

**Bulletin #2021-02**

MUNICIPAL RELATIONS

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

COVID-19 – Municipal Governance – FAQs – Update

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**Addendums on Regional Restrictions under the Pandemic Response System:**

**RED: CRITICAL REGIONS:**

**All of Manitoba**

A **Red: Critical** level is remains in place for all of Manitoba. An FAQ addendum was attached to Bulletin #42 with specific information on the public health orders impacting municipal operations under the **Red: Critical** level.

## 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 municipalities with any extra powers or requirements by itself. 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 have been issued under *The Public Health Act* 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, including public education, written warning or enforcement actions such as ticketing or arrest, if necessary. Fine amounts are enforceable by tickets, and have been increased to \$1,296 for individuals and \$5,000 for businesses breaching emergency orders under *The Public Health Act*.

Manitobans can report compliance and enforcement issues by visiting [www.manitoba.ca/COVID19](http://www.manitoba.ca/COVID19) and completing the reporting form, or by calling 204-945-3744 or 1-866-626-4862 (toll-free) and pressing option three on the call menu.

Manitoba has expanded enforcement capacity to ensure that public health orders are respected. In May and in October 2020, the Manitoba government announced the designation of a number of additional provincial government officials to enforce public health and emergency health hazard orders. Provincial regulatory amendments that allow municipal by-law enforcement officers – including third party by-law enforcement contractors – to enforce public health and emergency orders are also in effect.

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

Provincial regulatory amendments allow municipal by-law enforcement officers to enforce public health emergency orders and emergency health hazard orders in an effort to reduce the spread of COVID-19. Municipal by-law enforcement officers are strongly encouraged to enforce these orders. The regulatory amendments allowing by-law officers to enforce orders provide a tool for municipalities to take a more active role in enforcement of public health orders within their municipality. Municipal employees and third party by-law enforcement contractors are authorized to enforce public health orders.

Municipalities may request ticket books for enforcing public health orders by emailing [courtforms@gov.mb.ca](mailto:courtforms@gov.mb.ca) or from Municipal Relations via the Municipal Enforcement Support Program.

Municipalities requesting tickets through [courtforms@gov.mb.ca](mailto:courtforms@gov.mb.ca) must provide their mailing address and the number of ticket books they are requesting. Each book includes 25 tickets. The Courts Division can send tickets via mail, or tickets can be picked up in Winnipeg. Tickets issued to municipalities for the enforcement of public health orders can only be used for these purposes. An informational manual on how to complete a ticket is enclosed with the ticket books.

The Provincial Offences Court collects fines for public health orders breaches. Through the Municipal Enforcement Support Program, participating municipalities are entitled to receive 100 per cent of the ticket revenue from any tickets properly issued in good faith to violators of public health orders.

### **1.4 Are resources or training available for municipalities wishing to enforce public health orders through municipal by-law enforcement?**

The Municipal Enforcement Support Program provides municipalities with funding, training and ongoing coordination support to enable successful local enforcement of public health orders related to COVID-19. The Municipal Enforcement Support Program offered two intakes. The most recent intake closed on December 11, 2020. Municipalities can contact [mrmca@gov.mb.ca](mailto:mrmca@gov.mb.ca) with questions about their municipality's involvement in the program.

The province is employing a tiered approach to enforcing public health orders that includes voluntary self-compliance, education, verbal direction, and enforcement actions (ticketing). The goal of this strategy is to reduce breaches of public health orders through public education, voluntary compliance and enforcement, where necessary. It is recognized that enforcement will be required to ensure that the public is complying with the orders.

When receiving a complaint or witnessing a breach of the orders, it is generally advised that by-law enforcement officers may wish to consider doing the following, depending on who they are dealing with:

- Education – Speak to the person and inform them of the public health order in question. Explain the importance of voluntary compliance and potential consequences of non-compliance. Remind them of their civic duty to protect their fellow citizens from a potentially deadly virus.
- Encouragement – Provide a warning to ensure compliance.
- Enforcement – New fine amounts for breaching these emergency orders are set at \$1,296 for individuals and \$5,000 for businesses effective October 20, 2020.

