

[About AMCTO \(/About\)](#)

[Education & Professional Development \(/Education-Events\)](#)

[Professional Accreditation \(/Professional-Accreditation\)](#)

[Resources & Publications \(/Resources-Publications\)](#)

[Advocacy & Policy \(/Advocacy-Policy\)](#)

[Policy Blog \(/Advocacy-Policy/Policy-Updates\)](#)

[Reports & Positions](#) [Positions\)](#)  
(/Advocacy-Policy/Reports-

[Legislative & Policy Advisory Committee Members \(/Advocacy-Policy/Legislative-Policy-Advisory-Committee\)](#)

[Legislative & Policy Advisory Committee Update \(/Advocacy-Policy/Legislative-and-Policy-Committee-Update\)](#)

[Connecting \(/Connecting\)](#)

[Municipal Careers \(/Municipal-Careers\)](#)

January 2021

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## ***Second Provincial Declaration of Emergency***

2021-01-12 4:17:21 PM

CATEGORIES: COVID-19 ([/Advocacy-Policy/Policy-Updates?topicCatID=57](#))

On January 12 2021, the Province declared its second Declaration of Emergency for the COVID-19 Pandemic under s 7.0.1 (1) of the *Emergency Management and Civil Protection Act (EMPCA)* (<https://www.ontario.ca/laws/statute/90e09>). The Emergency will be in place for at least 28 days.

In addition, beginning at 12:01 a.m. on Thursday, January 14 2021, a Provincial Stay At Home

Order will take effect. This order requires that everyone stay home and only leave their homes for essential trips to the grocery store, pharmacies, medical appointments and essential work. Moreover, non-essential construction will be restricted, and non-essential retailers including hardware stores, alcohol retailers, and curbside pick up may be open no earlier than 7am and no later than 8pm. However, this does not apply to stores that primarily sell food, pharmacies, gas stations, convenience stores, and restaurants for takeout or delivery. The Province is encouraging all employees who can work from home to do so.

## **Schools**

Schools in Public Health Units (PHU) of Peel, Windsor-Essex, Toronto, York and Hamilton will be closed for in-person learning until at least February 10<sup>th</sup>.

The Chief Medical Officer of Health, Dr. David Williams is expected to provide recommendations for the remaining regions by January 20<sup>th</sup> 2021.

## **Child Care**

Child care centres for non-school aged children will remain open. On January 22<sup>nd</sup>, emergency child care for school-aged children will end in approved PHU regions as these elementary schools return to in-person learning.

In areas where in-person elementary learning has been suspended, emergency child care will continue for eligible families in regions subject to school closures, as identified by the Chief Medical Officer of Health.

## **Why were these measures introduced?**

These measures have been introduced as a result of new modelling data ([https://covid19-sciencetable.ca/wp-content/uploads/2021/01/Update-on-COVID-19-Projections\\_January-12-2021\\_Final\\_English.pdf](https://covid19-sciencetable.ca/wp-content/uploads/2021/01/Update-on-COVID-19-Projections_January-12-2021_Final_English.pdf)) also released January 12<sup>th</sup> which suggests that the health care system will be overwhelmed:

- Hospital admissions have increased ~72% in the last four weeks and 40% of Long Term Care (LTC) homes have active outbreaks
- Projecting 1000 ICU admissions by February
- LTC home deaths are projected to be higher than in the first wave

The Province is continuing with existing health measures and adding new ones:

- Mask and face coverings must be worn in indoor businesses or organizations that are open, and wear mask outdoors where physical distancing isn't possible
- Social gatherings are reduced to 5 people with limited exceptions consistent with the Spring measures

## **Enforcement**

The Province will provide authority to all enforcement and provincial offence officers to enforce the Stay Home Order including: Ontario Provincial police and local police, by-law officers and provincial workplace inspectors. They will be allowed to issue tickets for non-compliance with the stay at home order, those not wearing a mask/face-covering indoors as well as retail operators and companies who do not enforce these.

Those who contravene the orders will be subject to fines and/or prosecutions. During the press conference on January 12<sup>th</sup>, the solicitor general also suggested that these contraveners could face jail time of up to a year.

Further, enforcement personnel will have the authority to temporarily close a premise and disperse individuals and disperse people who are gathering including in parks and homes.

**Details on the order are likely forthcoming. However, for information, some updates to regulations for Stages 1-3 were updated on January 9<sup>th</sup>.**

While we wait for the orders (as official confirmation of scope and provisions), some helpful threads from reporters in the meantime:

<https://twitter.com/CityCynthia/status/1349071812626362369>  
(<https://twitter.com/CityCynthia/status/1349071812626362369>)\_(includes some responses from Solicitor General's Office on enforcement)

<https://twitter.com/CBCQueensPark/status/1349061553526632448>  
(<https://twitter.com/CBCQueensPark/status/1349061553526632448>)\_(includes information on what is deemed essential construction)

<https://twitter.com/CBCQueensPark/status/1349077817062002690>  
(<https://twitter.com/CBCQueensPark/status/1349077817062002690>)\_(on elderly relatives and social isolation)

<https://twitter.com/ColinDMello/status/1349101242639917058/photo/1>  
(<https://twitter.com/ColinDMello/status/1349101242639917058/photo/1>) (recreational amenities)

## **Recall: Declarations of Emergency**

An emergency declaration made under s. 7.0.1 is terminated 14 days after being made and but may be extended for an additional 14 days by the Lieutenant Governor in Council (i.e. Cabinet).

Further extensions require approval by the Legislature for periods of up to 28 days.

Orders made during the declaration of emergency made under s. 7.0.2 (4) will automatically terminate after 14 days unless they are extended for additional periods of up to 14 days.

Orders made under to s. 7.1 can be for a period of up to 90 days and renewed for additional periods of up to 90 days.

Ontario News Release (<https://news.ontario.ca/en/release/59922/ontario-declares-second-provincial-emergency-to-address-covid-19-crisis-and-save-lives>)

O. Reg 82/20 updated to 06/21 on January 9 2021 ([https://files.ontario.ca/solgen-amend\\_8220-2021-01-09.pdf](https://files.ontario.ca/solgen-amend_8220-2021-01-09.pdf)) Rules for Stage 1

O. Reg. 263.20 updated to 5/21 on January 9 2021 ([https://files.ontario.ca/solgen-amend\\_26320-2021-01-09.pdf](https://files.ontario.ca/solgen-amend_26320-2021-01-09.pdf)) Rules for Stage 2

O. Reg 364/20 updated to 4/21 on January 9 ([https://files.ontario.ca/solgen-amend\\_36420-2021-01-09.pdf](https://files.ontario.ca/solgen-amend_36420-2021-01-09.pdf)) 2021 Rules for Stage 3

Emergency Orders (<https://www.ontario.ca/page/emergency-information#emergencyorders>)

The EMPCA as well the ROA can be found on <https://www.ontario.ca/laws> (<https://www.ontario.ca/laws>)

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 (<mailto:someone@example.com?Body=https://www.amcto.com/Blog/January-2021/Second-Provincial-Declaration-of-Emergency>)

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