

**Bulletin #2020-21**

MUNICIPAL RELATIONS

**Important Notice to  
All Elected Officials and Chief Administrative Officers**

COVID-19 – Municipal Governance – FAQs – Update

1.	State of Emergency and Public Health Orders <b>*Updated</b> .....	2
2.	Required Services.....	9
3.	Council Meetings.....	10
4.	Public Hearings .....	11
5.	Public Utilities Board.....	12
6.	Local Access and Closures.....	13
7.	Water and Waste Related Operations.....	14
8.	Supply Shortages and Procurement Challenges .....	15
9.	Financial Considerations, Reporting and Tax Process .....	16
10.	Shared Approaches and Practices .....	17
11.	Recreation and Community Development <b>*Updated</b> .....	19
12.	Resources and Information .....	21
	APPENDIX A <b>*New</b> .....	23

## 1. **State of Emergency and Public Health Orders** \*Updated

### 1.1 **How does the provincially declared state of emergency impact municipal operations?**

The province-wide state of emergency declaration remains in effect to ensure government is able to address the effects of COVID-19. The declaration reinforces the importance of any guidelines provided and orders issued by the Chief Provincial Public Health Officer. The declaration ensures measures can stay in place to protect the health of people across the province.

The declaration of a provincial state of emergency does not provide, by itself, municipalities with any extra powers or requirements. Declaring a state of emergency is independent of any type of financial assistance. The declaration of a provincial state of emergency and the orders issued by the Chief Provincial Public Health Officer are intended for the general public, do not impact the operations or the delivery of services by the Government of Manitoba or the Government of Canada, and should not affect the ongoing collaboration between municipal officials and the Province. Municipalities can continue operations and the delivery of their services, unless stated explicitly in the order.

The following link provides additional information on the state of emergency:  
<https://manitoba.ca/covid19/soe.html>

Should you have additional questions related to public health orders, please contact [healthprotection@gov.mb.ca](mailto:healthprotection@gov.mb.ca).

### 1.2 **What measures are available to support municipalities that are facing challenges related to enforcing public health orders and their own local measures on social distancing?**

Provincial orders under *The Public Health Act* have been issued to help reduce the spread of the virus. A list of current public health orders can be viewed here:  
<https://manitoba.ca/covid19/soe.html>.

Manitoba has implemented a multi-tiered approach to enforcing orders, which includes public education, written warning or, ultimately, enforcement actions such as ticketing or arrest, if necessary. Fine amounts for breaching these emergency orders under *The Public Health Act* are set at \$486 for individuals and \$2,542 for businesses, and are enforceable by ticket.

City of Winnipeg Community Service Ambassadors are educating the public and increasing awareness on social distancing requirements in Winnipeg, with support from by-law enforcement and the Winnipeg Police Service, where required. In Winnipeg, reports of non-compliance can be made by calling 311, by emailing [311@winnipeg.ca](mailto:311@winnipeg.ca), or through Twitter: @cityofwinnipeg.

Measures involving public health officers working in conjunction with local police services, First Nation police services and the RCMP are in place for municipalities, excluding Winnipeg. All municipalities, excluding Winnipeg, are to report non-compliance to the Manitoba Government Inquiry (MGI) line by phone at 204-945-3744 or by email at [mgi@gov.mb.ca](mailto:mgi@gov.mb.ca).

As part of the easing of restrictions and restoring services, the Province is expanding enforcement capacity to ensure that public health orders continue to be respected. On May 14, 2020, the Manitoba government announced the designation of a number of additional provincial government officials to enforce public health and health hazard orders.

### **1.3 Are municipalities required to enforce public health orders through municipal by-law officers?**

Municipal by-law enforcement officers are not required or authorized to enforce public health orders. However, should a municipality like to take a more active role in enforcement on municipal property and facilities, the municipality may wish to put a by-law in place for local enforcement in areas related to the public health orders based on its regular process.

A sample by-law was included in Appendix A of Bulletin #19 sent on June 16, 2020 for the consideration of municipalities wishing to respond to community needs by enforcing some aspects of the public health orders. As with other revenue generated from by-law enforcement, any fines would be payable to and retained by the municipality.

### **1.4 Are there additional supports available to assist municipalities in increasing education and awareness of public health orders and requirements in their communities?**

Complementing formal enforcement efforts is Operation Safe Apart, which provides an operational framework for the overall enforcement. Operation Safe Apart includes the recruitment of volunteers to assist with public awareness and education with respect to public health orders, and refer matters for formal enforcement as necessary. The Help Next Door MB website and app has been updated to include a section that will assist in matching municipalities with volunteers. Further information is available at <https://helpnextdoormb.ca/>.

Operation Safe Apart volunteers will serve a strictly educational function to raise awareness about current public health orders. They are only to patrol outdoor, public spaces and can approach people in those spaces and offer information and answer any related questions.

Operation Safe Apart is voluntary for both municipalities and individuals. Information about participating in volunteer coordination is included in the *Operation Safe Apart – Volunteer Coordination Information* document that was attached to Bulletin #19 sent on June 16, 2020.

Any municipality interested in participating can contact Manitoba Justice by email at [crimeprevention@gov.mb.ca](mailto:crimeprevention@gov.mb.ca) and provide information noted in Appendix B of Bulletin #19.

### **1.5 How can municipalities receive information on issues related to critical services during the response to COVID-19?**

A *Critical Service Provider Issue Management Unit* was created to respond to questions and issues on essential or critical services related to the state of emergency and public health orders. The unit is aligned with the Chief Provincial Public Health Officer to ensure the exemption of critical services under public health or potential emergency orders is being communicated clearly to all stakeholders.

Questions related to essential or critical services can be directed to the *Critical Service Provider Management Unit* at [mecc.csp@gov.mb.ca](mailto:mecc.csp@gov.mb.ca). All emails will receive an immediate acknowledgement, with a more detailed response to follow.

