalities that are enforcing orders under the EMCPA and ROA, and all provincial offences officers enforcing emergency orders, including municipal bylaw enforcement officers, submit data to the Ministry related to their enforcement efforts.

The collection of enforcement data is integral to monitoring and measuring the impact of accelerated enforcement and compliance activities province wide and to inform the government's response to COVID-19. I would strongly urge you again to support the Ministry of the Solicitor General's efforts to collect enforcement data. You can find out more on how you may contribute to the Ministry of the Solicitor General's weekly data collection efforts by contacting Jeanette Gorzkowski or Brianne Chan at [jeanette.gorzowski@ontario.ca](mailto:jeanette.gorzowski@ontario.ca) or [brianne.chan2@ontario.ca](mailto:brianne.chan2@ontario.ca) respectively.

Staff from the Ministry's Municipal Services Offices will be contacting you and your bylaw enforcement staff to increase awareness of the compliance, enforcement and reporting efforts of the province and discuss your municipality's role in the ongoing enforcement efforts to reduce the transmission of COVID-19 and efforts to keep our communities safe.

Thank you, once again, for your continued efforts to help keep our communities safe and healthy.

Sincerely,

Kate Manson-Smith  
Deputy Minister, Ministry of Municipal Affairs and Housing

Enclosure: Correspondence from the Ministry of the Solicitor General to all Chiefs of Police – English version. If a French version is required, please contact [Richard.Stubbings@ontario.ca](mailto:Richard.Stubbings@ontario.ca).