Members:  Mayor P. Brown  
Regional Councillor P. Vicente – Wards 1 and 5  
Regional Councillor R. Santos – Wards 1 and 5  
Regional Councillor M. Palleschi – Wards 2 and 6 (Acting Mayor – May)  
Regional Councillor M. Medeiros – Wards 3 and 4 (Acting Mayor – April)  
Regional Councillor P. Fortini – Wards 7 and 8 (Acting Mayor – March)  
Regional Councillor G. Dhillon – Wards 9 and 10  
City Councillor D. Whillans – Wards 2 and 6  
City Councillor J. Bowman – Wards 3 and 4  
City Councillor C. Williams – Wards 7 and 8  
City Councillor H. Singh – Wards 9 and 10

For inquiries about this agenda, or to make arrangements for accessibility accommodations for persons attending (some advance notice may be required), please contact:

Terri Brenton, Legislative Coordinator, Telephone 905.874.2106, TTY 905.874.2130  
cityclerksoffice@brampton.ca

Note: Meeting information is also available in alternate formats upon request.

Notice:

In consideration of the current COVID-19 public health orders prohibiting public gatherings of more than 50 people and requirements for physical distancing between persons, in-person attendance at this Special Council meeting will be limited to Members of Council and essential City staff only.

Members of the public may watch the meeting live from the City of Brampton website at:  
https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx

Correspondence related to agenda business to be considered at the Special Meeting may be submitted via email to the City Clerk at cityclerksoffice@brampton.ca up until the start of the meeting.

During the Special Meeting, the public may submit questions regarding decisions made at the meeting via email to the City Clerk at cityclerksoffice@brampton.ca, to be introduced during the Public Question Period section of the meeting.
1. Approval of the Agenda
   Note: The Clerk will conduct a roll call at the start of the meeting.

2. Declarations of Interest under the Municipal Conflict of Interest Act

3. Presentations and Reports
   3.2. Staff Report re: Changes to Brampton Transit Service and Fares in Response to COVID-19.
       Note: To be distributed prior to the meeting
   3.4. Staff Update re: Enforcement of Social Distancing Requirements.

4. Correspondence

5. Public Question Period
   15 Minute Limit (regarding any decision made at this meeting)
   During the Special Meeting, the public may submit questions regarding decisions made at the meeting via email to the City Clerk at cityclerksoffice@brampton.ca, to be introduced during the Public Question Period section of the meeting.

6. By-laws
   6.1. 51-2020 To amend Procedure By-law 160-2004 to permit Electronic Meetings during a period of Emergency (see Item 3.1)
   6.2. 52-2020 To amend User Fee By-law 380-2003, as amended, regarding Brampton Transit Fees in response to the COVID-19 Emergency (see Item 3.2)
6.3. 53-2020  To provide property tax assistance as part of the City of Brampton response to COVID-19 (see Item 3.3)

7. **Confirming By-law**

7.1. 54-2020  To confirm the proceedings of Council at its Special Meeting held on March 25, 2020

8. **Adjournment**

**Next Meetings:**
- Wednesday, April 15, 2020 – 9:30 a.m.
- Wednesday, April 29, 2020 – 9:30 a.m.
Date: 2020-03-21


Contact: Peter Fay, City Clerk, 905-874-2172 and Diana Soos, Acting City Solicitor, Legal Services, 905-874-2437

Recommendations:

1. That the report titled: Bill 187, Municipal Emergency Act, 2020, Emergency Electronic Meetings and COVID-19 Emergency, to the Special City Council Meeting of March 25, 2020, be received;

2. That Council enact amendments to Procedure By-law 160-2004, as amended, in the form attached as Appendix 1 hereto to enable electronic meetings to be held during a period of declared emergency;

3. That Council approve the Emergency Electronic Meeting Protocol attached as Appendix 2 hereto to be applied to any electronic meeting held in conjunction with the amendments to Procedure By-law 160-2004, as amended, enacted under paragraph 2 of this Recommendation;

4. That amendments to the Emergency Electronic Meeting Protocol be permitted to be made by simple majority vote of Council to accommodate an effective and efficient meeting so long as any such amendments are consistent with the intent of the Procedure By-law and do not directly conflict with the Procedure By-law or are contrary to prevailing Provincial legislation or orders;

5. That any notice requirement under Procedure By-law 160-2004, as amended, be hereby waived for the purpose of this Resolution, in accordance with Section 21.4 (d), on the basis that the COVID-19 emergency and related social distancing and self isolation constitute, and are considered to be of an, urgent or time sensitive nature, and affect the health or well-being of the residents or property in the municipality.
Overview:

- This report advises Council of recent legislative amendments to enable municipal councils to convene meetings with full electronic participation and recommends enacting the necessary amendment to Procedure By-law 160-2004, as amended, to permit full electronic meetings during a defined emergency.

Background:

On March 17, 2020, in response to the growing public health concerns surrounding the 2019 Novel Coronavirus (COVID-19), the Province declared a province-wide emergency under section 7.0.1 of the Emergency Management and Civil Protection Act ("EMCPA"), mandated the closure of all recreation facilities, public libraries, child-care centres, and bars and restaurants providing public accommodations in all municipalities across Ontario, and prohibited all organized events with attendance of more than 50 people, in an effort to contain the spread of COVID-19. (See Orders in Council 518/20, 519/20 and 520/20.)

On March 19, 2020, the Legislative Assembly of Ontario enacted the Municipal Emergency Act, 2020 (or Bill 187), which now permits meetings of Council to be conducted via electronic means during an emergency:

"Electronic participation, emergencies

238 (3.3) The applicable procedure by-law may provide that, during any period where an emergency has been declared to exist in all or part of the municipality under section 4 or 7.0.1 of the Emergency Management and Civil Protection Act,

(a) despite subsection (3.1), a member of a council, of a local board or of a committee of either of them who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time; and

(b) despite subsection (3.2), a member of a council, of a local board or of a committee of either of them can participate electronically in a meeting that is closed to the public. 2020, c. 4, s. 1.

Same, procedure by-law

238(3.4) A municipality or local board may hold a special meeting to amend an applicable procedure by-law for the purposes of subsection (3.3) during any period where an emergency has been declared to exist in all or part of the municipality under section 4 or 7.0.1 of the Emergency Management and Civil Protection Act and despite subsection (3.1), a member participating electronically in such a special meeting may be counted in determining whether or not a quorum of members is present at any time during the meeting."
More specifically, the changes to the *Municipal Act, 2001* under Bill 187 now permit municipalities to amend their procedure by-law to allow council members to participate electronically and count towards quorum in both open and closed session meetings, **but only** during a period of provincial or municipal emergency declared under the *EMCPA*.

Whereas the pre-Bill 187 *Municipal Act, 2001* only permitted municipalities through their procedure by-law, to authorize and establish rules for electronic participation in open meetings, provided that members participating electronically would not be counted towards quorum, and electronic participation in closed meetings was prohibited.

In summary, the *Municipal Act, 2001* now allows:

- an electronic meeting to take place regardless of the number of members who wish to participate electronically – there is no longer an “in-person” quorum requirement – when an emergency has been declared under the *EMCPA* (s. 238(3.3)(a));
- during a declared emergency a closed session meeting may take place electronically (s. 238(3.3)(b)); and
- authority has been granted for full participation of Council by electronic means for a Special Council meeting to amend its procedure by-law in order to establish the authority to hold meetings electronically during an emergency (s. 238(3.4));

**Current Situation:**

Staff have taken the necessary steps to implement the above legislative amendments and recommend Council adopt the staff recommendation in this report, including enacting a by-law to amend the Procedure By-law 160-2004 to permit and facilitate the continued operation of City decision-making via City Council meetings during the ongoing COVID-19 emergency.