### **1.6 Can municipalities declare a state of local emergency in response to the COVID-19 pandemic?**

Municipalities across Canada are considering local responses to COVID-19. Advice from provincial officials is that declaring a state of local emergency is not considered necessary at this time, but municipalities are encouraged to discuss their local situations with the Emergency Measures Organization (EMO). EMO can provide advice to municipalities on how to proceed.

Under *The Emergency Measures Act*, municipalities do have authority to declare a state of local emergency and enact their own emergency measures, including implementing their emergency plans and issuing orders to respond to a local emergency.

Both a provincial and local state of emergency can be declared concurrently. It is essential, however, that responses from different levels of government be coordinated and provide citizens with clear direction on how communities can stop the spread of COVID-19.

In order to determine if a state of local emergency is justified, municipalities must consider:

- If a community's ability to manage an emergency or disaster will be overwhelmed without such a declaration;
- If a state of local emergency is needed specifically to take actions to ensure the health and safety of people or the integrity of critical infrastructure; and
- If the municipality already has authority under another piece of legislation to achieve such actions.

To date, municipalities in Manitoba have used authorities existing under *The Municipal Act* to respond to the COVID-19 pandemic with local actions, such as closing municipal facilities, ensuring ongoing provision of required municipal services, and adapting activities to comply with social distancing requirements.

If municipalities choose to declare a state of local emergency, they must ensure that any orders they issue are aligned with provincial orders issued under both *The Emergency Measures Act* and *The Public Health Act*. Declarations of a state of local emergency must be communicated to EMO through the established process (<https://www.gov.mb.ca/emo/response/sole.html>).

In the event that a local order is in conflict with a provincial order, *The Emergency Measures Act* states that the provincial order will prevail. It is important that local governments work with provincial officials to ensure that conflicting orders are avoided.

Additionally, any orders issued by a local government under a state of local emergency must be enforced by the issuing government. This is important to consider when making decisions about local responses to this emergency.

Officials from the provincial EMO and Municipal Relations will continue to work closely with municipal governments to ensure a coordinated COVID-19 response across the province.

#### **1.7 Will the Province advise municipalities of any confirmed cases of COVID-19 within their municipality?**

*The Public Health Act* legislates which health information can be shared and with whom. Cases of COVID-19 in Manitoba will continue to be identified by health region only. Any further detailed information (i.e. specific community) would only be shared if it was determined as necessary in the interest of public health. Disclosing specific community-level information could also create a false sense of limits to public health risk among communities. The risk is currently widespread and all Manitobans are asked to follow the public health orders and to take appropriate measures to prevent the transmission of the virus. Advice is found on the provincial COVID-19 website (<https://manitoba.ca/covid19/index.html>) and municipalities should refer to it regularly to ensure they have the most up-to-date and accurate information.

#### **1.8 Who is exempt from the public health order to self-isolate for 14 days after crossing the Manitoba-Saskatchewan or Manitoba-Ontario border?**

Under Phase Three of the Restoring Safe Services plan, effective June 21, 2020, anyone entering Manitoba from designated western Canadian jurisdictions (British Columbia, Alberta, and Saskatchewan, and the Yukon, Northwest and Nunavut territories) or northwestern Ontario (defined as west of Terrace Bay) is not required to self-isolate for 14 days if they are asymptomatic and have no known exposure to COVID-19.

Travellers from all other Canadian jurisdictions will need to continue to self-isolate for 14 days after arriving in Manitoba. Anyone entering Canada must continue to follow federal requirements for self-isolation at the time of entry.

All travellers to northern Manitoba must continue to respect any restrictions that have been put in place by local communities and First Nations.

Consideration will be given on a case-by-case basis to lifting self-isolation requirements where sectors propose and provide satisfactory plans to address public health requirements for necessary travel.

Orders to self-isolate do not apply to the following groups as long as they are not displaying symptoms of COVID-19:

- people who are transporting goods and materials into or through Manitoba
- people who provide vital services, including health care, police officers, emergency service personnel, corrections officers, members of the Canadian Armed Forces, social service workers, elected officials and staff, as well as workers engaged in construction or maintenance of critical infrastructure
- aircraft and train crew members
- people travelling to facilitate shared parenting arrangements under a custody order or agreement, including any children accompanying them
- people travelling for emergency medical purposes

### **1.9 How are municipalities impacted by the Restoring Safe Services plan?**

**\*Updated**

Phase Three of the Restoring Safe Services plan took effect June 21, 2020. Under Phase Three, additional measures have been put in place to restore services and open additional businesses while ensuring physical distancing. Specific guidelines on conditions for Phase Three can be found at

<https://www.gov.mb.ca/covid19/restoring/phase-three.html>.

Phase Three guidelines are in addition to those introduced in Phase One (<https://manitoba.ca/covid19/restoring/phase-one.html>) and Phase Two (<https://manitoba.ca/covid19/restoring/phase-two.html>). If no changes are outlined in Phase Three guidelines, the conditions outlined in Phase One and/or Phase Two still apply.

Public health orders continue to allow delivery of services by municipalities. However, all municipal recreation services and operation of municipal sporting and recreation facilities must follow guidelines outlined in the Restoring Safe Services plan. Municipalities should continue to adhere to social distancing recommendations and minimize risks to staff and residents.

Effective June 21, 2020, public health orders increased the limit on gathering size to no more than 50 people for indoor premises and 100 people for outdoor areas, providing social distancing measures are in place. Larger group sizes are allowed where distinct groups of 50 or 100 can be separated to prevent contact with other groups. Guidelines can be viewed at

<https://www.gov.mb.ca/covid19/restoring/phase-three.html>.

Under Phase Three of the Restoring Safe Services plan, public health orders mandating self-isolation upon entering Manitoba have changed (see above question 1.8). Phase Three also removes restrictions on travelling to northern Manitoba for Manitoba residents and anyone entering Manitoba from western Canada and northwestern Ontario. Guidelines can be viewed at <https://www.gov.mb.ca/covid19/restoring/phase-three.html>. All travellers to northern Manitoba must continue to respect any restrictions that have been put in place by local communities and First Nations.

