

The Corporation of the Town of Tecumseh

By-Law Number 2020 - 55

Being a By-law to adopt a Face Covering Policy for Visitors and Contractors

Whereas the Council for The Corporation of the Town of Tecumseh is desirous to enact a policy to require face coverings to be worn under certain circumstances inside Town Facilities and outside on the premises of a Town Facility where a minimum physical distance of 2 meters (6 feet) cannot be maintained;

And Whereas subsection 8(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended (“Municipal Act, 2001”) provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority to enable it to govern its affairs as it considers appropriate and to enhance its ability to respond to municipal issues;

And Whereas subsection 11(2) of the Municipal Act, 2001 authorizes a municipality to pass by-laws with respect to: economic, social and environmental well-being of the municipality, including respecting climate change; the health, safety and well-being of persons; and the protection of persons and property, including consumer protection;

Now Therefore the Council of The Corporation of The Town of Tecumseh enacts as follows:

1. **That** the Face Covering Policy for Visitors and Contractors (Policy), as appended to this by-law as Schedule A, be approved and adopted.
2. **That** this By-law and Policy shall come into force and take effect upon adoption.

Read a first, second, third time and finally passed this 11th day of August, 2020.

Gary McNamara, Mayor

Laura Moy, Clerk



The Corporation of the Town of Tecumseh

Policy Manual

Policy Number: 105

Effective Date: August 11, 2020

Supersedes: N/A

Approval: RCM August 11, 2020, RCM - 247/20

Subject: Face Covering Policy for Visitors and Contractors

1.0 Purpose

1.1 The Corporation of the Town of Tecumseh is committed to taking all precautions reasonable in the circumstances to protect our workers.

2.0 Scope

2.1 Face coverings are an additional step to help slow the spread of COVID-19 when combined with every day preventive actions and physical distancing in public settings.

2.2 Use of face coverings is recommended by the Chief Medical Officer of Health of Ontario and the Chief Public Health Officer of Canada in situations where physical distancing (spatial separation of individuals by at least 2 metres) is difficult to maintain.

2.3 This policy prohibits members of the public and contractors from entering the premises or remaining in the premises if the person is not wearing a face covering.

2.4 The Town acknowledges that face coverings may not protect the wearer but it may keep the wearer from spreading the virus to others.

3.0 Definition

- 3.1 **Face Covering:** a medical mask or non-medical mask or other face coverings such as a bandana, a scarf or cloth (including hijab and niqab) that covers the mouth, and nose ensuring a barrier that limits the community transmission of COVID-19.
- 3.2 **Person:** a customer, patron, contractor or visitor, who enters any Town facility.
- 3.3 **Town Facility:** buildings and structures owned and operated by The Corporation of the Town of Tecumseh that are openly accessible to persons and from which services are delivered.

4.0 Policy

- 4.1 The Corporation of the Town of Tecumseh will ensure visible signage is posted at the entrance to each Town Facility indicating that face coverings are required to be worn by Persons entering Town Facilities.
- 4.2 The face covering must be worn by Persons at all times inside the Town Facility and outside on the premises of a Town Facility where a minimum physical distance of 2 m (6 ft.) cannot be maintained.
- 4.3 Persons that are not wearing a face covering will not be permitted entry into the Town Facility.
- 4.4 A person shall be exempt from wearing a face covering in a Town Facility, if:
 - 4.4.1 The person is a child under the age of two years; or a child under the age of 5 years either chronologically or developmentally and he or she refuses to wear a face covering and cannot be persuaded to do so by their caregiver;
 - 4.4.2 Wearing a face covering would inhibit the person's ability to breathe in any way;
 - 4.4.3 For any other medical reason, the person cannot safely wear a face covering such as, but not limited to, respiratory disease, cognitive difficulties or difficulties in hearing or processing information;
 - 4.4.4 For any religious reason, the person cannot wear a face covering, or cannot do a face covering in a manner that would properly control source.

5.0 Responsibilities

- 5.1 The Senior Management Team is responsible for communicating this Policy to all staff and for ensuring compliance with this Policy.
- 5.2 All staff are responsible for advising their Director or Manager of non-compliant Persons.

6.0 Effect, Monitoring and Evaluation

- 6.1 This Policy shall come into effect immediately upon the proclamation of a pandemic for any type of viral respiratory illness for which the Medical Officer of Health recommends or orders wearing face coverings/masks as a protective measure and/or a Declaration of Provincial and/or Local Emergency is made. Accordingly, the policy shall remain in effect for the duration of such Provincial and/or Local Declarations of Emergency and/or advice or order of the Medical Officer of Health.
- 6.2 This Policy shall be monitored by the Human Resources Division of the Corporate Services Department.
- 6.3 This Policy will be reviewed as required based on revisions to corporate practices or updates are made by the Windsor Essex County Health Unit, the Chief Medical Officer of Health of Ontario and/or the Chief Public Health Officer of Canada.

7.0 References

- 7.1 Windsor-Essex County Health Unit Order of the Medical Officer of Health, date June 23, 2020, regarding facing coverings.
- 7.2 Section 22 of the *Health Protection and Promotion Act, R.S.O. 1990, c.H.7*