

**Ministry of Municipal
Affairs and Housing**

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February 12, 2021

MEMORANDUM TO: Municipal Chief Administrative Officers and Clerks

**SUBJECT: Termination of Declared Emergency and Amendments
to Orders under the *Emergency Management and Civil
Protection Act* and *Reopening Ontario Act***

Today I am writing to you about changes to the government's approach to address COVID-19 in our communities. While we are seeing some progress in reducing the number of cases of COVID-19 in our communities, the situation remains serious and the new variants continue to pose concern.

As you are aware, the provincial emergency that was declared on January 12, 2021, under the *Emergency Management and Civil Protection Act* (EMCPA), expired on February 9, 2021. As announced, the Ontario government is committed to safely and gradually returning to the COVID-19 response framework that is administered regionally based on public health units (PHUs). Regions will gradually transition back between February 10 and February 22, 2021, subject to review of the trends in public health indicators. To facilitate the transition, Ontario has made changes to the response framework and to orders and regulations under the EMCPA and the Reopening Ontario (A Flexible Response to COVID-19) Act (ROA).

Provincial Orders

Orders under the EMCPA can continue to be in effect after the declared emergency has terminated. They can also be further extended for up to 14 days at a time but cannot be amended.

Prior to the termination of the declaration of emergency, orders were amended to reflect the Ontario government's decisions to move certain PHUs into new zones under the Framework. This includes amendments to the Stay-at-Home order (O. Reg. 11/21) and the Residential Evictions order (O. Reg. 13/21).

Any decisions to move PHUs to new zones are made in consultation with the local medical officers of health and will be subject to ongoing review of trends in public health indicators and advice of the Chief Medical Officers of Health.

Please note, there have also been amendments to Ontario Regulations 82/20 and 363/20 related to the Stages of Reopening under ROA. Amendments include, dividing Stage 1 into two separate zones (“Shutdown” and “Grey-Lockdown”).

These amendments remove restrictions on construction activities by allowing all residential construction activities and projects, and related services that support construction activities or projects, including demolition services, to commence or continue anywhere in the province. This includes residential renovations.

This means that all residential construction activities or projects and related services can begin or continue even in areas that are in the Shutdown Zone and are subject to a Stay at Home Order. However, restrictions still apply to non-residential construction as long as the area is in the Shutdown Zone and subject to a Stay at Home Order. When areas of the province return to the provincial COVID-19 framework (colour-coded zones), all residential and non-residential construction activities and projects and related services can begin or continue.

Additionally, as of February 10, 2021, all stage orders under ROA have been amended to require individuals to wear face coverings and maintain physical distance when indoors in a business, with limited exceptions, and to wear face coverings when attending an organized public event or gathering permitted under the regulations, if they are within a 2 metre distance of another individual who is not part of their household. All other restrictions to gatherings and organized public events will be maintained. Rules for the colour-coded zones and for the new “Shutdown Zone” have changed.

Residential Evictions (Ontario Regulation 13/21)

Enforcement of residential evictions will remain paused in the public health unit regions where the provincial Stay-at-Home order remains in effect. This will ensure people are not forced to leave their homes during the period where provincial stay-at-home orders are in place. In regions where the Stay-at-Home order is lifted, the regular process for residential eviction enforcement will resume.

Tenants who can pay their rent must continue to do so to the best of their abilities. Tenants can also ask their local service managers about financial assistance to pay their rent. Tenants can visit: <https://www.ontario.ca/page/find-your-local-service-manager> to find contact information for their local service manager. Landlords and tenants are encouraged to work together during these difficult times.

Detailed explanations of these changes related to the termination of the declared emergency, amendments to orders under the EMCPA and ROA and an updated chart of the Zones under the Framework can be found in the Ministry of the Solicitor General’s memorandum to all Chiefs of Police dated February 9, 2021, which is enclosed for your reference and to support local municipal enforcement activities.

Also enclosed for your attention is a second memorandum from the Ministry of the Solicitor General to all Chiefs of Police dated February 2, 2021, regarding an amendment to Ontario Regulation 8/21 – Enforcement of COVID-19 under the EMCPA that allows a police officer or other provincial offences officer to require an individual to provide their correct name, date of birth and address so that provincial offences officers have the necessary information to issue tickets or lay charges under the *Health Protection and Promotion Act*.

The 1-800 Enforcement Support Line (1-866-389-7638) and dedicated enforcement email address (EssentialWorkplacesSupport.SolGen@ontario.ca) are intended to provide guidance to policing personnel and other enforcement personnel in relation to the enforcement of provincial orders.

As the province transitions into these new zones over the coming weeks, the ministry recognizes that collaboration amongst municipalities, public health units, police forces, local enforcement partners and our multi ministry teams is important to ensure coordinated compliance and enforcement activities in an effort to continue the recent progress on reducing the presence of COVID-19 in our communities.

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

Sincerely,

A handwritten signature in black ink, appearing to read "K. Manson-Smith".

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

Enclosures: Correspondence from the Ministry of the Solicitor General to all Chiefs of Police dated February 2, 2021 – English version regarding an Amendment under the Emergency Management and Civil Protection Act

Correspondence from the Ministry of the Solicitor General to all Chiefs of Police dated February 9, 2021 – English version regarding the Termination of Declared Emergency and Amendments to Orders under the Emergency Management and Civil Protection Act and Reopening Ontario Act

If a French version is required, please contact
Richard.Stubbings@ontario.ca.