### **1.10 How do the provincial Temporary Suspension Orders passed under *The Emergency Measures Act* impact municipalities?**

A new Order under *The Emergency Measures Act* has been passed that supports municipalities facing various pressures as a result of the COVID-19 pandemic. The Order includes the following provisions for municipalities outside Winnipeg:

- One-month extensions of key legislated deadlines, including filing a municipality's 2020 Financial Plan, preparation of annual tax notices, tax levy by-laws and audited financial statements
- Increased flexibility until July 31, 2020 around public notices required under *The Municipal Act*
- Increased flexibility until July 31, 2020 around quorum requirements under *The Municipal Act*, temporarily setting quorum at three members
- Temporary suspension until July 31, 2020 of the requirement under *The Municipal Act* for municipalities to hold a by-election to fill council vacancies
- Suspension until September 21, 2020 of interest charged by municipalities on the education portion of unpaid property taxes for 2020 education taxes
- Temporary suspension of a municipality's ability to hold a tax sale until September 21, 2020

The Order includes the following provisions for the City of Winnipeg:

- Extension of deadlines under *The City of Winnipeg Charter* that benefit citizens who want to follow up with the City for loss or damage due to street conditions, falls due to snow and ice, and for failure to maintain or keep in repair a public facility
- Increased flexibility until July 31, 2020 around quorum requirements under *The City of Winnipeg Charter*, temporarily setting quorum at one third of the total number of members on council, committees of council and their subcommittees
- Suspension until September 21, 2020 of interest charged by Winnipeg on the education portion of unpaid property taxes for 2020 education taxes
- Temporary suspension of Winnipeg's ability to hold a tax sale until September 21, 2020

The Temporary Orders are posted under *The Municipal Act* at [http://web2.gov.mb.ca/laws/statutes/index\\_ccsm.php](http://web2.gov.mb.ca/laws/statutes/index_ccsm.php) and under *The City of Winnipeg Charter* at [http://web2.gov.mb.ca/laws/statutes/index\\_muni.php](http://web2.gov.mb.ca/laws/statutes/index_muni.php).

### **1.11 How is the planning process impacted by the Temporary Suspension Orders passed under *The Emergency Measures Act*?**

It is essential for the planning process to continue during the pandemic. The Temporary Suspension Orders allow for added flexibility for the period of March 20, 2020 to July 31, 2020.

The following provisions apply to municipalities outside Winnipeg under *The Planning Act*:

- Alternate provisions for notices and publication requirements (Note: Options for alternatives to publishing and posting notices are detailed in question 4.3 below.)
- Suspension of the expiry of the following planning documents to allow extra time to complete conditions of approval or registrations at the Land Titles Office:
  - Variance Orders
  - Conditional Use Approvals
  - Subdivision Conditional Approvals
  - An Extension of a Subdivision Conditional Approval
  - A Certificate of Subdivision Approval
  - An Extension of a Certificate of Subdivision Approval

The following provision applies to Winnipeg under *The City of Winnipeg Charter*:

- Suspension of expiry dates for a consent to register an instrument at the Land Titles Office and approval to register a plan of subdivision at the Land Titles Office.

The Temporary Orders under *The Planning Act* can be viewed at [http://web2.gov.mb.ca/laws/statutes/index\\_ccsm.php](http://web2.gov.mb.ca/laws/statutes/index_ccsm.php) and under *The City of Winnipeg Charter* at [http://web2.gov.mb.ca/laws/statutes/index\\_muni.php](http://web2.gov.mb.ca/laws/statutes/index_muni.php).

### **1.12 Does the Temporary Suspension Order passed under *The Emergency Measures Act* prohibit municipalities from holding a by-election? **\*Updated****

The Temporary Suspension Order does not prevent municipalities from proceeding with by-elections. However, it allows flexibility such that municipalities are not required to hold a by-election as soon as is reasonably possible. While municipalities are being provided this flexibility, they are still able to conduct business and proceed with by-elections as may be required.

The Temporary Order is in place until July 31, 2020, after which by-elections must again be held as soon as reasonably possible after a seat is vacated, unless the order is extended.

Municipal By-Election Guidelines related to COVID-19 are attached in Appendix A.



## **2. Required Services**

### **2.1 What services are municipalities required to provide?**

Provincial legislation prescribes that every municipality must provide the following services:

- Fire protection
- Police services
- Road maintenance
- Waste management
- Emergency management
- Land use planning
- Weed control
- Building inspection

In addition, once a municipality establishes a water and wastewater service, the municipality must continue to provide this service.

The State of Emergency link noted under question #1 above should be referred to for continual updates related to any ongoing service determinations.

### **2.2 How do critical, essential and required services differ?**

A critical service is a service that is provided by a business (includes a for-profit, non-profit or other entity providing goods and services) designated by government to keep Manitobans safe or to ensure the economic well-being of the province. Businesses providing critical services are permitted to continue to operate (are exempted from public health orders); however, they must implement measures to ensure that people attending the business are reasonably able to maintain a distance of at least two metres from each other.

Critical services are not always the same as essential services. Essential services is a term primarily used in labour relations contexts for services that must be maintained continuously, even in the event of labour disputes.

For the purposes of this document, required services are defined as services that municipalities must, under *The Municipal Act*, provide to residents.

### **2.3 How are municipalities conducting building inspections during the COVID-19 pandemic?**

For municipalities conducting fire inspections, a “risk-based approach” can be put in place to protect the welfare of building occupants and the inspector. Municipalities should review their outstanding and upcoming inventory of inspections and their business continuity plans, in conjunction with input from their inspectors and Emergency Coordinator.

Whenever possible, municipalities should reduce, reschedule for off hours, delay or suspend interior residential and commercial property inspections to limit person-to-person contact. Steps should be taken to complete work through alternative means, such as photos or via phone. Inspectors may be able to prioritize buildings that have no occupants due to mandatory social gathering limits and closures. Inspectors and the Emergency Coordinator should put in place an inspection protocol that will ensure the building owner is contacted ahead of time and is involved in the inspection protocol as it relates to occupants, social distancing, time limits, paperwork changes and other requirements. Inspectors moving between high-risk occupancies are a concern. They and people they come into contact with should follow all recommend hygiene procedures before and after the inspection.