In accordance with Bill 187, the staff recommendation and resulting Council Resolution will allow a Member participating electronically in a meeting to be counted in determining whether or not a quorum of Members is present at any time during the meeting (open or closed session). A Member who participates electronically shall have the same rights and responsibilities as if they were in physical attendance, including the right to vote.

In order to facilitate an effective electronic meeting, an Emergency Electronic Meeting Protocol is set out as Appendix 2 to this report for Council approval to support electronic meetings and Member participation.

During the COVID-19 emergency, meetings will be supported and managed from the Council Chambers, in order to facilitate live streaming of the meeting to enable public access and observation. In-person public attendance is prohibited given the public gathering restrictions in place, currently of 50 or more persons. To balance the open
meeting and public access provisions of the *Municipal Act, 2001*, as well as permit public, media and non-essential staff access, the following provisions have been implemented:

- public, media and non-essential staff observation through live stream and playback;
- acceptance of public correspondence regarding specific meeting business via email submitted to the City Clerk via cityclerksoffice@brampton.ca; and
- public question period regarding decisions made at the meeting submitted to the City Clerk and to be read during the public question period portion of the agenda.

**Corporate Implications:**

**Financial Implications:**

There are no financial implications from the recommended Procedure By-law amendments. Accommodating electronic participation by Members in a Council meeting with available technology can be managed within existing approved budgets.

**Other Implications:** nil

**Term of Council Priorities:**

This report achieves the Term of Council Priority of Brampton as a Well-run City by ensuring City Council can continue to meet, make decisions and operate during the current COVID-19 emergency in order to effectively serve the citizens and businesses of the City during this time of crisis.

**Conclusion:**

This report advises Council of recent legislative amendments to enable municipal councils to convene meetings with full electronic participation and recommends enacting the necessary amendment to Procedure By-law 160-2004, as amended, to permit full electronic meetings during a defined emergency.

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**Authored by:**

Peter Fay, City Clerk, City Clerk’s Office, and Diana Soos, Acting City Solicitor, Legal Services, Legislative Services

**Reviewed and Approved by:**

Joseph Pittari, Commissioner, Legislative Services

**Submitted by:**

David Barrick, Chief Administrative Officer

**Attachments:**

**Appendix 1** - A By-law to amend Procedure By-law 160-2004 to permit Electronic Meetings during a period of Emergency

**Appendix 2** - Emergency Electronic Meeting Protocol
THE CORPORATION OF THE CITY OF BRAMPTON

By-law Number ____ - 2020

A By-law to amend Procedure By-law 160-2004 to permit Electronic Meetings during a period of Emergency

WHEREAS the Municipal Act, 2001, S.O. 2001, c. 25, section 238 provides that a municipality shall establish a procedure by-law to govern meetings;

AND WHEREAS The Corporation of the City of Brampton has enacted Procedure By-law 160-2004, as amended;

AND WHEREAS on March 19, 2020 the Province of Ontario enacted the Municipal Emergency Act, 2020 to amend the Municipal Act, 2001, to enact section 238 (3.3) and 238 (3.4) to permit meetings to be held electronically during an emergency declared pursuant to the Emergency Management and Civil Protection Act, R.S.O. 1990, Chapter E. 9;

AND WHEREAS the World Health Organization has declared a worldwide pandemic regarding the Novel Coronavirus 19 (COVID-19);

AND WHEREAS on March 17, 2020 a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the Emergency Management and Civil Protection Act related to COVID-19;

AND WHEREAS the Lieutenant Governor has issued Order-in-Council 520/2020, pursuant to the Emergency Management and Civil Protection Act, prohibiting all organized public events of over fifty people due to COVID-19;

AND WHEREAS The Council of the Corporation of the City of Brampton considers the protection of the health and safety of the public to be a paramount concern, and has suspended the operations of all City facilities and services, other than those deemed essential for the welfare of the citizens of Brampton during the COVID-19 emergency;
AND WHEREAS The Corporation of the City of Brampton considers it desirable to be able to hold Council meetings electronically during the COVID-19 emergency;

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS as follows:

1. That Procedure By-law 160-2004, as amended, is hereby further amended by adding the following section 22:

22. Electronic Meetings during a Declared Emergency

22.1 Interpretation - In this Section the following shall apply, in addition to the definitions in section 1 of this By-law:

“Emergency” means any period of time during which an emergency has been declaration to exist in all or part of a municipality by the Head of Council or the Province under sections 4 or 7.0.1 of the Emergency Management Act;

“Electronic Meeting” means a meeting called and held in full or in part via electronic means (including, but not limited to, audio teleconference, video teleconference, or via means of the internet), and with or without in person attendance;

“Emergency Management Act” means the Emergency Management and Civil Protection Act, R.S.O. 1990, Chapter E. 9, as amended;

22.2 Electronic Meetings – A regular meeting or special meeting of Council may be conducted by Electronic Meeting during an Emergency, in accordance with this Section and any Emergency Electronic Meeting Protocol as may be approved by Council.

22.3 Quorum and Voting for Electronic Meeting – Members attending and present during an Electronic Meeting shall be counted for purposes of quorum at the commencement and at any point in time during the meeting, and shall be entitled to vote through a vote recorded by the Clerk as if they were attending the meeting in person.

22.4 Closed Session – An Electronic Meeting may include a Closed Session, which shall be conducted in the absence of the public and in accordance with this Section.

22.5 Public Notice of Electronic Meeting – A public notice of an Electronic Meeting shall include sufficient information as to provide the public with a means to electronically access the open session of such Electronic Meeting.
22.6 **Delegations In Writing** – An Electronic Meeting shall not permit public delegations, except by way of electronic submission received in advance of the meeting, which shall be submitted to the City Clerk’s office at cityclerksoffice@brampton.ca prior to the start of the Electronic Meeting, and shall be provided to Members at the meeting.

22.7 **Public Question Period** – An Electronic Meeting may include a public question period where practical, and where impractical questions regarding decisions made at the meeting may be submitted during the meeting via email to the Clerk at cityclerksoffice@brampton.ca.

22.8 **Application and Conflict** – Notwithstanding the foregoing, the Procedure By-law shall continue to apply to an Electronic Meeting held pursuant to this Section, except that this Section and any Emergency Electronic Meeting Protocol approved by Council and any Provincial legislation or order shall prevail to the extent of any conflict.

2. This By-law is enacted at a special meeting held in accordance with section 238(3.4) of the *Municipal Act, 2001*, as amended, and shall hereby come into effect as of the date and time of its passing.

**ENACTED and PASSED this** day of March, 2020.

Approved as to form.

__/__/___

__________________________________
Diana Soos

Approved as to content.

__/__/___

__________________________________
Charlotte Gravlev

__________________________________
Patrick Brown, Mayor

__________________________________
Peter Fay, City Clerk
Appendix 2

Emergency Electronic Meeting Protocol

Note:
The Procedure By-law shall continue to apply to an Electronic Meeting held pursuant to this Protocol, and that amendments to this Protocol may be permitted to be made by simple majority vote of Council to accommodate an effective and efficient meeting so long as any such amendments are consistent with the intent of the Procedure By-law and do not directly conflict with the Procedure By-law or are contrary to prevailing Provincial legislation or orders.

