

STAFF REPORT

THE CORPORATION OF THE TOWN OF COBOURG



Report to:	Mayor and Council Members	Priority:	<input checked="" type="checkbox"/> High <input type="checkbox"/> Low
Submitted by:	Town of Cobourg Emergency Control Group (ECG).	Meeting Type:	Open Session <input checked="" type="checkbox"/> Closed Session <input type="checkbox"/>
Meeting Date:	May 19, 2021		
Report No.:	Community Services-043-21		
Submit comments to Council			

Subject/Title: Interim measure recommendation on the Cobourg Beach during the current extended Stay-at-Home-Order.

RECOMMENDATION:

THAT Council receive the Staff Report for information purposes; and

FURTHER THAT Council provide direction to Staff on interim measures at Victoria Park Beach during the current extended Stay-at-Home Order as recommended by the Town of Cobourg Emergency Control Group in collaboration with the Halliburton Kawartha Pine Ridge District Health Unit (HKPRDHU).

The Emergency Control Group is recommending to temporarily close the beach until the end of the Provincial Stay-at-Home Order and until Council makes a final decision on the status of the Beach at the Monday June 7, 2021 Regular Council Meeting.

1. STRATEGIC PLAN

Not Applicable.

2. PUBLIC ENGAGEMENT

Not Applicable.

3. PURPOSE

This report is to advise and recommend to council on the recommendation for the need of interim management measures at Victoria Park Beach to ensure the safety of our community, and to be in compliance with the current Provincial Orders and Regulations. Under the current extension of the Province-Wide Stay-at-Home Order, everyone is asked to remain at home except for essential purposes, such

as going to the grocery store or pharmacy, accessing health care services (including getting vaccinated), for outdoor exercise, or for work that cannot be done remotely. Individuals are asked to remain in their local communities and avoid all non-essential travel – even within the province – and to stay home when ill, even with mild symptoms.

4. ORIGIN AND LEGISLATION

The Town of Cobourg Emergency Control Group meets weekly to discuss matters related to the on-going COVID-19 pandemic within our community and receives updates from various stakeholders in order to provide the utmost safety of all Town of Cobourg residents and Municipal Staff. The Emergency Control Group is comprised of Town of Cobourg Police Services, Town of Cobourg Fire Services, Lakefront Utilities Services, Haliburton Kawartha Pine Ridge District Health Unit (HKPRDHU), Northumberland Hills Hospital and Municipal Staff across divisions.

5. BACKGROUND

On April 7, 2021, the Ontario government, in consultation with the Chief Medical Officer of Health and other health experts, declared a third provincial emergency under s 7.0.1 (1) of the *Emergency Management and Civil Protection Act* (EMPCA). These measures were taken in response to the rapid increase in COVID-19 transmission, the threat on the province's hospital system capacity, and the increasing risks posed to the public by COVID-19 variants.

On April 8, 2021 at 12:01 a.m., the government issued a province-wide Stay-at-Home order requiring everyone to remain at home except for essential purposes, such as going to the grocery store or pharmacy, accessing health care services (including getting vaccinated), for outdoor exercise, or for work that cannot be done remotely. As Ontario's health care capacity is threatened, the Stay-at-Home order, and other new and existing public health and workplace safety measures were put into place to work to preserve public health system capacity, safeguard vulnerable populations, allow for progress to be made with vaccinations and save lives.

On May 4, 2021, the Solicitor General, Sylvia Jones moved the following motion at the Provincial Legislature:

Whereas an emergency was declared by Order in Council 213/2021 (Ontario Regulation 264/21) on April 7, 2021 pursuant to section 7.0.1 of the Emergency Management and Civil Protection Act; and

Whereas the emergency was extended past the end of April 21, 2021 for a further period of 14 days by Ontario Regulation 291/21 on April 16, 2021 pursuant to subsection 7.0.7 (2) of the Act; and

Whereas the period of an emergency may be further extended only by resolution of the Legislative Assembly of Ontario pursuant to subsection 7.0.7 (3) of the Act; and

Whereas the Premier has recommended that the period of the emergency be extended for 28 days;

Therefore, the Legislative Assembly of Ontario hereby declares that the period of the emergency is extended past the end of May 5, 2021 for a further period of 28 days.

This motion was carried and supported in the legislature, which set the stage for an eventual announcement from the Premier of Ontario for the extension of the Emergency Declaration and the Provincial Stay-at-Home Order.

On May 13, 2021 with the province wide Stay-at-Home Order set to expire on May 19, 2021 the Ontario government, in consultation with the Chief Medical Officer of Health, extended the Stay-at-Home Order (O. Reg. 265/21) until at least June 2, 2021.

6. ANALYSIS

Under the current, Provincial State of Emergency under subsection 7.0.7 (2) of the Act the emergency has been extended past the end of April 21, 2021 for a period of fourteen (14) days to June 2, 2021. This also means that the Ontario Regulation 265/21 has also been extended which is the Provincial Stay-at-Home-Order, stating that every individual shall remain at the residence at which they are currently residing at all times unless leaving their residence is necessary for one or more of the purposes outlined within the Regulation.

In conjunction with the EMPCA Declaration and Orders, the Province is also within a Provincial Shutdown Order under the *Reopening Ontario (A Flexible Response to COVID-19) Act*, and specifically Ontario Regulation 82/21 – Rules for Areas in Stage 1.