### **3. Council Meetings**

#### **3.1 With social distancing considerations, how do we ensure that council meetings still comply with legislative requirements if we need to close off access to the public?**

*The Municipal Act* framework establishes two formats for council to meet – council meetings and public hearings. The Act requires council meetings to be open to the public to ensure a transparent decision-making process and allow the public to observe council’s deliberations.

To achieve this while preventing the spread of the virus, several methods of providing public access to council deliberations in an alternate format are available to municipalities. Some examples may include, but are not limited to, livestreaming, teleconferences, and/or providing recordings of council meetings.

Any method employed should provide a comparable level of access to the public as attendance at a council meeting. Closing a meeting to the physical presence of the general public and providing alternate means to engage should not be confused with closing a meeting to the public under subsection 152(3) of *The Municipal Act*, where the public is not permitted to observe council deliberations in any form.

Please note that the Temporary Suspension Order passed under *The Emergency Measures Act* provides municipalities with increased flexibility around quorum until July 31, 2020. For municipalities outside Winnipeg, the quorum requirement is temporarily set at three council members. For the City of Winnipeg, temporary quorum is set at one third of the total number of members on council, committees of council and their subcommittees.

#### **4. Public Hearings**

##### **4.1 With social distancing considerations, how do we ensure that public hearings comply with legislative requirements?**

The public hearing process is designed to encourage public participation and ensure that citizens have an opportunity to provide information and feedback to council for their consideration when making specific decisions.

Effective June 21, 2020, public health orders prohibit public gatherings of more than 50 people, but the order is clear that it does not prevent the operation of or delivery of services by a municipality, unless stated explicitly in the order. If municipal operations or the delivery of municipal services requires a public gathering that exceeds 50 people, the order does not prohibit this. However, efforts should be made to avoid or defer such public gatherings unless operationally or legally required. Where so required, measures that allow for social distancing should be utilized.

For decisions where public hearings cannot be deferred, municipalities are encouraged to use an alternate format for public hearings, where possible, provided that the public can exercise an equivalent level of involvement as if they physically attended the public hearing. Particularly, public hearings must allow any person who wishes to make a presentation, ask questions or register an objection to do so as provided for in subsection 160(3) of *The Municipal Act*. Public participation may be met through interactive technology (such as Skype, GoToMeeting or conference calls) or by written submission. Should an alternate format not be possible, then municipalities should ensure that appropriate social distancing measures are in place.

##### **4.2 Are council members and/or the public required to wear masks at meetings and public hearings? What available guidance is there regarding the use of non-medical masks?**

The use of non-medical masks in public places can be used as an additional measure to protect others around you. For more information on mask hygiene, please visit the Government of Canada COVID-19 website at <https://www.canada.ca/en/public-health/services/diseases/2019-novel-coronavirus-infection/prevention-risks.html?topic=ex-col-faq#wm>.

Municipalities are encouraged to visit federal and provincial websites regularly for up-to-date information on how to prevent the spread of COVID-19, including considerations in implementing protective measures at meetings and public hearings.

#### **4.3 How can municipalities comply with legislative requirements for providing notice of public hearings while local newspapers are closed?**

*The Municipal Act* and *The Planning Act* set out the requirements for giving notice of a public hearing. Municipalities must publish a notice at least twice in a publication having general circulation in the municipality, as well as posting a notice in the municipal office or planning district office.

Please note that the Temporary Suspension Order passed under *The Emergency Measures Act* provides municipalities with increased flexibility for public notices until July 31, 2020.

With the closure of some local newspapers, municipalities may consider alternatives, including:

- Publishing in a larger newspaper with wide circulation in the region or in a neighbouring local newspaper.
- Publishing in a municipal newsletter with general circulation or delivered to each property.
- Preparing a special purpose pamphlet/leaflet and mailing or delivering it to all property owners.

With the closure of some offices, the posting in a municipal office may be switched to posting outside the municipal office or planning district office.

These standard communication approaches could also be enhanced through internet or email.

### **5. Public Utilities Board**

#### **5.1 How can municipalities contact the Public Utilities Board (PUB) and will applications be processed?**

In response to COVID-19 related considerations, PUB staff and Board members will be working remotely. Applications will still be processed and Board Orders will continue to be issued. The Board recognizes that response times and due dates may be affected, and will work with the municipalities that require extensions or other accommodations as needed.

Municipalities may continue to send documents to the Board electronically or by mail. Canada Post continues to deliver mail, which will be received and processed at the Board office. PUB staff will continue to contact utilities about applications for current files. If contacts or circumstances change, please provide an update to the staff member at the PUB working on the file. For general inquiries or to reach PUB staff, please contact [publicutilities@gov.mb.ca](mailto:publicutilities@gov.mb.ca).

## **6. Local Access and Closures**

### **6.1 Should municipalities be closing off access to local facilities and spaces?**

Councils have been deciding on whether to close off access to municipally owned properties. This authority does not include closing private facilities. If the municipally owned property is operated by boards, consultation is recommended prior to making any decisions. A council resolution is required in order to close any municipal facilities or spaces, including play structures located on municipal properties. For closure considerations, you are advised to check <https://www.gov.mb.ca/covid19/index.html> daily for up-to-date information as well as information from your insurance providers.

### **6.2 How can municipalities promote public health and safety awareness for facilities and spaces that continue to be open to the public?**

Municipalities are encouraged to continue to assess risks to employees and residents when making decisions about service delivery and municipal operations. All Manitoba workplaces must continue their efforts to further prevent the spread of COVID-19.

This involves continued adherence to social distancing measures, including:

- Minimizing prolonged (more than 10 minutes), close (less than two metres/ six feet) contact between individuals;
- Where possible, meeting online or via telephone instead of in-person;
- Avoiding greetings that involve touching, such as handshakes;
- Disinfecting frequently used surfaces; and
- Following public health advice related to self-monitoring and self-isolation if someone has been exposed to COVID-19 through travel or contact with someone infected with COVID-19.