If by-law enforcement officers encounter a situation where an individual is aggressive or continues to be in non-compliance with public health orders, the police may be called upon to assist in managing the individual/situation.

The Provincial Offences Court collects fines for breaches of public health orders. All tickets must be filed with the Provincial Offences Court at 373 Broadway in Winnipeg within 14 days of the ticket being signed. Tickets can be dropped off or mailed to 373 Broadway, Winnipeg, MB, R3C 4S4.

As with any instance where a ticket is issued by an enforcement officer, by-law enforcement officers would be responsible for attending a court hearing if applicable in this circumstance. The province will not reimburse municipalities for time required to attend court. However, municipalities are entitled to receive 100 per cent of the ticket revenue from any tickets properly issued in good faith to violators of public health orders.

By-law enforcement officers have been afforded this authority as an additional tool to be used by municipalities as they wish, should a problem persist in their community.

For more information regarding COVID-19 and/or the public health orders, please visit <https://www.gov.mb.ca/covid19/index.html>.

## 1.5 Which public health emergency orders and health emergency hazard orders can by-law officers enforce?

Under provincial regulation, by-law enforcement officers have the authority to enforce all public health emergency orders and health emergency hazard orders. It is recommended that municipalities instruct by-law enforcement officers to incorporate enforcement of public health orders into their ongoing work, as well as undertaking dedicated public health order enforcement work in order to slow transmission of COVID-19 in their community.

Municipalities have the authority on how to direct by-law enforcement in their communities. By-law enforcement officers may be impactful at enforcing public health orders regarding the mandatory closure of facilities under the **Red: Critical** level. Examples of facilities ordered to close include libraries, museums, galleries, gyms and fitness facilities, personal service businesses, non-critical businesses, casinos, VLTs, indoor and outdoor recreational and sports facilities, movie theatres, concert halls and playgrounds.

By-law enforcement officers can enforce all public health orders, but may want to give particular consideration to the following orders under the **Red: Critical** level:

- No person is permitted to enter the private residence of another person, with limited exceptions including for the provision of health or child care, construction, repair or renovation, emergencies, tutoring or instruction, real estate or moving, professional services such as legal services and home businesses, and visits between a parent/guardian and their child.
- Group sizes are limited to five people, in indoor and outdoor public spaces.
- All places of worship must be closed to the public with the exception of drive-in services subject to compliance with the restrictions. Cars may contain members from one household only and no one may leave the car while at the event.
- Restaurants and other public food establishments, bars, beverage rooms, brew pubs, micro-breweries and distilleries must close to in-person dining. Take-out, delivery and drive-thru services may continue.
- Retail businesses listed as critical services, such as grocery stores and pharmacies, must maintain site capacity at 25 per cent or 250 persons, whichever is lower.
- Retail businesses permitted to stay open, must not allow customers to purchase non-essential items in person and must remove, rope-off or otherwise indicate items defined as non-essential under the orders. Businesses can continue to enable the pick-up or delivery of non-essential goods ordered online or by telephone.
- Shopping centres and malls may remain open to enable the public to access open businesses. Shopping centres and malls must maintain site capacity at 25 per cent and implement measures to ensure the public are able to maintain a distance of two metres from others present at the site.

- All retail and wholesale businesses that do not provide critical services are required to close. However, businesses can continue to enable the pick-up or delivery of goods ordered online or by telephone.
- Public transportation services and vehicles for hire may continue to operate, if passengers are able to maintain separation from other passengers and all people in the vehicle wear a mask.
- Gyms and fitness centres are required to close.
- All casinos, VLTs, indoor recreational facilities, group sports, arcades, bowling alleys, all indoor sport facilities, museums, galleries, libraries, movie theatres and concert halls are closed. Outdoor skating rinks and recreation facilities such as playgrounds and toboggan hills may operate subject to the restrictions.
- All personal service businesses are required to close.

#### **1.6 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.

#### **1.7 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 have authority to declare a state of local emergency and enact their own emergency measures, including implementing 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 are coordinated and provide citizens with clear direction on how communities can stop the spread of COVID-19.