General
- The method and technology used for an Electronic Meeting in Open Session or Closed Session shall be determined by the CAO and Clerk, in consultation with the Mayor, based on advice and resources available at the time and the prevailing circumstances and context for a meeting.
- The Mayor or Acting Mayor (or designate) shall lead the meeting and be present from a designated meeting location supported by the Clerk (or designate), where possible.
- A Member who wishes to participate in a meeting electronically shall provide the Clerk a minimum of 24 hours of notice, where possible.
- The following practices will be followed for electronic participation by a Member
  - Each Member participating in a meeting electronically shall be available at least fifteen (15) minutes before the beginning of the meeting to assist staff in confirming establishment of the electronic connection.
  - Each Member participating in a meeting electronically will mute their electronic device when not speaking and/or it will be muted by meeting support staff, depending on the technology used for the meeting.
  - The Chair will canvass Members participating electronically about their intention to speak to a matter on the floor and will notify each Member when it is their turn to speak.
  - After putting a motion to a vote, each Member participating electronically will be required to identify how they wish to vote.
  - Member(s) participating electronically will be deemed to have left the meeting when they are no longer electronically connected to the meeting.
  - In the case of a loss of connection, or any connection issue which impedes the ability of a Member(s) to participate in the meeting in real time, the meeting will continue without attempts by either staff or the Member(s) to reconnect.
- For any procedural or technology matters unforeseen and not clearly identified within these rules or the Procedure By-law, the matter shall be decided by the Mayor, upon advice from the Clerk or City Staff, subject to an appeal to the Council.
- Members follow meeting leadership from the Mayor as Chair.
At the start of the meeting, the Clerk shall conduct a roll call by voice (calling out each Member in ward order by City Councillor followed by Regional Councillor, followed by the Mayor). After roll call, a Member participating electronically should advise verbally that they are leaving the meeting before ending their participation.

The Chair is to announce each agenda item on the floor of the meeting and shall maintain an orderly meeting process keeping Members informed.

A Member who participates electronically shall have the same rights and responsibilities as if they were in physical attendance, including the right to vote.

### Request-to-Speak and Speakers List
- Any Member participating in-person shall use the Request-to-Speak (RTS) buttons to establish a Speakers List, if available.
- The Clerk will maintain and display, whenever possible, the Speakers List for the current agenda item.
- The Chair will ask each remotely-participating Member by name to confirm if they wish to be added to Speakers List on the current item or through an alternative means as advised by the Clerk.
  - e.g., Member texting or messaging Chair or designated City Clerk’s Office representative to be added or removed from current item Speakers List.
- The Chair/Clerk to manage the Speakers List based on the Chair’s discretion to ensure all Members are able to participate in debate in keeping with meeting rules.
- The Chair calls out the name of Member assigned the floor.

### Member Speaking
- Five-minute maximum (Clerk to time and provide warning at four minutes).
- Member can use time allotment to speak, ask questions of staff and/or introduce a motion.
- Each Member is provided only two opportunities to speak (five minutes each), subject to other meeting rules.
- Each Member speaks to Council through the Chair.
- After a Member finishes speaking, the Chair may confirm verbally the list of remaining speakers and calls out name of the next Member assigned the floor.

### Motions
- All motions to be in writing with mover/seconder identified (except procedural motions) and provided to Chair/Clerk in advance of Member speaking by email to charlotte.gravlev@brampton.ca, whenever possible.
- Any introduced motion accepted by the Chair is to be read by the Chair and/or Clerk.
- After Speakers List is completed, Chair to confirm no further Members to be added to Speakers List before voting commences.
3.1-10

Voting
- All votes shall be a recorded vote conducted by the Clerk, as directed by the Chair, unless Council decides otherwise.
- Clerk to call each name of Member to record vote (calling out each Member in ward order by City Councillor followed by Regional Councillor, followed by the Mayor).
- If Member present in-person or electronically, and name called and no response to indicate vote provided, Clerk will ask one more time, and if no indication of vote, and Member is present in-person or electronically, vote is recorded in negative, unless directed otherwise by the Chair.
- Clerk to announce results to Chair and Council, including announcing how each Member voted (yes/no/absent).

Member Conduct
- Each Member shall remain silent and attentive to the proceeding when not assigned the floor by Chair.
- Each Member to listen for their name to be assigned the floor to speak or to vote.
- Each Member takes directions from Chair in order to facilitate an effective, efficient and orderly meeting.
Date: 2020-03-22

Subject: Changes to Brampton Transit Service and Fares in Response to COVID-19

Contact: Alex Milojevic, General Manager, Transit 905.874.2750 ext. 62332, alex.milojevic@brampton.ca

Recommendations:

1. That the report titled: Changes to Brampton Transit Service and Fares in Response to COVID-19 (IB.C), to the Special Meeting of Council of March 25, 2020, be received; and

2. That Council enact the by-law attached as Appendix 1 hereto to amend Schedule G (Transit Division User Fees & Charges) of the User Fee By-law 380-2003 to defer the effective date of increases to Brampton Transit Fares from April 13, 2020 until August 31, 2020, or such earlier date as may be later set by Council; and

3. That Council enact the by-law attached as Appendix 1 to confirm and endorse the emergency action taken by Brampton Transit in response to the COVID-19 pandemic to discontinue fare collection, until no later than five (5) days after the Declaration of Emergency made by the Province under section 7.0.1 of the Emergency Management and Civil Protection Act, R.S.O.1990, c. E. 9 has been terminated, as part of the comprehensive plan to provide for social distancing and rear door only loading of buses for the safety of transit operators and customers.

Overview:

- This report summarizes actions taken by Brampton Transit to support the City’s response to COVID-19 and to ensure the safety and well-being of employees and residents.

- Initial actions included: On March 6, regular 48-hour disinfecting of all transit vehicles with a hospital-grade disinfectant, directing operators to fully extend operator safety shields on buses, communicate proper handwashing techniques and sneezing/coughing protocols, and
providing regular employee bulletins to all Brampton Transit employees about COVID-19.

- Further actions: On March 21, additional steps were announced to support social distancing on transit vehicles:
  - reducing on-street service to an enhanced Saturday schedule roughly equal to 50% of a normal weekday schedule
  - limiting passenger loads on buses to 50% of a seated load
  - creating a pool of standby buses and operators to be available to insert into service on an as-needed basis to support social distancing
  - taping off seats with yellow tape to show which seats should and should not be used to support social distancing
  - only allowing rear-door passenger boardings to further protect operators who are required to operate buses for up to 8 hours a day
  - suspending the collection of fares because rear-door boarding makes tapping PRESTO card or depositing cash into the farebox impractical as fare collection equipment is located at the front of the bus.

- Many other transit systems in the Province of Ontario have similarly implemented both rear door boarding and the suspension of fare collection, including MiWay in Mississauga, HSR in Hamilton, Oakville Transit, Burlington Transit, and Durham Transit in the GTHA.

Background:

Within the City of Brampton, transit services are about 50% recoverable through revenues from operations, the primary source being from passenger revenues.

