

City Enforcement of Provincial Orders and Brampton COVID-19 Emergency Measures By-law

1. What is the City's By-law Enforcement doing to enforce physical distancing?

The City's By-law Enforcement Officers are assisting Peel Regional Police to enforce the Province's physical distancing orders and requirements by responding to complaints, educating residents and working with Peel Regional Police where police intervention may be warranted. In addition, the City's By-law Enforcement Officers will begin to enforce the physical distancing restrictions established by the City under the Brampton COVID-19 Emergency Measures By-law.

2. What are the Provincial COVID-19 Orders the City will be enforcing?

The Province has issued a number of orders under the *Emergency Management and Civil Protection Act* which are in effect throughout the province to address the COVID-19 emergency, such as:

- prohibiting events and gatherings of more than five (5) people, other than gatherings of members of a single household;
- closing all non-essential businesses;
- closing specific types of business, such as indoor recreational facilities, private schools, bars and restaurants (other than take-out facilities), theatres and concert venues;
- prohibiting price gouging on necessary goods, such as masks and gloves, non-prescription medications, disinfectants and personal hygiene products; and
- closing all outdoor recreational amenities, such as sports fields and playgrounds.

3. What are the City's COVID-19 physical distancing regulations?

The City has established the Brampton COVID-19 Emergency Measures By-law, which sets out the following physical distancing restrictions:

- prohibiting people from maintaining less than a 2.0 metre distance from one another while on any public property (other than people they live with);
- prohibiting businesses to permit people to be seated or to be standing less than 2.0 metres apart whether inside or outside the business (other than people they live with);
- prohibiting people from using any of the following City property:
 - playgrounds and other structures in parks;
 - leash-free dog parks;
 - picnic shelters;

- outdoor sports facilities and outdoor fitness equipment, including sports fields, basketball and tennis courts;
- recreation centres and surrounding lands; and
- parking lots.

The City may add further prohibitions as additional information is received and the need for additional regulation is identified.

4. Why did the City establish the Brampton COVID-19 Emergency Measures By-law?

Peel Public Health has confirmed community spread of COVID-19 and is recommending that municipalities spread the message and reinforce the importance of physical distancing (i.e. the separation of people from each other) to help manage and fight the impact of COVID-19.

As a result, the City has established the Brampton COVID-19 Emergency Measures By-law in order to support and reinforce the Province's physical distancing orders through municipal regulation that is consistent with and complements the intent of the physical distancing ordered by the Province and which is recommended by Peel Public Health and health experts throughout the province.

5. What is the authority for the City to establish the Brampton COVID-19 Emergency Measures By-law?

On March 27, 2020 the City declared an emergency under the *Emergency Management and Civil Protection Act* which permits municipalities to make orders considered necessary to protect the health, safety and welfare of the residents of Brampton. The Brampton COVID-19 Emergency Measures By-law has been established under section 4 of the *Emergency Management and Civil Protection Act* and in accordance with the powers granted to municipalities under the *Municipal Act, 2001*.

6. How do the City's physical distancing regulations fit with the Province's physical distancing orders?

The Brampton COVID-19 Emergency Measures By-law is designed and intended to support and reinforce the Province's physical distancing orders and regulation. The regulations established by the City under the By-law are consistent with and complement the intent of the physical distancing regulations ordered by the Province, as well as the recommendations of Peel Public Health and health experts throughout the province. Where the Provincial Orders establish a prohibition or regulation, the Province's Orders will take precedence over any regulation established by the City, and will be applied by the City's By-law Enforcement Officers.

7. What are the fines the public will be facing for violating the Provincial Orders and/or the City's Emergency Measures By-law?

Charges may be laid for violations of the Province's emergency orders in two ways. Police and municipal law enforcement officers may issue tickets which carry set fines of between \$750 to \$1000 dollars per charge. Alternatively, officers may instead lay a charge by way of a summons in which case the fine and penalties are potentially more severe, ranging from up to \$100,000 for individuals, \$500,000 for directors or officers of a corporation and up to \$10,000,000 for a corporation that is found violating orders issued by the Province under the *Emergency Management and Civil Protection Act*. In addition, offenders may be subject to up to one year imprisonment.

With respect to the Brampton COVID-19 Emergency Measures By-law, the City's By-law Enforcement will be laying charges by way of a court summons, which carry fines that will be set by a Justice of the Peace ranging from a minimum of \$500 to a maximum of \$100,000. In cases where a person is charged with violating more than one of the physical distancing requirements in the By-law a minimum of \$500 may be applied for each offence with maximum fines that may exceed \$100,000.

In addition, charges may be laid under both the provincial orders and the City's By-law at the same time. For example, where a group of friends are found socializing in a City parking lot, the City's By-law Enforcement may issue a court summons charging each individual for violating the Provincial Order prohibiting congregations of more than 5 persons, together with a by-law charge for violating the prohibition against maintaining a distance of less than 2.0 metre distance and a charge for being found in a City parking lot.

8. Can we still walk through the City's parks?

Residents are required to comply with the Provincial Orders and any signs that may be posted on City parks, as well as the requirements of the Brampton COVID-19 Emergency Measures By-law. **So what does that mean?** Residents may walk through City parks unless there is signage at or in the park identifying the park or specific parts of the park as being closed, provided that residents:

- do NOT use any of the City's outdoor recreational amenities, such as sports fields and playgrounds;
- do NOT congregate in groups of more than 5 people (other than members of the same single household); and
- maintain a distance of at least 2.0 metres from other people (other than people who reside together).

9. Can I have a gathering in my backyard or on private property?

No, you may not have social gatherings of more than five people at your homes and you must maintain a physical distance of at least 2.0 metres from other people. You can gather in your backyard with your immediate family who live in the same household. We encourage you to practice safe physical distancing to stop the spread of COVID-19 by

not engaging in physical social gathering, and instead use other means of social engagement through telephone and online means.

10. Is it okay to gather in a plaza parking lot with my friends?

No, you may not gather in a plaza parking lot with more than five friends and you must maintain a physical distance of at least 2.0 metres from other people. People should remain home and practise safe social engagement through telephone and online means.

11. Can businesses be charged for violating the Provinces Orders and the City's By-law?

Yes, businesses and business owners can be charged for violating COVID-19 emergency orders issued by the Province and the City. For example, businesses violating the Provincial Orders requiring closure of non-essential businesses or prohibiting price gouging on essential goods may be charged and subject to fines of up to \$10,000,000, and officers and directors of these businesses may be liable for fines of up to \$500,000 personally.

12. Who do I call to report a possible violation of the Provincial Orders and/or the City's By-law?

Residents who wish to report a potential violation of the Provincial Orders or the City's COVID-19 Emergency Measures By-law can call the City's 311 service centre. 311 will direct information regarding potential violations to the City's various responding departments (including security and by-law enforcement services).

Where necessary the City will report to and work with our local enforcement partners, including Peel Regional Police and Peel Public Health to respond to information regarding potential violations received from the public.

In addition, with respect to complaints regarding unconscionable pricing or price gouging, residents may also contact the **Consumer Protection Ontario Call Centre** at 1-800-889-9768 (which operates between 8:30am and 5:00pm), or file complaints online at: <https://www.ontario.ca/page/consumer-protection-ontario>.