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 existing authorities 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 avoid conflicting orders.

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.

#### **1.8 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 are now identified by health region and health district. 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.

## 1.9 What is the #RestartMB Pandemic Response System?

**Note:** Please see the addendum for specific information on Pandemic Response System restrictions at the **Red: Critical** level.

On August 19, 2020, Manitoba launched the #RestartMB Pandemic Response System, a new public health online tool that provides clear, timely, and more detailed information on specific changes and related pandemic containment measures by localized site, region or sector.

This tool shares the current level of risk, provide public health guidance and explains a range of measures in place to reduce the spread of COVID-19 in the province. It includes four colour-coded response levels that give Manitobans a clear, detailed picture of the situation in the province at all times. The four colour-coded response levels are:

- **Red: Critical** – community spread of COVID-19 is not contained and/or there are significant strains on the health-care system;
- **Orange: Restricted** – community transmission of COVID-19 is occurring, public health measures are being taken to manage the negative impact on human health and/or the health system;
- **Yellow: Caution** – community transmission of COVID-19 is at low levels; and
- **Green: Limited Risk** – the spread of COVID-19 is broadly contained and a vaccine and/or effective treatment is available.

The following link provides additional information on the Pandemic Response System, and outlines steps that should be taken at each response level, as well as public health orders and guidance for businesses, service providers and other sectors: <https://manitoba.ca/covid19/restartmb/prs/system.html>.

All of Manitoba is currently at the provincial response level of **Red: Critical**. Information on any additional responses in each health region are available online at <https://www.gov.mb.ca/covid19/restartmb/prs/index.html>.

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

**Note:** Please see the **Red: Critical** addendum for restrictions on travel to northern Manitoba and remote communities.

Currently, anyone entering Manitoba from western Canada (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 have not travelled outside of these areas, they are asymptomatic, and they 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 follow federal quarantine requirements at the time of entry.

Travel to northern Manitoba (north of the 53<sup>rd</sup> parallel) is prohibited except in limited circumstances, including those who reside in northern Manitoba or those travelling for designated purposes, and who are displaying no symptoms of COVID-19. All travellers to northern Manitoba must continue to respect any restrictions that have been put in place by public health officials, local communities and First Nations.

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 people such as truckers and pilots
- people who provide vital services, including health care, police officers, emergency service personnel, corrections officers, national defense personnel, social service workers, elected officials and staff, as well as workers engaged in construction or maintenance of critical infrastructure
- people travelling to facilitate shared parenting arrangements
- people travelling for emergency medical purposes
- film production crew members (cast and crew)
- professional athletes and team members employed by or affiliated with a professional sports team from Manitoba

### 1.11 How are municipalities impacted by the #RestartMB Pandemic Response System?

**Note:** Please see the addendum for specific information on Pandemic Response System restrictions at the **Red: Critical** level.

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 #RestartMB Pandemic Response System. Municipalities should continue to adhere to social distancing recommendations and minimize risks to staff and residents.

Please see the addendum for specific information on Pandemic Response System restrictions at the **Red: Critical** level. Social visits to the private residences of others are now prohibited (with exceptions for people who live alone), gathering sizes in public spaces are limited to five people across the province, and all indoor municipal recreational facilities and libraries are required to close.

### 1.12 How do the provincial Temporary Suspension Orders passed under *The Emergency Measures Act* impact Municipalities? \*New

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:

- Increased flexibility until April 30, 2021 around the date of by-elections requested by a council to allow for public health and safety considerations.
- Increased flexibility until April 30, 2021 around quorum requirements under *The Municipal Act*, temporarily setting quorum at three members.
- Increased flexibility until April 30, 2021 around public notices required under *The Municipal Act*.

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

- Increased flexibility until April 30, 2021 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

The Temporary Orders are posted at [http://web2.gov.mb.ca/laws/orders/\\_pdf-order.php?ord=385/2020](http://web2.gov.mb.ca/laws/orders/_pdf-order.php?ord=385/2020).

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

It is essential for the planning process to continue during the pandemic. The Temporary Suspension Orders allow for added flexibility for the period of December 21, 2020 to April 30, 2021.