The Province has developed signage in both official languages, and has shared these as samples with municipalities to support them in developing local signage, as needed. On a related note, some municipalities have also expressed interest in using visitor screening or admittance tools, which may require visitors to provide personal and/or health related information. Municipalities are reminded to ensure compliance with legislative requirements concerning privacy and personal health information, and consult with their legal counsel, as appropriate. The related links are as follows:

<https://www.gov.mb.ca/fippa/>

<https://www.gov.mb.ca/health/phia/index.html> .

## **7. Water and Waste Related Operations**

### **7.1 What do I need to know about water system operations?**

COVID-19 is not a waterborne disease and there has been no evidence to date that the virus can be transmitted through drinking water. Operators going into water plants should continue to keep the water plant clean and tidy and follow hygienic practices (i.e. handwashing and cough etiquette). Water plants should remain closed to public entry.

If an operator is sick or self-isolating, please employ a backup operator. Owners are encouraged to connect with neighbouring communities for sharing of operators as needed. Operators are not required to be certified to take chlorine residual testing or bacteriological samples. Standard operating procedures must be in place, updated and reviewed by all operators.

There is no change to routine monitoring and reporting requirements at this time. Routine bacteriological samples, disinfection, turbidity monitoring and reporting must be consistent with your operating licence. Should your normal shipping routes be disrupted during this time, you as a water supplier are required to get water samples to the laboratory in the frequency specified in your operating licence, even if that means driving the samples to the laboratory. Owners are encouraged to connect with neighbouring communities for sample submissions. If your sample dates do not coincide with your neighbour's, contact your regional Drinking Water Officer.

You are advised to check <https://www.gov.mb.ca/covid19/index.html> daily for up-to-date information and update your emergency response or business continuity plans accordingly.

### **7.2 What do I need to know about wastewater system operations?**

Operators going into wastewater treatment facilities (plants and lagoons) should continue to follow their normal procedures to avoid contact with wastewater, which contains numerous pathogens at all times. As always, wastewater treatment facilities should remain closed to public entry and access.

Because wastewater generation continues at all times, all licence requirements remain in effect for the protection of public health and the environment. This includes all routine monitoring and reporting requirements.

As with water treatment facilities, if a wastewater operator is sick or self-isolating, please employ a backup operator. Owners are encouraged to connect with neighbouring communities for sharing of operators as needed. As with water treatment facilities, sharing among municipalities for the shipping of samples when required is also beneficial.

You are advised to check <https://www.gov.mb.ca/covid19/index.html> daily for up-to-date information and update your emergency response or business continuity plans accordingly.

### **7.3 Can municipalities keep waste disposal sites open without a certified operator?**

In the event that landfill owners do not have a certified operator due to illness, there is an allowance for collection of wastes and recyclables if using transfer bins or a tipping pad. The public cannot have access to the active area (i.e. the actual disposal area, the pit, the waste cell). This only applies to Class 2 and 3 waste disposal grounds.

### **7.4 Is metal recycling considered a critical service?**

Current public health orders permit businesses engaged in waste collection or recycling to remain open.

Metal recycling services are permitted to continue operations, as they also support many businesses on the schedule of critical services, such as construction and institutional, residential, commercial and industrial maintenance.

### **7.5 Has there been any change of service for garbage pick up from hospitals?**

No special arrangements are required for disposal, as long as the garbage is inside sealed bags. Hospital cleaning staff do due diligence on ensuring garbage is in sealed bags.

All garbage (both household and institutional) going to landfills is handled mechanically and buried daily with top cover. Landfill staff are required to use personal protective equipment (PPE) that protects them from many types of contaminants.

### **7.6 Is burning of recyclables mixed with gloves and masks permissible/advisable?**

Municipalities should remind their residents not to dispose of used gloves and masks in blue bins – these materials are not recyclable and this is a public education issue. For example, the City of Winnipeg is using social media to raise awareness about this issue and is working with Multi-Material Stewardship Manitoba (MMSM) to develop additional public communication plans, and these are being provided more broadly by MMSM.

## **8. Supply Shortages and Procurement Challenges**

### **8.1 Municipalities may be experiencing supply shortages. Is there any assistance that the Province can provide regarding these procurement challenges?**

Supply requests from municipalities for PPE and cleaning/sanitary products were collected by Manitoba Municipal Relations and provided to Manitoba Emergency Coordination Centre (MECC).

MECC assessed these requests, along with needs identified by core government departments, taking into consideration current supply availability. At this time, MECC advises that there are no supplies available outside those being prioritized for Shared Health, Families, and Justice.

MECC will continue to reassess supply requests as the situation evolves. For now, MECC recommends that municipalities continue to pursue orders from their pre-existing supply chains and from other sources. Municipalities are encouraged to share information on available supply sources with one another when they become aware of them.

Municipalities should continue to send updated supply requests to Stephanie Choy at [Stephanie.choy@gov.mb.ca](mailto:Stephanie.choy@gov.mb.ca).

## **9. Financial Considerations, Reporting and Tax Process**

### **9.1 Is there flexibility on the May 15 deadline to submit 2020 Financial Plans?**

The Province extended the deadline to June 15, 2020 and they are now past due. Municipalities have the option of requesting an extension under the existing legislative provisions should one need to be sought.

The Province has also extended deadlines for the preparation of annual tax notices, tax levy by-laws and unaudited financial statements by one month.

### **9.2 How should we waive interest on provincial education taxes and school division taxes?**

School divisions are still providing required education for Manitoba's youth and, where they can, people should continue to pay the taxes that support schools.

Ratepayers may be experiencing business or personal financial challenges due to the impact of COVID-19. Interest charged by municipalities on the education portion of unpaid property taxes is suspended to help provide immediate relief to Manitobans who are facing financial challenges. Under the Temporary Suspension Order, this suspension of interest is in effect until September 21, 2020.

Department staff are available to continue to provide guidance on how municipalities may apply the waiver on interest for education taxes.

