

The Corporation of the City of Burlington

City of Burlington By-law XX-2021

A by-law to amend the COVID-19 Mask By-law 62-2020, by imposing temporary regulations requiring the wearing of masks or other face coverings within enclosed common areas of apartment buildings and condominium buildings.

File: 110-04-1, BB-02-21

WHEREAS on March 11, 2020 the World Health Organization declared a worldwide pandemic regarding the Novel Coronavirus 19 ("COVID-19 Pandemic"); and

WHEREAS on March 21, 2020 an emergency was declared by the Mayor of the City of Burlington under the provisions of the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c.E.9 (the "*Emergency Management Act*"), relating to the COVID-19 Pandemic; and

Whereas on July 24, 2020, the Province of Ontario ended the emergency declaration and implemented the *Re-opening Ontario (A Flexible Response to COVID-19) Act, 2020*, R.S.O. 2020, c.17; and

WHEREAS COVID-19 continues to be present within the City of Burlington and surrounding municipalities, and is a disease that is readily communicable from person to person, even with minimal or no signs of symptoms or illness, and carrying a risk of serious complications such as pneumonia or respiratory failure, multiple organ failure, kidney failure, liver failure, neurological complications, and may result in death; and Whereas there is a growing body of evidence on the effectiveness of masks and face coverings to act as a barrier to prevent the spread of COVID-19; and

WHEREAS the wearing of masks and face coverings may act as an ongoing visual clue and reminder that public health measures, including hand-washing and maintaining a safe physical distance from others, are still required, that the COVID-19 pandemic is ongoing and that a resurgence of local disease activity remains an ongoing threat; and

WHEREAS physical distancing can be difficult to maintain in enclosed common areas of apartment and condominium buildings, the Medical Officer of Health has advised that the following temporary regulations requiring owners of apartment buildings and condominium corporations responsible for condominium buildings with enclosed common areas adopt a policy to ensure that persons wear a mask or face covering as it is a necessary, recognized, practicable and effective method to limit the spread of COVID-19 and helping protect the health, safety and well-being of the residents of the City of Burlington;

WHEREAS sections 8, 9 and 11 of the *Municipal Act, 2001* authorize the City of Burlington to pass by-laws necessary and desirable for municipal purposes, and in particular, paragraphs 5, 6, and 8 of subsection 11(2) authorize by-laws respecting public assets of the municipality, the economic, social and environmental well-being of City, the health, safety and well-being of persons, the protection of persons and property;

WHEREAS on July 13, 2020, Council of The Corporation of the City of Burlington passed By-Law 62-2020, being a By-law to Regulate the Requirement of Wearing of Mask or Other Face Coverings Within Enclosed Spaces Open to the Public;

Now therefore the Council of the Corporation of the City of Burlington hereby enacts as follows:

1. Section 25 of By-law 62-2020 is amended by deleting section 25 in its entirety and replacing it with the following new section 25:

This By-law comes into force on the date of its passing and shall remain in effect until 12:01 a.m. on December 31, 2021, unless extended or revoked by City Council.

2. That in all other aspects, By-law 62-2020 be and is hereby confirmed.

Enacted and passed this 19th day of January, 2020

Mayor Marianne Meed Ward _____

City Clerk Kevin Arjoon _____