Fare payments make up the majority of transit passenger revenues and are collected through fare box and PRESTO devices located beside the driver compartment. As a result, validation of the fare payments by transit operators requiring these devices, and the subsequent transaction, all occur directly beside the driver compartment.

On a normal weekday, almost 200,000 passenger boardings via the front door are made. For the average bus operator, this could mean between 300 and 500 routine interactions with customers each day.

Current Situation:

In response to COVID-19 and its impact on the city and its residents, the City made the following decisions;

March 13, 2020, the City of Brampton announces:

- Between March 15 and April 5: all City facilities including City Hall, Recreation and Community Centres, Performing Arts Venues, and Brampton Library branches will close, cancellation of all City-run events, cancellation of all in-person Council and Committee meetings.
- Only services deemed critical and essential (Fire and Emergency Services, Brampton Transit, Traffic Services, By-Law Enforcement, Road Operations, Security Services, Animal Services and POA Courts) will continue to operate under adjusted core service levels as required.

March 17, 2020:

- State of emergency declared by Premier Ford in Ontario;
- Order in Council 520/20 was issued prohibiting public organized events of over 50 people;
- In light of the provincial emergency declaration, the City of Brampton upgraded its emergency level from a level 2 General Emergency to a Level 1 Major Emergency.

March 18, 2020: Region of Peel makes a declaration of an emergency related to COVID-19.

March 19, 2020: Changes described in this report to Brampton Transit service in response to COVID-19 are announced to the public.

Under section 3.8 of the Brampton Emergency Plan enacted under Emergency Plan By-law 265-2014 during an emergency, such as the COVID-19 pandemic, authority has been provided by Council to the City’s Emergency Management Team to take such actions “as may be required to protect life, property, the environment, and the economy within the boundaries of the City of Brampton”.

With these Corporate decisions made, the rapidly evolving changes the organization is experiencing and in keeping consistent with the City’s continued priority during the COVID-19 emergency, to comply with the Orders in Council and direction of the Province and Peel Health, and to ensure the safety and well being of our residents and employees, Brampton Transit, in consultation with Senior Leadership Team, took the following initial actions:

- regular 48-hour disinfecting of all transit vehicles with a hospital-grade disinfectant
• directing operators to have the sliding window on the on-board operator safety shields fully extended
• providing guidance on thorough handwashing techniques and sneezing/coughing protocols and providing regular employee bulletins to all Brampton Transit employees about COVID-19.

In response to both, an over 50% drop in ridership and an increasing number of employees self-isolating, a new schedule with an enhanced Saturday service was implemented on Monday, March 23. This permitted the establishment of a pool of spare operator and vehicles for Brampton Transit to use to augment the new schedule for any instances of overcrowding that may occur on an as and where needed basis throughout the city. This was especially critical because as a social distancing measure for customers on-board Brampton Transit and to confirm with the spirit and intent of Order in Council 520/20 to eliminate congregations of 50 persons or more, passenger loads have been restricted to 50% of a seated load. Seats on all buses have been taped off with yellow tape to identify which seats can be used and which should be left vacant for social distancing reasons.

On Saturday, March 21, Brampton Transit implemented rear-only door loading and suspended fare collection as a means of reducing customer/operator interactions. This is an especially important measure for the safety of operators who operate buses in service. Implementing rear door only loading effectively makes the collection of fares impractical because all of the fare collection equipment is at the front of the bus.

Deferral of Fare Change

On March 11, Council approved by-law 40-2020 to amend User Fee by-law 380-2003, which would see an increase to both adult and cash fares effective April 13.

With the decision to suspend fare collection for the foreseeable future, the planned April 13, 2020 fare increase cannot happen. Staff are recommending approval to defer the fare increase until a later date. Staff will bring forward a report on this fare increase at an appropriate date in the future.

Ridership and Revenues

For the first two and a half months of 2020, Brampton Transit saw exceptional ridership increases. Up to March 12, 2020 there was a nearly 20% increase in ridership compared to the same time frame in 2019. With the evolution of the COVID-19 pandemic, Brampton Transit has since seen over a 50% drop in ridership.

Corporate Implications:
Financial Implications:

The reduction in ridership will result in a forecasted loss of revenue of an estimated $4.7M per month. Suspending fare collection results in an additional $2.3M per month of revenue loss. In total, this would equate to a $21M loss over a three month period.

With the decisions to reduce transit service, a substantial reduction in routine overtime is anticipated. In addition, diesel fuel prices are currently around $0.75 per litre, down from the budgeted $1.00 per litre. With the reduction in service, we anticipate further fuel savings. Staff will continue to monitor savings throughout the year.

Brampton Transit’s 2020 operating budget included $1.05M on an annual basis for the approved fare change. The deferral of the fare change would have a monthly revenue impact of approximately $90K during normal operations, but with the decision to stop fare collection the financial impact would be $0.

The General Rate Stabilization (GRS) Reserve is the primary source of funding to address operating budget deficits. The balance in the GRS reserve is $71 million. Finance is currently developing financial risk models to estimate city-wide impacts of COVID-19, which will be used to inform future operational decisions.

Communication Implications:

In collaboration with Strategic Communication, Brampton Transit has communicated the changes to its service through various channels such as corporate media releases, Corporate and Brampton Transit social channels and webpages. Social distancing signage is placed at terminals and on-board announcements on our buses are active.

Strategic Plan:

This report achieves the Strategic Plan priority “Good Government” by practising proactive, effective and responsible management of municipal assets and services.

Living the Mosaic – 2040 Vision

This report directly aligns with the vision that Brampton will be a mosaic of safe, integrated transportation.

Conclusion:

In response to COVID-19, Brampton Transit has taken action to ensure the safety and well being of customers and employees. These actions include the implementation of social distancing protocol and rear door passenger boarding only, which have resulted in
the inability to collect fares and the requirement to defer the approved fare change until further notice.

Authored and Recommended by:

______________________________
Jarrid Jensen,
Manager, Administrative Services,
Transit

Reviewed and Approved by: Submitted by:

______________________________
Alex Milojevic, David Barrick,
General Manager, Transit Chief Administrative Officer

Attachments:

Appendix A – A By-law to amend User Fee By-law 380-2003 regarding Brampton Transit Fees in response to the COVID-19 Emergency
THE CORPORATION OF THE CITY OF BRAMPTON

By-law Number ____-2020

A By-law to amend User Fee By-law 380-2003 regarding Brampton Transit Fees in response to the COVID-19 Emergency

WHEREAS The Corporation of the City of Brampton has enacted User Fee By-law 380-2003, including Schedule G thereto which sets out Brampton Transit User-Fees;

AND WHEREAS the World Health Organization has declared a worldwide pandemic regarding the Novel Coronavirus 19 (COVID-19);

AND WHEREAS on March 17, 2020 a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the Emergency Management and Civil Protection Act related to COVID-19;

AND WHEREAS the Lieutenant Governor has issued Order-in-Council 520/2020, pursuant to the Emergency Management and Civil Protection Act, prohibiting all organized public events of over fifty people due to COVID-19;

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

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS as follows:

1. THAT Schedule G (Transit Division User Fees & Charges) of User Fee By-law 380-2003 be amended to delete the reference to “Proposed April 13, 2020” under the Fares column and replace it with “August 31, 2020”; and

2. THAT the collection of Brampton Transit Fees under Schedule G of User Fee By-law 380-2003 be suspended until no later than 5 days after the Declaration of Emergency issued by the Province under section 7.0.1 of the Emergency Management and Civil Protection Act, R.S.O. 1990. c. E.9 has been terminated.