### **9.3 Will further direction be provided to municipalities on how to suspend tax sales?**

Due to the financial impacts that COVID-19 may have on ratepayers, municipalities must temporarily suspend work on the tax sale process until September 21, 2020.



In determining how to proceed, municipalities may need to consider the current status of their tax sale process and the expected timing of their auction:

1. If the municipality would have difficulty meeting legislated timelines due to a temporary suspension, council should consider a resolution to formally adjourn the auction to a later date or cancel the tax sale.
2. If the municipality would not yet have difficulty meeting legislated timelines due to a temporary suspension, a resolution to formally adjourn or cancel the tax sale would not yet be necessary. However, administrations should review this matter with councils and confirm their approach.

If municipalities work with a third party to perform the tax sale process, the temporary suspension should be reviewed with them.

#### **9.4 Why are municipalities being encouraged to reassess financial plans and budgets?**

The health and well-being of Manitobans is our number one priority right now and the Province is working hard to redirect funds from non-essential business to critical frontline services, and is encouraging municipalities to do the same. Manitoba has not made any changes to how municipalities are able to operate, and our funding levels remain unchanged. For instance, Manitoba provides \$309 million in basket funding to municipalities, allowing reallocation among changing priorities.

As the provincial government continues to look for ways to shift resources to the critical frontline, a letter was issued recently encouraging municipalities to reassess their financial plans and look for similar opportunities to focus on their core services such as water and emergency services.

Department staff are available to discuss and answer any questions municipalities have about adjusting financial plans to adapt to challenges emerging from the COVID-19 pandemic.

### **10. Shared Approaches and Practices**

#### **10.1 What information and supports are available to municipalities with respect to COVID-19 related human resource (HR) matters and employer-employee responsibilities during this challenging time? In particular, how should municipalities address situations where municipal employees have self-isolated and are reviewing their options for leave should they not be able to work from home?**

The Association of Manitoba Municipalities (AMM) has partnered with People First HR Services to provide access for all AMM member municipalities to the 'On Call HR @ Your Service' program. The following link provides additional information: <http://www.amm.mb.ca/human-resources/>.

For this particular question, People First HR has recommended the following: When an employee has to self-isolate and they cannot work from home, best practice would be for the employer to grant the employee company paid sick leave (if there is a company sick leave policy and if the employee has sick time available). If there is no sick time available, People First HR recommends asking the employee if they would like to use their vacation time (the employee does not have to take their vacation, so you want to make sure they are in agreement if vacation time is used). If sick leave and vacation leave is not available, then the employee would go on an unpaid sick leave and then apply for federal benefits through Service Canada.

**10.2 Are municipalities making any adjustments to handi-transit services?**

Some municipalities have noted that they have enhanced their sanitation processes for vehicles and have restricted the use of handi-transit services to medical equipment only.

**10.3 Are there ideas for improving business continuity planning for water treatment plants?**

Some municipalities have indicated that they are examining practical and creative approaches to having business continuity planning backup on drinking water treatment. For example, some municipalities having shared service agreements in the event that backup is needed and one is video recording their processes on a walkthrough with their staff in case another qualified operator has to come in and learn their technical processes.

**10.4 Are there any plans for signage or checkpoints at interprovincial borders regarding self-isolation for vehicular travel?**

Effective June 21, 2020, the highway checkpoints at the Saskatchewan border will be discontinued. Staff will no longer be present and signage will be removed.

The checkpoint on the Trans-Canada Highway at the Ontario border will continue, with signage and intermittent staffing. Signage will also remain in place at US border crossings on PTH 10, 12 and 75 to supplement the message being conveyed by the Canada Border Services Agency.

**10.5 Are there ideas to help with anticipated summer fire department requirements?**

Protecting front-line firefighters and support staff during the COVID-19 pandemic is a top priority to ensure they remain healthy and available to respond to wildfires during the upcoming season.

To minimize the number of calls fire departments need to respond to, burning bans that lay out burning conditions are being used to reduce the risk of fire getting away. Municipalities may want to ensure that their burning by-laws are up-to-date, so they can implement immediately, if needed. The following link is to Office of the Fire Commissioner by-law templates:

[http://www.firecomm.gov.mb.ca/support\\_bylaws.html](http://www.firecomm.gov.mb.ca/support_bylaws.html)

During times of high fire danger conditions, the Office of the Fire Commissioner (OFC) asks all municipalities to please inform the OFC immediately at [firecomm@gov.mb.ca](mailto:firecomm@gov.mb.ca) when implementing or changing the status of municipal burning restrictions.

In order to reduce the risk of wildfires, provincial burn permits issued under *The Wildfires Act* within the burning permit area are suspended immediately and no other permits will be issued until further notice. Please contact a Manitoba Conservation and Climate office for more information or visit

<https://www.gov.mb.ca/wildfire/>.

Provincial burn permit holders must comply with provincial guidance on crop residue burning and municipal burning permit conditions, where applicable. The following link provides information on Manitoba's Controlled Crop Residue Burning Program:

<https://www.gov.mb.ca/agriculture/crops/crop-residue-burning-program/index.html>

## **10.6 Are delays expected on drainage license approvals due to COVID-19 or flooding?**

No significant delays are anticipated due to flooding unless flooding restricts access for associated field inspections. No delays are anticipated due to COVID-19. However, field inspections are being conducted with social distancing in mind, so personal contact with applicants, landowners, etc. will be minimized.

## **11. Recreation and Community Development \*Updated**

### **11.1 Can municipalities and other organizations operate day camps?**

Day camps may operate if they maintain occupancy and activity levels that allow people to physical distance two metres apart, except for brief exchanges. Effective June 21, 2020, the maximum number of children per group is 50. Overnight camps are not permitted. Day camps must follow all guidelines posted here:

<https://www.gov.mb.ca/covid19/restoring/phase-one.html#daycamps>.