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 between November 21, 2020 and April 30, 2021 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 Subdivision Certificate of 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 are posted at [http://web2.gov.mb.ca/laws/orders/\\_pdf-order.php?ord=385/2020](http://web2.gov.mb.ca/laws/orders/_pdf-order.php?ord=385/2020).

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

The Temporary Suspension Order does not prevent municipalities from proceeding with by-elections. However, it allows flexibility such that municipal election officials may consider public health and safety concerns when setting the election date. 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 April 30, 2021, after which by-elections must again be held as soon as reasonably possible, unless the order is extended.

**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?**

Municipalities conducting fire inspections can implement a “risk-based approach” to protect the welfare of building occupants and inspectors. 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 to 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 create an inspection protocol that ensures 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 recommended hygiene procedures before and after the inspection.

### 3. Council Meetings \*Updated

#### 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? \*Updated

**Note:** Please see the addendum for specific information on Pandemic Response System restrictions at the **Red: Critical** level.

*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.

Several methods of providing public access to council deliberations in an alternate format are available to municipalities to achieve those objectives while preventing the spread of the virus. Examples may include: livestreaming, teleconferences, and/or providing recordings of council meetings.

Alternate formats 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 April 30, 2021. 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 \*Updated

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

**Note:** Please see the addendum for specific information on Pandemic Response System restrictions at the **Red: Critical** level.

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.

Currently, public health orders prohibit public gatherings of more than five 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 five people, the order does not prohibit this. However, efforts should be made to avoid or defer such public gatherings unless operationally or legally required. When required, social distancing measures should be used.

Municipalities are encouraged to use an alternate format for public hearings that cannot be deferred, 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.

If an alternate format is not possible, 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?**

**Note:** Please see the addendum for specific information on Pandemic Response System restrictions at the **Red: Critical** level

The use of non-medical masks in public places is 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 \*Updated**

*The Municipal Act* and *The Planning Act* set out the requirements for giving notice of a public hearing. Municipalities must:

1. Publish a notice at least twice in a publication having general circulation in the municipality.

2. Post a notice in the municipal office or planning district office.

The Temporary Suspension Order passed under *The Emergency Measures Act* provides municipalities with increased flexibility for public notices until April 30, 2021.

1. With the closure of some local newspapers, municipalities must provide notice in alternate formats, including:
  - publishing in the Manitoba Gazette or a municipal newsletter delivered to each property;
  - preparing a special purpose pamphlet/leaflet and mailing or delivering it to all property owners;
  - posting the notice prominently on the website of a newspaper with primarily local readership; or
  - advertising the notice on a local radio station during the station's peak listening hours.
2. Notice must be posted outside the municipal office or planning district office in an easily viewable manner.

The Temporary Orders are posted at [http://web2.gov.mb.ca/laws/orders/\\_pdf-order.php?ord=385/2020](http://web2.gov.mb.ca/laws/orders/_pdf-order.php?ord=385/2020).

## **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?

**Note:** Please see the addendum for specific information on Pandemic Response System restrictions at the **Red: Critical** level.

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.

Please see the addendum for specific information on Pandemic Response System restrictions at the **Red: Critical** level. Municipalities across the province are required to close all indoor recreational facilities and libraries. Municipalities may continue to rent out community centres for activities permitted under the public health orders, providing that the renters follow all relevant COVID-19 guidelines and restrictions in conducting the activity.

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?

**Note:** Please see the addendum for specific information on Pandemic Response System restrictions at the **Red: Critical** level.

Municipalities are encouraged to continue assessing 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 samples with municipalities to support them in developing local signage, as needed. Some municipalities have expressed interest in using visitor screening 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:

<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, and 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. If normal shipping routes are delayed or disrupted, water suppliers are required to deliver water samples to the laboratory at the frequency specified in their operating licence. For example, suppliers may need to deliver samples to a laboratory themselves. 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.

Check <https://www.gov.mb.ca/covid19/index.html> daily for up-to-date information, and update 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.

