
MEMORANDUM

CAO 3-2021

Subject: Update on Niagara Region's Face Covering By-law

Date: March 25, 2021

To: Regional Council

From: Ron Tripp, Acting Chief Administrative Officer

This memo seeks to provide Regional Council with information respecting Niagara Region's Face Covering By-law 2020-46, as amended, adopted on July 23, 2020, and in effect since July 31, 2020. The by-law was amended by By-law 2020-64 which contains a provision for automatic expiry of the by-law on April 1, 2021.

Since the time of enactment of the Niagara Region Face Covering By-law, the province has enacted orders requiring the wearing of masks or face coverings pursuant to the *Reopening Ontario (ROA) (A Flexible Response to COVID-19) Act, 2020*. As Council is aware, these orders supersede the requirements under Niagara Region's by-law.

Orders issued under the *ROA* include the province's ability to implement rules on public gatherings, business closures and managing outbreaks in hospitals or long-term care homes. Orders under the *ROA* expire after 30 days, but can be renewed for a further 30 days indefinitely. The next expiry of orders is March 21, 2021, but as has been the trend for the past 9 months, we expect these orders will be renewed. It is unlikely that the Province would permit these orders to expire, including those requiring the wearing of masks or face coverings, given the current state of COVID-19 in Ontario.

Currently COVID-19 infections are increasing again across the province, including in Niagara. Most experts, including the Ontario Science Table as well as the Ontario Hospital Association, indicate that a third wave is commencing. As well, over 50% of Ontario's cases are now highly transmissible variants of concern which require greater efforts in order to control. Continued wearing of face coverings by the public is going to be necessary for several more months at the very least until the vaccine has been more widely administered. In order to prevent an overwhelming of our health care systems and protect the lives of Ontarians, face coverings as well as many other measures to prevent COVID-19 will remain necessary for several more months, and quite possibly for over another year. As a measure with relatively low economic cost for preventing

COVID-19, it is expected that requirements to wear face coverings will be one of the last measures to be lifted.

Reliance on the provincial orders affords greater consistency and certainty for the public and businesses and furthermore the provisions are substantially similar as those contained within the Region's Face Covering By-law.

Given the above, it is recommended that By-law 2020-46, as amended, automatically expire at 12:01 a.m. on April 1, 2021.

Respectfully submitted and signed by

Ron Tripp, P. Eng
Acting Chief Administrative Officer