Under this Order Provincial Order, pursuant to Schedule 3 of O. Reg. 82/20 called Schedule 3- **Places that must close or that are Subject to Conditions in Shutdown Zone**, Section 4 speaks to Outdoor Recreational Amenities as follows:

4. (1) Subject to subsections (2) to (5), each person responsible for an outdoor recreational amenity shall ensure that it is closed.

(2) An outdoor recreational amenity may be open for persons who need access for purposes of maintenance, safety, law enforcement or other similar purposes.

*(3) An outdoor recreational amenity **that is a park or recreational area may be open for the purposes of permitting persons to walk or otherwise move through the park or recreational area.***

As an interpretation, Beaches are to be included in the definition of a park or recreational area and are permitted to open, however are subject to the restrictions set out in entirety of the Ontario Regulation 82/20 and the Provincial Stay-at-Home-Order under Regulation 265/21.

As noted within previous reports to Council these regulations do not preclude a municipality from completely closing a beach under its own existing authority which Cobourg Municipal Council did last year with the passing of the June 1, 2020 Resolution and closing the beach until August 31, 2020.

Staff will be presenting a memo to Council at the Committee of the Whole Meeting on Monday May 31, 2021 with options for the Cobourg Beach for the 2021 summer season, however, the beach has seen an influx of visitors over the last several days with the warmer temperatures which are not normally expected this time of year. Within the last few days, the Town has seen upwards to 100-200 persons utilizing the Cobourg Beach for non-walkthrough purposes. This is a direct contravention of the current Stay-at-Home-Order for non-essential travel and also the current restrictions under the *Reopening Ontario (A Flexible Response to COVID-19) Act* Regulations which allows individuals to utilize parks for walk-through purposes only.

The Town is anticipating that there may be additional popularity of the Cobourg Beach being utilized for activities that do not meet the current restrictions that have been put into place by the Province for reasons such as the long-weekend forecast, children not currently in classrooms, more individuals working from home and the current COVID-19 pandemic fatigue that most individuals are experiencing as the shutdown and social restrictions continue.

The recommendation that is being presented within this Staff report is one that was thoroughly and carefully reviewed by the Emergency Control Group Team with the ultimate goal of continuing to keep residents, the public and staff safe as well as continuing with the consistent message and enforcement to Stay Home, and Stay Safe, at least until the Provincial Wide-Lock-down has been lifted and Council has made a decision on the future of the Beach for the upcoming Summer Season.

With the current measures being in place, and the large gatherings taking place on the Cobourg Beach, the capacity to manage and enforce the groups is not currently possible within the current set-up. The ECG is asking that greater tools be provided in the interim to help control the congregating on the Beach during the current Shutdown and the Stay-at-Home Order. It should be made very clear that the ECG is making the recommendation due to the current restrictions under the Stay at Home Order, which was thought to expire on May 19, 2021, in which was anticipated to loosen the restrictions on non-essential travel and if restrictions for travel were lifted, enforcement could focus on physical distancing and other measures that could be put into place by the province to allow for some recreational activities to occur. But as we have seen through the last fifteen (15) months of the Pandemic, rules and situations are changing daily and the Town has the duty to react in the most responsible way.

In addition the HKPRDHU, has been involved in discussions and does support the interim decision recommendation to close the beach during the current Stay-at-Home Order in order to assist in enforcement and help limit travel. The Health Unit is currently working with other Provincial Health Units to create and assist with guidelines for municipalities to use regarding Public Beach's, these guidelines have not yet been finalized as a result of the early season and the Stay-at Home-Order being currently in place.

During the May long weekend, the Heath Unit will also be embarking on a media campaign to assist with reminding residents about the current provincial orders that are in place, such as a social media campaign directly targeting those who wish to visit a beach. It should be noted that these communications are for the entire health unit which include non-public beaches.

Some examples of anticipated communications below:

Friday May 21, 2021

With warm weather forecast this long weekend, it's tempting to want to go to the beach. Under current Stay-at-Home Order, gatherings with others outside your household are not allowed. For now, only use the beach to travel through and do not gather there.

Monday May 24, 2021

It's holiday Monday, and also the time to take a holiday from beach plans – at least this long weekend @HKPRDHU asks you not to gather or picnic at beaches during Stay-at-Home Order. Please be patient, as we will be able to get out very soon to enjoy summer!

If Municipal Council does accept and confirm the recommendation from the Emergency Control Group the Town through Communications will make sure to create a campaign over the next weeks of the interim measure being in effect to highlight the over 352 acres of parkland that are currently open for walking through purposes as well as the trails that are available and accessible to the public.

7. FINANCIAL IMPLICATIONS/BUDGET IMPACTS

As a result of the Staff report Staff would place the fence along the board walk and install the emergency entrances / exits as detailed on the attached drawing, at a cost of:

Fencing - \$ 2,000 plus HST

Signage - \$ 330 plus HST

8. CONCLUSION

The Communications Department will work closely with the Community Services Division on the creation of a multi-tiered communications strategy to ensure residents and tourists are well informed of Council's direction and potential operational changes.

The Communications Department will utilize all online, print and broadcast media targeting a tourism population demographic spanning a 45-minute radius both west and east. Based on the direction provided by Council, the plan will include tactical elements such as the creation of a customized webpage with user friendly URL, print and radio advertisements, media interviews and a geo-targeted digital and social media campaign.

The strategic goal of the plan will be to ensure residents and potential tourists are well-informed of Council's direction regarding the operational status of the Victoria Park Beach until June 8, 2021.