

Bulletin #2020-06

MUNICIPAL RELATIONS

Important Notice to All Elected Officials and Chief Administrative Officers

COVID-19 – Municipal Governance – FAQ – Update

State of Emergency *New

1. How does the provincially declared state of emergency impact municipal operations?

On March 20, 2020, the Manitoba government declared a province-wide state of emergency to ensure government is able and ready to address the effects of COVID-19 (<https://news.gov.mb.ca/news/index.html?item=47137&posted=2020-03-20>). The declaration reinforces the importance of any guidelines provided and orders issued by the Chief Provincial Public Health Officer. The declaration also allows government to take steps in the future to protect the health and well-being of Manitobans as COVID-19 develops.

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 and should not affect the ongoing collaboration between municipal officials and the province.

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.

Council Meetings

2. 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.

Public Hearings

3. 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. Municipalities may choose to use an alternate format for public hearings, provided that the public can exercise an equivalent level of involvement as if they physically attended the 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*. If council cannot meet the legislative requirements for public hearings, they should be postponed.

Local Closures

4. 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. 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.

Water and Waste Related Operations

5. 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.

6. 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.

Supply Shortages and Procurement Challenges

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

The Province is actively exploring how municipalities may be able to access government procurement for non-health related items to supplement their local procurement process. More information will be provided as soon as possible.

Financial Reporting

8. Is there flexibility on the May 15 deadline to submit 2020 Financial Plans?

The Province will be extending the deadline to June 15. Municipalities will still have the option of filing before then or requesting an extension under the existing legislative provisions should one need to be sought.

The department is also reviewing options that may be available to provide flexibility in timelines on other regulatory requirements and will provide an update as soon as possible.

Shared Approaches and Practices

9. 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. 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.

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