ENACTED and PASSED this day of March, 2020.
Approved as to form.

__/____/___

_____________________
Diana Soos

Approved as to content.

__/____/___

_____________________
Alex Milojevic

_____________________
Patrick Brown, Mayor

_____________________
Peter Fay, City Clerk
Date: March 23, 2020

Subject: Property Tax Assistance - City Response to COVID-19

Contact: David Sutton, Treasurer  905-874-2257
david.sutton@brampton.ca

Recommendations:

1. THAT the report titled: Property Tax Assistance – City Response to COVID-19 to the Special Council Meeting of March 25, 2020 (R93/2020), be received; and,

2. THAT the City of Brampton suspend charging penalty and interest on any tax arrears effective March 18, 2020 until August 19, 2020 (the ‘waiver period’) through an amendment to Interim Tax Levy By-law 276-2019; and

3. THAT the City of Brampton allow residents the ability to choose to defer outstanding interim property tax payments until August 19, 2020.

4. THAT the City of Brampton waive the fee ($15) for residents that request the City to suspend the processing of their post-dated cheque (“pull requests”) for the April 22nd interim tax due date.

5. THAT the City of Brampton waive the fee ($35 plus HST) for non-sufficient funds (NSF) on Pre-Authorized Tax Payment cancellation requests that could not be processed prior to the scheduled withdrawal during the waiver period.

6. THAT the Region of Peel be requested to amend their interim by-law to receive only the payment amounts collected by the City of Brampton instead of the full instalment which is due on April 23, with the remaining amount to be paid in full, with no interest charges, on August 20, 2020 unless further COVID-19 measures are implemented.

7. THAT the Province of Ontario amend legislation to allow municipalities to remit only payments collected to each of the school boards and not the full amount of June and September instalments. The remaining amount due would be paid in full on the December instalment.
Overview:

- The 2020 interim tax bills were issued prior to the COVID-19 outbreak with regular instalment dates in February, March, and April, and monthly instalments on various pre-authorized tax payment (PTP) dates from January to June.

- Interim 2020 taxes of over $585 million have been billed and approximately $364 million has been collected already to date from January to March. Future interim payments still due total approximately $211 million not including tax arrears.

- Interim taxes deferred will require full payment by August 19th, 2020 at which time penalty and interest rates will resume at 1.25% the day after each missed instalment and 1.25% on the first day of each month on all tax arrears.

- Residents and businesses are encouraged to continue making payments, if possible, to ensure local government services can still conduct business and provide services to the community. There remain several payment options available such as on-line banking, telephone banking, Canada Post, and at certain financial institutions. Payments can be made multiple times throughout the waiver period or in one lump sum prior to the end of the waiver period on August 19th.

- All taxes for a year must be billed within the calendar year. The City of Brampton will align residential and non-residential Final Billing and establish common due dates of September 23rd, October 21st and November 18th. This allows one month between the time final taxes become payable and the waiver period ends (August 19th).

- The City charges $15 for each post-dated cheque pull request as per the Fees and Charges by-law. It is recommended that this fee be waived for any cheque pull request from the April 22nd interim regular instalment date.

- The City charges $35 plus HST should a withdrawal be rejected due to non-sufficient funds (NSF). It is recommended that this fee be waived for NSF charges on PTP accounts where a cancellation request could not be processed prior to the withdrawal event.

- Waiving penalties and interest charges will apply to both prior accounts in arrears and to any new accounts that become overdue from this Property Tax Assistance initiative, resulting in approximately $1 Million per month in foregone penalty and interest revenue.
April 23rd is the next payment remittance due to the Region of Peel. The City requests that the Region amend their interim by-law to allow the City to remit only the amounts collected and not the full balance. The City would complete the annual payment, free of interest charges, on August 20, 2020.

The City requests the Province of Ontario to amend legislation and allow the June and September school board payments to reflect only the amounts collected by the City. The final payment in December will include all deferred amounts to complete the required annual payment.

Landlords are being asked to pass the tax deferral on to their tenants.

FAQs are being developed and will be communicated to taxpayers.

Customer inquiries can be made to 3-1-1.

Background:

The coronavirus (COVID-19) pandemic that has swept across the globe in the last several weeks has significantly impacted public health, society, and the economy as a whole. The Province of Ontario has declared a state of emergency due to the COVID-19 pandemic. Many residents are not able to attend at work or may be restricted to self-isolation in their homes. Businesses are suffering as customers do not have the usual ability to conduct commerce. Residents and businesses in Brampton have requested that the City offer property tax relief measures.

Interim property tax bills were issued in December for PTP customers and in January for all other accounts. Some property owners may now find it unduly burdensome to pay the taxes as originally billed. Options for providing assistance are outlined in this report for Council’s consideration.

Under section 3.8 of the Brampton Emergency Plan enacted under Emergency Plan By-law 265-2014 during an emergency, such as the COVID-19 pandemic, authority has been provided by Council to the City’s Emergency Management Team to take such actions “as may be required to protect life, property, the environment, and the economy within the boundaries of the City of Brampton”.

Current Situation:

Taxes are billed twice a year on the basis of three Interim tax instalments and three Final tax instalments. Interim taxes are billed in January and equal 50% of prior year taxes. Due dates are common for both residential and businesses in February, March,
and April. Final taxes are typically billed in June for residential properties with July, August, and September due dates. Business properties are billed in July with due dates in August, September, and October. Final taxes represent the balance of taxes owing for the current year.

The City billed over 167,000 tax accounts at interim billing. It breaks down to about 161,000 residential and 6,000 non-residential (commercial, industrial and multi-residential). The billing includes 28,700 accounts on a monthly pre-authorized tax payment plan (PTP) and about 40,000 accounts that are paid by various financial institutions who share agreements with mortgagors.

In total the City bills about $1.2 billion in taxes each year.

In addition to the City’s levy, taxes are billed and collected for the Region and school boards. These monies are passed on to the Region according to their interim by-law and to the school boards through provincial legislation.

The Region’s payment schedule is established by the Region to be the day after the instalment dates for regular instalments. The school board payment dates and amounts are prescribed by the Province in the Education Act. Interest is applicable if the City is late in making these payments.

To date, the City has collected $364 Million from the interim tax billing which represents the February and March instalments and January, February, and March PTP instalments. The remaining amount due from April to June is about $211 Million, which consists of the April regular instalment and the April, May and June PTP instalments. In addition to this amount are all arrears from any outstanding payments from prior years.

**Options for Assistance**

**Waive Penalty and Interest Charges**

Legislation requires that penalty and interest be applied in the same manner and at the same time for all properties. If penalty and interest were to be waived, it would have to be waived on all tax arrears including accounts that were in arrears prior to the COVID-19 outbreak.

Staff recommends that the City suspend any charges for penalty and interest until August 19, 2020. Council would be required to pass an amending by-law to the Interim Tax Levy By-law 276-2019.

With the exception of making payment at City facilities due to the City of Brampton closure, all payment avenues continue to be available to residents and businesses at this time.
Defer Tax Payments

It is recommended that deferral of tax payments be at the discretion of the taxpayer. The City still requires cash flow to conduct business and provide services to the community. There is no change to previously billed due dates and residents and businesses that are able to make their tax payments are encouraged to do so. However, residents and businesses that cannot make tax payments will not be penalized during the waiver period between March 18th and August 19th.