Check <https://www.gov.mb.ca/covid19/index.html> daily for up-to-date information, and update 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 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 follow standard disposal procedures for contaminated recycling and 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, in consideration of 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. Shared Approaches and Practices**

### **9.1 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, the employee would go on unpaid sick leave and apply for federal benefits through Service Canada.

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

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

### **9.3 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 have shared service agreements in the event that backup is needed. Another municipality video recorded a walkthrough that explains their processes in case another qualified operator has to come in and learn their technical processes.

#### 9.4 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 were 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. Recreation and Community Development

#### 10.1 Can municipalities and other organizations operate day camps?

Day camps must close under the **Red: Critical** level of the Pandemic Response System.

Additional information on the current public health orders can be found at <https://www.gov.mb.ca/covid19/soe.html>.

#### 10.2 What are the guidelines for opening fitness centres?

**Note:** Please see the addendum for specific information on Pandemic Response System restrictions at the **Red: Critical** level.

Fitness clubs, gyms and training facilities, martial arts, gymnastic clubs, yoga studios and dance, theatre and music schools must close under the **Red: Critical** level of the Pandemic Response System.

Additional information on the current public health orders can be found at <https://www.gov.mb.ca/covid19/soe.html>.

#### 10.3 Are cottage owners permitted to travel to their seasonal cottages?

**Note:** Please see the addendum for specific information on Pandemic Response System restrictions at the **Red: Critical** level.

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>.

#### **10.4 Are municipalities responsible for enforcing public health guidelines at outdoor rinks?**

- Outdoor ice rinks can open and individuals or families can go skating.
- People engaged in the activity must maintain a separation of at least two metres from others, unless they are from the same household.
- People must not engage in activities as part of a group of more than five people, unless they all reside in the same household.
- At this time organized practices, games or outdoor sporting competitions of any kind are not permitted.
- Municipalities and organizations must ensure that dressing rooms, warming shacks and other indoor facilities associated with outdoor sporting or recreational activities are closed while the Orders are in effect.
- Individuals contravening the Orders may be ticketed.

Municipalities or organizations that operate outdoor rinks are to take reasonable steps to ensure that people using the facility are aware of the requirements of the current public health orders relating to the rinks, including posting proper signage and/or social media and website communications that promote the safe use of the outdoor rink.

Additional information on the current public health orders can be found at  
<https://www.gov.mb.ca/covid19/soe.html>.

#### **10.5 Are playgrounds, toboggan hills and sports fields allowed to open?**

The COVID-19 Prevention Order does not restrict the use of outdoor playgrounds, toboggan hills or sports fields. These areas can be used for people to engage in outdoor sporting and recreational activities, subject to the Orders.

- People engaged in outdoor activities must maintain a separation of at least two metres from others, unless they are from the same household.
- People must not engage in activities as part of a group of more than five people, unless they are from the same household.
- Dressing rooms, warming shacks and other indoor facilities associated with outdoor sporting and recreational activities must be closed while the Orders are in effect.
- Individuals contravening the Orders may be ticketed.

Municipalities or organizations that operate those facilities are to take reasonable steps to ensure that people using the facility are aware of the requirements of the current public health orders relating to the playgrounds or sports fields, including posting proper signage and/or social media and website communications that promote their safe use.

Additional information on the current public health orders can be found at <https://www.gov.mb.ca/covid19/soe.html>.

## 11. **Resources and Information**

### **Health Canada COVID Alert App:**

The Health Canada COVID Alert app is now available to Manitoba residents and provides digital COVID-19 exposure alerts once the app is downloaded to a smart phone. COVID Alert helps break the cycle of infection by letting people know of possible exposure before any symptoms appear.

The app is one more tool that people can use to be aware of a possible exposure to COVID-19. The app uses Bluetooth technology to detect when users are near each other. If a user tests positive for COVID-19, they can choose to let other users know about potential exposure risk without sharing any personal information.

The COVID Alert app is available for iOS and Android at the following links:



The Manitoba government now has colour and black-and-white COVID Alert app posters available (in English and in French) for businesses, workplaces, schools, child care centres, primary care clinics, testing sites and other locations at <http://www.manitoba.ca/covid19/updates/covidalert.html>.

### **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).

**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.

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