

MEMORANDUM TO: Heads of Municipal By-Law Enforcement in Ontario

FROM: Richard Stubbings
Assistant Deputy Minister
Public Safety Division and Public Safety Training Division

SUBJECT: **Collection of Enforcement Data related to the
Emergency Orders under the Emergency Management
and Civil Protection Act**

DATE OF ISSUE: May 8, 2020
INDEX NO.: B2020-01
PRIORITY: High

The Ministry of the Solicitor General (ministry) is coordinating province-wide reporting on enforcement of the *Emergency Management and Civil Protection Act* (EMCPA) in response to COVID-19. This reporting will help track the enforcement of the emergency orders under the EMCPA and assist in other areas of emergency management.

Context

As outlined in the letter to Heads of Councils from the Solicitor General and the Minister of Municipal Affairs and Housing on March 27, 2020, pursuant to the *Provincial Offences Act* (POA), the Solicitor General has designated the following personnel as provincial offences officers for the purpose of enforcing orders under the EMCPA:

- All persons or classes of persons designated in writing by a minister of the Crown as provincial offences officers, notwithstanding the offence or class of offences of that designation;
- All municipal law enforcement officers referred to in subsection 101 (4) of the *Municipal Act, 2001* or in subsection 79 (1) of the *City of Toronto Act, 2006*;
- All by-law enforcement officers of any municipality or of any local board of any municipality; and
- All officers, employees or agents of any municipality or of any local board of any municipality whose responsibilities include the enforcement of a by-law, an Act or a regulation under an Act.

These personnel are empowered to enforce emergency orders for the protection of the health and well-being of Ontarians. The decision to enforce is discretionary.

Municipalities are not required to, but may wish to consider whether, and how, to provide direction to their municipal law enforcement officers about the exercise of these powers (e.g., policies or by-laws regarding which officers are best positioned to exercise these powers given their existing training, knowledge and resources).

Request for Data

For municipalities that have decided to enforce orders under the EMCPA, the ministry is requesting that all provincial offences officers enforcing the emergency orders under the EMCPA, including municipal by-law enforcement officers, submit data to the ministry related to their enforcement of the EMCPA. A similar request for enforcement data has also been provided to police services and other ministry partners who have provincial offences officers enforcing the EMCPA orders. The ministry relies on this coordinated data to inform the government's response to COVID-19.

The data being requested includes:

- “Actions Record Data” which is intended to capture record-level enforcement information, as extracted from your agency/department's records management systems or other data capture system; and
- Aggregated data (as available), which is intended to capture data that may not have individual records available but is relevant to enforcement efforts. Examples include complaints/calls, or the number of individuals who received education from officers, related to EMCPA emergency orders.

Please note that you are receiving this email directly as your contact information was provided to the ministry through your municipality's Community Emergency Management Coordinator. As a result, the ministry is requesting that you submit this data on behalf of your municipality in accordance with the format of the attached template spreadsheet on a **weekly** basis. The spreadsheet includes technical instructions to support the provision of this information.

Please provide your **first submission by Thursday, May 14, 2020 at 1:00 pm EST**. Please provide **subsequent submissions on each Tuesday by 1:00 p.m. EST** every week thereafter.

Reporting should cover each week preceding the reporting date, with the week starting on Sundays and ending on Saturdays. For further details, please refer to the “Instructions” tab within the attached template. Below are examples for the first and subsequent submissions:

- **First submission:** requested by **Thursday May 14th, 1:00 PM**.
 - On the ‘Action Record Data’ tab, please include records for the week of May 3 – May 9, 2020. In addition, if there are records available prior to May 3, please include these as well, going as far back as possible to the start of the data collection.

- On the 'Aggregated Data Reporting' tab, please include total numbers for the week of May 3 – May 9. In addition, if there are aggregate data available prior to May 3, please include these as well, going as far back as possible to the start of the data collection, and report them as separate weekly totals.
- **Subsequent submissions:** For example, for the Tuesday May 19th submission, report on the period covering May 10 – May 16, inclusive.

Submissions should be addressed to Agata Falkowski, Senior Statistics Advisor at Agata.Falkowski@ontario.ca, and have the subject line “**Municipal EMCPA enforcement submission**”. Alternatively, you can follow this [link](#) for an email submission prepopulated with the subject line. If you prefer an alternate method of submission, please contact Agata by email.

If you have any questions regarding the submission requirements, or any technical questions, please contact Jeanette Gorzkowski, Analytics Unit Manager, at (437) 928-7427 or Jeanette.Gorzkowski@ontario.ca.

If you are not the appropriate contact for the provision of these submissions from your municipality, please advise should the contact information be updated as a result of this request.

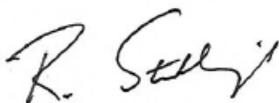
To ensure the accuracy and completeness of the information, the ministry may request additional information or update its collection approach.

Please note that the collection, retention, and disclosure of information will be carried out in accordance with all applicable legislation.

The ministry is aware of the multiple requests for information to municipalities in a short period of time and appreciates your continued work to support our shared commitment to combatting COVID-19.

Thank you for your assistance in supporting the ministry in fulfilling this request.

Sincerely,



Richard Stubbings
Assistant Deputy Minister
Public Safety Division and Public Safety Training Division

Attachment