For customers on regular instalment billings, no action is required. The taxpayer can choose not to make their payment. However, taxes are not cancelled and will remain as arrears on the account with no penalty or interest charges until August 19th.

If a taxpayer has sent in post-dated cheques for the interim billing due dates and would like to cancel the cheque for the April 22nd due date, they must notify the City in writing as soon as possible. City staff will work with our financial institution to honour as many cheque pull requests as our combined resources will allow. It is also recommended that the current City fee ($15) be waived for those who request a cheque pull before the April 22nd instalment.

Taxpayers who have registered to the City’s PTP program will continue to have payments withdrawn as per the interim billing due dates they previously chose. Those who cannot commit to these payments must notify the City in writing to cancel their PTP plan. City staff will make every effort to process cancellations as quickly as possible. However, due to resource limitations and potential volume of requests, the City cannot guarantee that all cancellations will be processed prior to the April 1st, April 15th, and April 22nd due dates. If an automatic withdrawal is made on an account where a cancellation request could not be processed prior to the withdrawal date, the City should waive the internal fee of $35 plus HST. Taxpayers that withdraw from the PTP program will then have to reapply at a later date, if they would like to resume participation in the program.

Taxpayers that have an agreement with a financial institution to make tax payments through their mortgage will not be deferred. The City is not a party to those agreements and will expect the financial institutions to continue to make their client payments as per previously billed arrangements.

Allowing residents and businesses the option to defer taxes to August 19th will affect the City’s typical final billing schedule. It is recommended that final billing for all properties be processed simultaneously in mid June with tax bills expected in-house by early July. This would allow approximately six weeks for taxpayers to consider their options before the waiver period ends on August 19th. The tax bill will show the total outstanding overdue amount that will require payment in full by August 19th to avoid penalty and interest charges. The City will align residential and non-residential Final Billing and establish common due dates of September 23rd, October 21st and November 18th.
Final Billing due dates (September, October, and November) allows a month between the time the waiver period ends and final taxes become payable. As a result of the compressed timing, overdue notices will not be sent prior to the final billing. The overdue amount shown on the tax bill will be the taxpayers notice.

**Corporate Implications:**

**Financial Implications:**

Waiving penalties and interest charges will apply to both prior accounts in arrears and to any new accounts that become overdue from this Property Tax Assistance initiative, resulting in approximately $1 Million per month in foregone penalty and interest revenue. The City will require support from both the Region of Peel and the Province of Ontario (school boards) to ensure the City’s other financial obligations and cash flow requirements can be met.

**Other Implications:**

N/A

**Strategic Plan:**

This report achieves the Strategic Plan Priority of Good Government by contributing to the Strategic Initiative of Continued Financial Stability and it promotes transparency in the reporting of the City’s financial affairs.

**Term of Council Priorities:**

This report fulfils the Council Priority of a Well-Run City through strict adherence to effective financial management policies and supports Brampton’s 2040 Vision by ensuring sustainable financial revenues.

**Conclusion:**

The COVID-19 pandemic has caused financial hardship for many residents and businesses. The 2020 Interim Tax Bills were issued prior to the COVID-19 outbreak. Staff has looked at various options for providing cash flow assistance to property taxpayers. Staff recommends waiving penalty and interest charges. This will result in penalty and interest revenue losses of approximately $1 million per month. Taxes previously billed are not cancelled but future payments can be deferred without penalty until August 19th if residents and businesses choose to do so.
March 24, 2020

Mayor Brown, Finance Committee Chair Vicente and Members of Council
City of Brampton
c/o Peter Fay, City Clerk
for: March 25, 2020 Special Council Meeting: Delegation in Writing

Status Update Request: Brampton Board of Trade Recommendations to City Council for economic response to global pandemic

Good afternoon Your Worship and Members of Council,

Thank you and Council for your quick action on the Brampton Board of Trade’s recommendation for property tax deferral in response to the impact of the global pandemic.

Our office has been in touch with the City’s Treasurer and understand that the City of Brampton’s property tax payment deadline is now extended to August 19th. This is an important first step in aiding families during this difficult time and aiding business liquidity so that Brampton enterprises can remain viable. Thank you for that.

As an update, business owners continue to confide in the Brampton Board of Trade that continuity of business operations is a serious concern. The business community has willingly joined the fight to combat COVID-19, even though it has meant significant declines in business revenue due to mandated restrictions to their operations. Timing of payments is very important to business survival. That is why we are writing today.
Respectfully, we ask for an update on behalf of the business community. We strongly encourage Council to act on the remaining recommendations proposed by the Brampton Board of Trade in our March 18th email (below), specifically Recommendation #3 – accelerating payments owed to the private sector and non-profit enterprises.

By way of immediate status update:

1. Has Council instructed the Treasurer to accelerate payments owed?
2. Will the City’s treasury accelerate payments to 14 days from invoice, as opposed to longer payment delays?
3. Has City administration established protocols to measure and monitor payments for the next six months to ensure accelerated payments as we work through these extraordinary conditions together?

I understand that City Council meets tomorrow. Please respond to me at your earliest convenience the status of accelerated payments and of the remaining recommendations, so that I can communicate to the business community the strong tangible action City Council is taking to support businesses during this difficult time.

Sincerely,

Todd Letts
Mayor Brown, Regional Councillors Palleschi and Vicente, and Clare:

I have received your invite to participate in a discussion on economic recovery. Thank you for reaching out to better understand the impact of COVID-19 on our local business community. You can count on the Brampton Board of Trade to fully participate in the proposed Economic Support and Recovery Task Force.

The situation is serious. Businesses have taken many steps to combat the spread of COVID-19 and as a result, for many, business continuity is at risk. In response to operating restrictions that are hurting businesses, Brampton business people have clearly articulated, to the Brampton Board of Trade, actions from local – and all governments - that would help them to continue operating. The Board of Trade is in contact with regional health officials at William Osler Health Service, Peel Public Health and all levels of government as the situation develops.

Local employers are concerned not only with the continued viability of their businesses but also the health and livelihoods of their employees and families. As you know, members of the Brampton Board of Trade employ more than 45,000 in our community. Since its onset, to assist local companies with business continuity, a COVID19 resource page was created and is updated daily at bramptonbot.com/covid19

In response to feedback we have received from local employers, the Brampton Board of Trade offers these initial thoughts on tangible action local governments can take.

What Tangible Action Can Local Governments Take To Ensure Business Continuity In Response to Global Pandemic?

1. **City/Region Finance:** Extend property tax deadline for both individuals and businesses to both assist with short-term liquidity and allow residents to focus on dealing with the pandemic
2. **City/Region Finance:** Offer flexibility on payments. Consider eliminating interest penalties for tax and service fees.
3. **City/Region Finance:** Accelerate government payments owed to private sector and non-profit vendors
4. **City Economic Development:** Help impacted businesses of all sizes access credit and capital swiftly (bank/federal/provincial) to pay furloughed employees and finance remote work options. While not all businesses have the capability of introducing remote working, those that do may be faced with considerable costs. Assisting businesses to transform in this way may actually provide significant long-term advantages for local companies, in addition to the immediate benefits
5. **City/Region Council:** For a minimum of three months, postpone government consultations that are not germane to COVID-19
6. **City/Region:** Reduce regulations or waive requirements, unnecessary requirements for at least three months, so that business can focus on safety and business recovery.