Day camps and summer programming are permitted in school facilities. The following guidelines should be followed for day camps:

- The use of outdoor facilities and playgrounds is encouraged.
- The maximum number of children per group is 50. However, multiple groups of 50 can be segregated to prevent contact throughout the day with other groups through the use of separate exits, staggered drop-off schedules and by monitoring access to the facility to avoid congestion.

- A separate entrance to the facility or staggered hours should be established for each limited use purpose wherever possible.
- Washrooms and lunchrooms must have frequent sanitization and should be monitored to ensure appropriate physical distancing.
- Water fountains that are not touchless or cannot be cleaned between users should be closed.
- Sharing of items, including food and drink containers should be avoided to the greatest extent possible. Students must bring their own lunches or provided lunches must be individually wrapped in disposable containers.

Additional guidelines can be found in Manitoba's Pandemic and Economic Roadmap for Recovery <https://www.gov.mb.ca/covid19/restoring/index.html>.

## 11.2 When can outdoor pools and splash pads open?

Phase Two of the Restoring Safe Services Plan allows public/private swimming pools to reopen with some limitations. Guidelines for opening pools and splash pads can be found at <https://manitoba.ca/covid19/restoring/phase-two.html>. Municipal pools and splash pads must follow these guidelines.

Municipalities that operate splash pads must implement measures to ensure that members of the public are reasonably able to maintain a separation of at least two metres from other members of the public. Municipalities are not required to have an attendant on site if they can achieve this through other means, such as having proper signage up and/or a social media and website communication strategy that includes safe use of splash pads. Messaging provided to the public could include peak time use, sharing space, and the requirement for physical distancing. Municipalities could also have by-law officers monitor the splash pads to ensure compliance.

Under the public health order, it states that operators of splash pads must limit the number of members of the public in the pool or at the splash pad to 50 per cent of the usual capacity. If there is no 'usual' occupancy for a splash pad, then municipalities should focus on reducing crowding and ensuring physical distancing (except for brief exchanges).

A fact sheet on reopening recreation water facilities pools is available here: [https://manitoba.ca/asset\\_library/en/coronavirus/restoring-guidance-recreational-water-facilities.pdf](https://manitoba.ca/asset_library/en/coronavirus/restoring-guidance-recreational-water-facilities.pdf).

## 11.3 What are the requirements for opening a municipal campground? **\*Updated**

Campgrounds must ensure that people attending are able to maintain a distance of at least two metres, except for brief exchanges. This requirement will be enforceable under a public health order. All parks and campgrounds should also adhere to guidelines posted here: <https://www.gov.mb.ca/covid19/restoring/phase-one.html#parks>.

Phases Two and Three of the Restoring Safe Services Plan provide no changes on requirements for opening campgrounds. However, travel to northern Manitoba is now permitted for Manitoba residents and travellers from western Canada and northwestern Ontario.

#### **11.4 What are the guidelines for opening fitness centres?**

Phase Two of the Restoring Safe Services Plan allows fitness centres to reopen with some limitations. Guidelines for opening fitness centres can be found at <https://manitoba.ca/covid19/restoring/phase-two.html>. Municipal fitness centres must follow these guidelines.

Many of the Phase Two guidelines for gyms would require staff to be on site to ensure that physical distancing is followed, including:

- Managing entry points to maintain physical distancing;
- Ensuring staff are present to control access;
- Discouraging congregation within the facility; and
- Cleaning and disinfecting of equipment by staff between use.

#### **11.5 Are cottage owners permitted to travel to their seasonal cottages?**

All Manitobans and anyone entering Manitoba from western Canadian jurisdictions and northwestern Ontario are allowed to travel directly to cabins/cottages. However, people must follow provincial guidelines for travel to cabins, campgrounds, trails, parks and cottages. These include not travelling if any person has symptoms of COVID-19, returning home immediately if any person begins to feel ill and not using local health providers, except in cases of emergency. All guidelines for travelling to cottages are posted here: <https://manitoba.ca/covid19/infomanitobans/cottages.html>.

### **12. Resources and Information**

#### **Provincial Resources and Information:**

**COVID-19 Provincial Updates** – Current situation and news conferences  
<https://manitoba.ca/covid19/updates/index.html>

**Manitoba State of Emergency and COVID-19** – Emergency Measures Organization Q and A for municipalities  
[https://www.gov.mb.ca/emo/pdfs/covid19\\_qa.pdf](https://www.gov.mb.ca/emo/pdfs/covid19_qa.pdf)

**Manufacture or Supply for Manitoba** – Call to action for suppliers / distributors with inventory to help fight against COVID-19.  
<https://manitoba.ca/covid19/business/index.html#call>

**Workplace Guidelines and FAQs** – Information for employers and employees  
<https://www.gov.mb.ca/covid19/infomanitobans/workplaces.html>  
[https://www.gov.mb.ca/asset\\_library/en/coronavirus/workplaces-faq.pdf](https://www.gov.mb.ca/asset_library/en/coronavirus/workplaces-faq.pdf)

**Help Next Door MB** – Network of community volunteers

<https://helpnextdoormb.ca/>

**Student Jobs MB** – Website connecting students and employers in Manitoba

<https://studentjobsmb.ca/login>

**Other Resources and Information:**

**Manitoba Chamber of Commerce** – COVID-19 updates and resources

<https://mbchamber.mb.ca/covid-19-updates/>

**Guide for Coronavirus Planning and Response** – International Association of Fire Chiefs Coronavirus Task Force

<https://www.iafc.org/docs/default-source/1ems/covid-response-and-planning-recommendations.pdf>

**Note:** Should you have any questions regarding this bulletin or require further information related to municipal governance issues, please contact a Municipal Services Officer by email at [mrmca@gov.mb.ca](mailto:mrmca@gov.mb.ca) or by phone at 204-945-2572.

Manitoba Municipal Relations  
508 – 800 Portage Avenue, Winnipeg MB R3G 0N4

## APPENDIX A \*New

### Guidelines for Conducting a Municipal By-Election During the COVID-19 Pandemic

In response to the COVID-19 pandemic, the Province has provided municipalities with temporary flexibility for the requirement to conduct by-elections as soon as reasonably possible after a vacancy occurs on council. Councils can still conduct by-elections should they wish to do so. If a municipality chooses to proceed with a by-election, they should ensure that appropriate social distancing measures are in place.

