

CORPORATION OF THE COUNTY OF ELGIN

BY-LAW NO.: 20 – 42

Being a By-Law to Amend By-Law No. 20-38 as a By-Law to temporarily require the use of face coverings and related health protection measures within enclosed public spaces during the COVID-19 Pandemic

WHEREAS on August 6, 2020, Elgin County Council enacted By-Law No.: 20-38 as a By-Law to temporarily require the use of face coverings and related health protection measures within enclosed public spaces during the COVID-19 Pandemic;

AND WHEREAS the need for minor amendments to the said By-Law No.: 20-38, principally relating to correction of section references;

NOW THEREFORE the Municipal Council of the Corporation of the County of Elgin enacts as follows:

Amendments to By-Law No.: 20-38

1. By-Law No.: 20-38, being a By-Law to temporarily require the use of face coverings and related health protection measures within enclosed public spaces during the COVID-19 Pandemic, shall be amended as follows:
 - (a) Section 1.(c) of the said By-Law No. 20-38 shall be deleted and the following provision, including section reference, substituted therefor:

“(c) “Employee” means an employee, worker, volunteer, student, or contractor of the establishments set out in subsection 1.(d) of this section.”.
 - (b) Section 1. (d) of the said By-Law No.: 20-38, providing definition to the phrase “Enclosed Employee Space”, shall be deleted and the following provision, including corrected section reference, substituted therefor:

“(e) “Enclosed Employee Space” means spaces within the establishments set out in section 1. (d) of this section which are accessible by employees of such establishments and are not accessible to the public.”.
 - (c) The preamble wording in section 3. (b) of the said By-Law No.: 20-38 shall be deleted and the following preamble wording substituted therefor:

“A “person” in section 3.(a) of this section shall include any occupant within an enclosed public space and shall include, but not be limited to, any owner, operator, employee, volunteer, patron, or other visitor in the enclosed public space, but shall not include any of the following: ”.
 - (d) Section 3. (c) of the said By-Law No.: 20-38 shall be deleted and the following provision, including section reference, substituted therefor:

“(c) No person shall be required to provide proof of any of the exemptions set out in subsection 3. (b) of this section.”.
 - (e) Section 3. (j) of the said By-Law No.: 20-38 shall be deleted and the following provision, including section reference, substituted therefor:

“(j) For the purposes of subsections 3.(e), (f), (g), (h), and (i) of this section, a “person” who is an “owner”, “operator” or “employer” shall include, but not be limited to, a corporation.”.
 - (f) Section 4. (d) of the said By-Law No.: 20-38 shall be deleted and the following provision, including section reference, substituted therefor:

“(d) a by-law enforcement officer or agent appointed or contracted by any lower tier municipality located within the territorial limits of the County of Elgin and to which lower tier municipality this By-Law applies; and, ”.

(g) Section 12 of the said By-Law No.: 20-38 shall be deleted and the following provision, including section reference, substituted therefor:

“12. This By-Law shall not be interpreted so as to conflict with a federal or provincial statute, regulation or instrument of a legislative nature, including an order made under the EMCPA or Health Protection and Promotion Act, R.S.O. 1990, C. H. 7, as amended.”.

READ A FIRST, SECOND, AND THIRD TIME and finally passed this 11th day of August, 2020

David Mennill, Warden

Julie Gonyou, Clerk