7. **City/Region:** Place a moratorium on the introduction of new regulations and policies to avoid forcing businesses to divert their attention from dealing with the crisis at hand.

8. **Council/Planning:** Task planning to accelerate development proposals. Monitor and expedite against specific standards. Job-creation, and fast, is an important recovery initiative.

9. **Alectra/Region of Peel:** Consider flexibility in payments for utility bills for a minimum of three months.

10. **Advocate to senior-level governments:** for further economic stimulus; reducing inter-provincial trade barriers; allowing swift return of temporary foreign workers and expediting labour mobility.

I look forward to further discussing tangible actions with you.

Sincerely,
Todd Letts
Date: March 24, 2020

Subject: Legislative and Enforcement Responses to COVID-19

Contact: Joseph Pittari, Commissioner of Legislative Services  
Diana Soos, Acting City Solicitor, Legislative Services  
Paul Morrison, Director of By-law Enforcement, Legislative Services

Recommendations:

1. THAT the report titled: Legislative and Enforcement Responses to COVID-19, to the Special Council Meeting on March 25, 2020, be received.

Overview:

- This Report provides an overview of the recent and available regulatory responses and enforcement capabilities and options relating to the COVID-19 pandemic; and

- This Report provides information regarding regulatory options available to the City to respond to the social/physical distancing recommendations of medical experts and our various levels of government during the COVID-19 emergency.

BACKGROUND

On March 17, 2020 the Province of Ontario declared an emergency under the Emergency Management and Civil Protection Act (the “EMCPA”). On March 18, 2020 the Region of Peel has also declared an emergency under section 4 of the EMCPA.

On March 12, 2020 the City of Brampton activated the Brampton Emergency Plan enacted pursuant to Emergency Plan By-law 265-2014 at a Level 2 emergency and on March 17, 2020 elevated to a Level 1 emergency under that Plan.

On March 24, 2020 the City of Brampton declared an emergency under section 4 of the EMCPA.
Current Regulatory Response:¹

(a) Provincial Legislation and Orders in Council

Under the EMCPA the Province is empowered to make orders to address and respond to the COVID-19 pandemic, which it has done through Orders in Council, including the following:

  
  “An emergency is hereby declared pursuant to section 7.0.1 of the Act in the whole of the Province of Ontario”

  
  “The following establishments are hereby ordered to be closed as of the date and time of this Order until March 31st, 2020 unless this Order is terminated earlier:

  1. All facilities providing indoor recreational programs,
  2. All public libraries,
  3. All private schools as defined in the Education Act,
  4. All licensed child care centres,
  5. All bars and restaurants, except to the extent that such facilities provide takeout food and delivery,
  6. All theatres including those offering live performances of music, dance, and other art forms, as well as cinemas that show movies, and
  7. Concert venues.”

  
  “All organized public events of over fifty people are hereby prohibited including parades and events and communal services within places of worship.”

- In addition, effective March 24, 2020 at 11:59 p.m., the Province has ordered the mandatory closure of non-essential workplaces:

  [Ontario Orders the Mandatory Closure of All Non-Essential Workplaces to Fight Spread of COVID-19](https://www.ontario.ca/orders-in-council/oc-5202020)

¹ This Briefing Note does not address Federal Emergency Powers.
The Province has also issued “short form wording” for purposes of the laying of charges under Part I of the *Provincial Offences Act* which including the following:

<table>
<thead>
<tr>
<th>Item</th>
<th>Offence</th>
<th>Section</th>
<th>Set Fine</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Fail to comply with an order made during a declared emergency</td>
<td>7.0.11 (1) (a)</td>
<td>$750.00</td>
</tr>
<tr>
<td>2.</td>
<td>Obstruct any person exercising a power in accordance with an order made during a declared emergency</td>
<td>7.0.11 (1) (a)</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>3.</td>
<td>Obstruct any person performing a duty in accordance with an order made during a declared emergency</td>
<td>7.0.11 (1) (a)</td>
<td>$1,000.00</td>
</tr>
</tbody>
</table>

In addition, the EMCPA sets significant maximum fines for violations of the *EMCPA* that may be imposed by a Court for failure to comply with an order made under the *Act* as follows:

(a) in the case of an individual, subject to clause (b), to a fine of not more than **$100,000** and for a term of imprisonment of not more than one year;

(b) in the case of an individual who is a director or officer of a corporation, to a fine of not more than **$500,000** and for a term of imprisonment of not more than one year; and

(c) in the case of a corporation, to a fine of not more than **$10,000,000**.

The authority to lay charges in relation to the above Orders in Council made under the EMCPA and pursuant to the short form wording issued by the Province rests with the applicable police service responsible for a particular area, in our case the Peel Regional Police Service. The City’s enforcement officers do not have the authority to enforce Orders made under the EMCPA.

In addition, the Province may and has also passed legislation to address issues relating to COVID-19, such as the *Municipal Emergency Act, 2020* and regulations under the EMCPA.

**(b) Regional Orders, By-laws and Applicable Legislation**

In addition, the Region of Peel may pass by-laws through Regional Council and/or issue Orders under section 4 of the EMCPA to address COVID-19. Although, as noted above, the Region has declared an emergency under the EMCPA to date no orders have been issued by the Region in relation to COVID-19. The Region has, however, issued various public announcements and social directives have been issued:

The Peel Public Health also has the ability to exercise powers under the *Health Protection and Promotion Act*, R.S.O. 1990, c. H.7 (the “HPPA”), in relation to the prevention of the spread of disease and the promotion and protection of the health.

On January 22, 2020, O. Reg. 135/18 regarding “Designation of Disease” was amended to include the novel coronavirus as a communicable disease which comes within the regulatory power available to Peel Public Health under section 22 of the HPPA, which permits the Region of Peel to issue Orders as follows:

**Order by M.O.H. re communicable disease**

22 (1) A medical officer of health, in the circumstances mentioned in subsection (2), by a written order may require a person to take or to refrain from taking any action that is specified in the order in respect of a communicable disease.

The Region of Peel’s Public Health Inspectors and the Peel Regional Police are empowered to enforce the provisions of the *HPPA* and any order that may be issued under section 22 of that Act in Brampton.

In order to enforce provincial or federal legislation, municipal enforcement officers may only do so if specifically authorized. As municipal by-law enforcement officers are not designated as public health inspectors under the Act, nor are they persons acting under the direction of the medical officer of health, City staff are not permitted to enforce the provisions of the *HPPA*.

We understand that in the current situation relating to COVID-19 the Peel Regional Police are enforcing the *HPPA* and *EMCPA*, and Regional Health Inspectors are engaged only in observing and reporting (to police) activity. Similarly, City Enforcement Staff will continue to report any observed contraventions of the *HPPA* and the *EMCPA* to the appropriate authorities to ensure compliance.

(c) **Municipal Orders, By-laws and Enforcement**

As noted above, the City has issued a Level 1 Emergency under the Brampton Emergency Plan authorized by By-law 265-2014 and on March 24, 2020 declared an emergency under section 4 of the EMCPA. As a result, the Head of Council has the ability to make such order as necessary to protect the health, safety and welfare of the residents of Brampton, as follows:

**Municipal Declaration of emergency**

4 (1) The head of council of a municipality may declare that an emergency exists in the municipality or in any part thereof and may take such action and make such orders as he or she considers necessary and are not contrary to law to implement the emergency plan of the municipality and to protect property and the health, safety and welfare of the inhabitants of the emergency area.
In addition, City Council has the ability to pass by-laws as it may consider necessary to protect the health, safety and well-being of persons under authority granted by section 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25 provided that such enactments do not conflict with the powers and orders of any upper-tier municipality or the Province.