Election officials have an important role to play in preventing the risk of transmission of COVID-19. Municipal Services Officers continue to be available to provide information and support to election officials as needed, and can be reached by email at [mrmca@gov.mb.ca](mailto:mrmca@gov.mb.ca) or by phone at 204-945-2572.

#### **Suspension Order under *The Emergency Measures Act***

A Suspension Order under *The Emergency Measures Act* has been passed that suspends the requirement for municipalities to hold a by-election as soon as reasonably possible. While municipalities are being provided this flexibility, they are still able to conduct business and proceed with by-elections as may be required.

The Order is in place until July 31, 2020, after which by-elections must again be held as soon as reasonably possible after a seat is vacated, unless the order is extended. The Order can be viewed at [https://web2.gov.mb.ca/laws/orders/e80\\_118\\_2020\(local%20government\).pdf](https://web2.gov.mb.ca/laws/orders/e80_118_2020(local%20government).pdf) for up-to-date information.

#### **Review Current Public Health Orders**

If the municipality chooses to proceed with a by-election, the Senior Election Official (SEO) should refer to and review the current public health orders at <https://manitoba.ca/covid19/soe.html> for up-to-date information.

#### **Communicate with Municipal Officials**

Best practices include the SEO consulting closely with the municipality regarding the by-election and associated costs. Municipalities and SEOs should be aware that extra precautions necessary due to COVID-19 might result in elevated costs for by-elections compared to what was historically expected.

## **Promote and Encourage Mail-In Balloting**

Voters should be encouraged to consider mail-in balloting if they are eligible under section 95 of *The Municipal Councils and School Boards Elections Act* to reduce physical attendance on polling days.

- Encourage mail-in balloting in required election advertising.
- Consult municipal staff about sharing this message through their communication channels.
- Ensure that sufficient mail-in ballot packages are ordered if increased demand is expected.

If mail-in balloting will be offered on-site at the municipal office, ensure that enhanced sanitation procedures are followed for voters attending the municipal office and for election officials handling their ballots.

## **Prepare Election Officials**

Election officials typically attend polling stations for extended periods and will likely interact with many voters. Extra precautions should be taken to protect election officials and members of the public interacting with them.

It is important to notify election officials of the steps being taken during the by-election to prevent the risk of transmission of infection and the importance of their roles in these measures. Information about the specific practices and procedures that the SEO has adopted for the by-election should be posted and available for election officials' reference.

- **Communicate that election officials should not attend polling stations if they are symptomatic.**
  - The SEO should establish a process for election officials to screen themselves before attending a polling station. Screening tools are available online or as posters in the 'Further Resources' section of this document.
  - Symptomatic individuals should be encouraged to get tested. Public health officials have expanded testing criteria to all symptomatic Manitobans. Symptoms include fever, cough, runny nose and sore throat.
- **Ensure that there are sufficient election officials** in place in case some are unable to attend due to illness.



- **Develop a routine for sanitizing voting areas** between voters and communicate this to election officials:
  - Consider the **use of disposable materials** for voters where possible (e.g. golf scorecard pencils).
  - **Sanitize shared surfaces** and other tools or equipment after use.
- **Encourage good hand hygiene** for election officials.
- **Provide access to hand sanitizer and other protective equipment** for election officials:
  - Consider the **use of masks** during interactions with voters, depending on the official's duties.
  - Install **plastic or Plexiglas physical enclosures** or barriers to separate election officials and voters.
  - Provide **disposable gloves** for officials who will be in direct contact with potentially contaminated objects. When gloves are used, they must be properly disposed of following their use, and the wearer should immediately wash their hands after removing them.
- Ensure that individuals have the **opportunity to consider and accept the potential risk** of serving as an election official.
- **Ensure interactions between voters and election officials are as brief as reasonably possible.**

### **Take Additional Measures at Polling Stations**

At a public gathering like a by-election, measures should be made to allow voters to adhere to social (physical) distancing recommendations. Ensure that voters, those waiting to vote, scrutineers and voting officials are able to maintain a separation of two metres or six feet from each other except for brief exchanges. This includes measures such as the following:

- **Post signage about physical distancing.**
- **Post signage for voters to screen themselves** before they enter the facility. Screening signage is included under the 'Further Resources' section of this document.
- **Add floor markings** to indicate where voters should stand while waiting in line.
- Consider the **use of greeters** or ushers, and ensure they are able to practice physical distancing and have access to any necessary protective equipment or physical barriers.
- **Increase distances** between voting stations.

- **Ensure the facility is large enough** to accommodate queuing inside if there is inclement weather.
- Provide **adequate space for scrutineers**. Encourage candidates to appoint their scrutineers early and to inform the SEO of the number expected.

Additional measures should also be taken to provide a sanitary physical environment:

- **Provide hand sanitizer** for voters at entry and exit.
- **Clean any commonly touched surfaces** frequently.
- **Increase ventilation** where possible.
- **Maintain a single point of entry** and manage it to prevent congestion.

### **Moving the Ballot Box**

Voting officials should be prepared for more requests to bring the ballot box and voting materials outside to accommodate those with a disability in these circumstances. *The Municipal Councils and School Boards Elections Act* does not require that proof of a disability be provided, and this information should not be requested from voters.

### **Further Resources**

Several printable resources, including posters and factsheets, are available online through the following links:

[www.manitoba.ca/covid19/resources/index.html](http://www.manitoba.ca/covid19/resources/index.html)

<https://sharedhealthmb.ca/covid19/providers/posters/>

Screening tools:

Poster - [https://www.gov.mb.ca/asset\\_library/en/coronavirus/COVID-19-poster-1.pdf](https://www.gov.mb.ca/asset_library/en/coronavirus/COVID-19-poster-1.pdf)

Online tool - <https://sharedhealthmb.ca/covid19/screening-tool/>