

MEMO

Memo to Councils and CAOs/City Managers,
All Municipalities in the Southwestern Public Health Region:

Please be advised that today, July 30, 2020, I am providing instruction to the businesses and organizations within the geographic area serviced by Southwestern Public Health (SWPH), requiring persons within enclosed public spaces to wear a face covering. Attached is my letter of instruction on this matter, which is being distributed by email today, posted on Southwestern Public Health's website, communicated via the media, and by social media.

In doing so, I am drawing upon regulation *O. Reg 364/20 s.2(2)* formerly a regulation under the *Emergency Management and Civil Protection Act, R.S.O. 1990* but now a regulation under the *Reopening Ontario Act, S.O. 2020*, as follows:

The person responsible for a business or organization that is open shall operate the business or organization in compliance with the advice, recommendations, and instructions of public health officials, including any advice, recommendations or instructions on physical distancing, cleaning, or disinfecting

In order to more successfully reach all businesses and organizations, I request that you also forward the appended letter to those that you know of in your community.

With this approach, enforcement may be conducted by police officers as well as provincial offences officers (which includes municipal bylaw officers and public health enforcement personnel). I appreciate, from communication with the CAOs/City Managers of the municipalities, that resources to conduct such enforcement are very limited. As such, it will be incumbent on Southwestern Public Health, in partnership with our municipalities, and other stakeholders, to educate and support these businesses and organizations, as well as the general public, in order to achieve a high degree of compliance.

My rationale for proceeding with this course of action, at this time, is as follows:

- As we proceed through the stages of the province's plan to open the economy, there is a risk of resurgence of COVID-19 transmission in our communities. There have been very worrisome examples of resurgence internationally, and we have had some experiences of limited resurgence in Ontario.
- There is emerging evidence, primarily based on ecological studies and modelling, suggesting that COVID-19 transmission rates can be reduced with a high level of population compliance of face covering/non-medical mask use, in conjunction with physical distancing, hand sanitation, self-isolation, and testing when ill.
- I am aware of a high degree of support for face coverings expressed by many in our community and I am also aware that some do not support using face coverings.

For these reasons, I am proceeding with my instruction using this regulation. Further to this instruction, I advise and recommend our local municipalities to enact a local bylaw that requires face coverings in enclosed public spaces and articulates, at minimum, the same scope and breadth of this letter of instruction.

Constituents elect municipal leaders to represent their interests – they respect your authority and guidance on all matters related to their community. Bylaws are recognized as part of the municipal process and bylaws give municipalities control over their local approach to COVID-19 prevention and containment measures. As well, unlike a letter of instruction, a bylaw timeline is not tied to Provincial or Municipal Emergency Orders, giving further autonomy to municipalities.

Thank you for the support that Southwestern Public Health has received related to this very important and challenging public health matter. COVID-19 is the pandemic of our lifetime, and it takes the collective efforts of all of us to protect our communities from it.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Lock'.

Dr. Joyce Lock
Medical Officer of Health
Southwestern Public Health

Copy: Cynthia St. John, CEO, Southwestern Public Health
Board of Health members, Southwestern Public Health