Municipal law enforcement officers derive their authority to enforce municipal by-laws pursuant to Section 15 of the *Police Services Act* when appointed by municipal council.

**CURRENT SITUATION:**

As noted above, the Orders in Council issued by the Province in relation to the COVID-19 emergency and any orders which Peel Public Health may issue under section 22 of the HPPA are enforceable by Peel Regional Police. The City’s Enforcement Officers are not empowered to do so.

Should the City wish to provide assistance in enforcing social/physical distancing requirements as recommended by medical professionals, the Province and the Regional of Peel to stem the transmission and effects of COVID-19, the following are options the City may consider:

1. **Observe and Report** – The City may direct Enforcement Officers to assist in regulatory efforts through an enhanced observe and report protocol, whereby officers would report violations of the Orders in Council made under the EMCPA to Peel Regional Police;

2. **Enact Municipal Emergency Response Regulation** – The City may also consider enacting emergency response regulation in relation to the COVID-19 emergency that would operate in support of the Provincial and any Regional orders.

**Municipal Emergency Response Regulation**

More specifically, the City may consider enacting regulation pursuant to section 11 of the *Municipal Act, 2001* and the powers provided under section 4 of the EMCPA resulting from the recent declaration of emergency by the City under that *Act*.

While such regulation could not include or regulate any matters that are solely within the jurisdiction of, are already contained in or which may later be contained in any Order in Council, the City may consider introducing regulation that would regulate, for example, the following during the COVID-19 emergency:

- a requirement to maintain a 2.0 metre distance from every other person, other than immediate family members with whom a person regularly resides, while on City property;

- Limitations or restrictions on the use of public playgrounds;
In addition to the above, there are other considerations regarding the enactment of such emergency regulation as outlined below:

- **Jurisdictional Scope and Parameters** – any regulation enacted or ordered by the City would be required to be consistent with and not conflict with provincial and upper-tier jurisdiction, regulations, and orders;

- **Physical Scope** – the City’s enforcement officers are (generally) not permitted entry inside private property and premises, as a result, the scope of such regulation would be limited to public property;

- **Personal Protection of Equipment** – the enactment of regulation regarding social distancing during the COVID-19 pandemic would necessitate the availability and use of Personal Protective Equipment to be purchased for our enforcement staff;

- **No Power of Arrest** – our enforcement officers have no power of arrest, but are able to issue court summonses to offenders under section 104 of the *Provincial Offences Act*, R.S.O 1990, c. P.33.

We note that the City of Vancouver recently enacted municipal regulation in response to the COVID-19 emergency. Vancouver is subject to a different provincial and municipal legislative regime.

**CORPORATE IMPLICATIONS:**

**Financial Implications:**
The City’s By-law Enforcement Department is currently investigating the availability and cost of obtaining personal protection equipment for Enforcement Staff, including, but not limited to, masks, eye protection, gloves, hand sanitizer and disinfectant wipes.

**Other Implications:**
N/A

**Term of Council Priorities:**
This report fulfils the Council Priority of a Well-Run City.

**Conclusion:**
This report sets out the various legislative and regulatory responses to the COVID-19 pandemic in Ontario, and provides options regarding municipal support and enforcement of social distancing orders and regulations.
- Revisions/Updates to Published Agenda (as of March 24, 2020)

Wednesday, March 25, 2020
11:00 a.m. – Special Meeting
Council Chambers – 4th Floor

**Members:**
Mayor P. Brown
Regional Councillor P. Vicente – Wards 1 and 5
Regional Councillor R. Santos – Wards 1 and 5
Regional Councillor M. Palleschi – Wards 2 and 6 (Acting Mayor – May)
Regional Councillor M. Medeiros – Wards 3 and 4 (Acting Mayor – April)
Regional Councillor P. Fortini – Wards 7 and 8 (Acting Mayor – March)
Regional Councillor G. Dhillon – Wards 9 and 10
City Councillor D. Whillans – Wards 2 and 6
City Councillor J. Bowman – Wards 3 and 4
City Councillor C. Williams – Wards 7 and 8
City Councillor H. Singh – Wards 9 and 10

For inquiries about this agenda, or to make arrangements for accessibility accommodations for persons attending (some advance notice may be required), please contact:

Terri Brenton, Legislative Coordinator, Telephone 905.874.2106, TTY 905.874.2130
cityclerksoffice@brampton.ca

Note: Meeting information is also available in alternate formats upon request.

**Notice:**

In consideration of the current COVID-19 public health orders prohibiting public gatherings of more than 50 people and requirements for physical distancing between persons, in-person attendance at this Special Council meeting will be limited to Members of Council and essential City staff only.

Members of the public may watch the meeting live from the City of Brampton website at: https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx

Correspondence related to agenda business to be considered at the Special Meeting may be submitted via email to the City Clerk at cityclerksoffice@brampton.ca up until the start of the meeting.

During the Special Meeting, the public may submit questions regarding decisions made at the meeting via email to the City Clerk at cityclerksoffice@brampton.ca, to be introduced during the Public Question Period section of the meeting.
1. **Approval of the Agenda**

   Note: The Clerk will conduct a roll call at the start of the meeting.

2. **Declarations of Interest under the Municipal Conflict of Interest Act**

3. **Presentations and Reports**


   3.2. Staff Report re: *Changes to Brampton Transit Service and Fares in Response to COVID-19.*

   3.3. Staff Report re: *Property Tax Assistance – City Response to COVID-19.*

      *Published on the City’s web portal on March 24, 2020*

   3.4. Staff Update re: *Legislative and Enforcement Responses to COVID-19.*

      *A staff report on this matter was published on the City’s web portal on March 24, 2020*

      *updated title*

4. **Correspondence**

   4.1. Correspondence re: *Brampton’s Response to the COVID-19 Emergency:*

      1. Todd Letts, Chief Executive Officer, The Brampton Board of Trade, dated March 24, 2020

5. **Public Question Period**

   **15 Minute Limit (regarding any decision made at this meeting)**

   During the Special Meeting, the public may submit questions regarding decisions made at the meeting via email to the City Clerk at cityclerksoffice@brampton.ca, to be introduced during the Public Question Period section of the meeting.
6. **By-laws**

6.1. 51-2020 To amend Procedure By-law 160-2004 to permit Electronic Meetings during a period of Emergency (see Item 3.1)

6.2. 52-2020 To amend User Fee By-law 380-2003, as amended, regarding Brampton Transit Fees in response to the COVID-19 Emergency (see Item 3.2)

6.3. 53-2020 To amend By-law 276-2019, to provide for property tax assistance to Brampton taxpayers in response to the COVID-19 pandemic emergency (see Item 3.3)

**updated title**

7. **Confirming By-law**

7.1. 54-2020 To confirm the proceedings of Council at its Special Meeting held on March 25, 2020

8. **Adjournment**

Next Meetings: Wednesday, April 15, 2020 – 9:30 a.m.
Wednesday, April 29, 2020 – 9:30 a.m.