



City of Sarnia

MEDIA RELEASE

DATE: May 1, 2020 RELEASE DATE: Immediate
FROM: Sutheat Tim, Director of Legal and Clerk Services
SUBJECT: Emergency Order No.2

On April 3rd 2020, the Government of Ontario instituted a fire ban that effectively prohibited all outdoor fires within Ontario's fire region during the COVID-19 emergency to protect first responders. On the same day, on the recommendation of the Sarnia Primary Control Group (SPCG), in consultation with the Sarnia Fire Chief and the Sarnia Chief of Police, Mayor Mike Bradley issued a complementary fire ban through Emergency Order No 1 relative to the "prohibition on outdoor fires within the City of Sarnia to protect the safety of first responders and enforce physical distancing measures in place to stop the spread of the COVID-19 disease" which is set to expire on May 3rd 2020.

The Premier of Ontario and Lambton's Medical Officer of Health are both encouraging that our communities stay the course until there is a sustained 2 to 4 week decrease in new COVID-19 cases and related hospitalizations. With over 180 confirmed cases of COVID-19 that led to 14 deaths and 3 institutional outbreaks to date, Sarnia is one of the communities within the province of Ontario that has been hardest hit by the COVID-19 pandemic. Following the declaration of a State of Emergency by both the Government of Ontario and the City of Sarnia in early March, SPCG has met daily to deliberate on best approaches to combat the spread of the COVID-19 outbreak and protect the community.

Taking into consideration the local agricultural needs of the community and, on the recommendation of the Sarnia Fire Chief, the SPCG has recommended that the City of Sarnia issue Emergency Order No 2 to allow for the issuance of rural burn permits to support farming operations within our community who have a need to clear brush to prepare farming fields, while maintaining the current restrictions on recreational open fires until May 31st 2020, pending the implementation of Phase 1 of the Government of Ontario's plan to re-open the economy.

"We understand the desire to sit outside and relax around a fire with members of your home and the frustration felt by some" said Sarnia Fire Chief Brian Arnold. "We appreciate your continued patience and thank everyone who is sacrificing for us all. Please stay the course a little longer as we look for indicators from the Province and Medical Officer of Health to ease restrictions."

Attachment 1: Emergency Order No. 2

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**For further information, please contact:
City of Sarnia COVID-19 Hotline**

1-877-4-SARNIA (1-877-472-7642) or 519-332-0932

Andrea Lane, Customer Service Manager
andrea.lane@sarnia.ca or 519-332-0330 ext.3231

City of Sarnia, Customer Service
customerservice@sarnia.ca or 519-332-0330 ext.3131

CITY OF SARNIA

EMERGENCY ORDER No. 2

To allow open air burning in rural areas and to maintain a general prohibition on recreational outdoor fires within the City of Sarnia to protect the safety of first responders and enforce physical distancing measures adopted to stop the spread of the COVID-19 disease.

WHEREAS under sections 8 and 9 of the *Municipal Act*, 2001 the City has broad authority to provide any service or thing it considers necessary or desirable for the public and to pass by-laws in respect of the health, safety and well-being of persons and the economic, social and environmental well-being of the City; and,

WHEREAS COVID-19 is present within the City of Sarnia, and COVID-19 is a disease that is readily communicable from person to person, carries a risk of serious complications such as pneumonia or kidney failure, and may result in death; and

WHEREAS, on March 11, 2020 the spread of COVID-19 has been declared a pandemic by the World Health Organization; and,

WHEREAS the Province of Ontario adopted the *Emergency Management and Civil Protection Act* that provides the Head of Council, during a declared emergency, with the authority to take such action, or make such orders, as he considers necessary and is not contrary to law; and,

WHEREAS, on March 17, 2020, an emergency was declared by the Province of Ontario, by means of Order in Council 518/2020 for purposes of s.7.1 of the *Emergency Management and Civil Protection Act*, due to the health risks to Ontario residents arising from COVID-19; and,

WHEREAS, on March 18, 2020 a Declaration of Emergency was declared by the Head of Council for the City of Sarnia for purposes of s.4 of the *Emergency Management and Civil Protection Act*, due to the health risks to the residents of the City of Sarnia arising from spread of COVID-19 caused by its presence within the City of Sarnia (the "Emergency"); and,

WHEREAS on account of the existence of hazardous conditions related to the prevalence of the COVID-19 disease, on the recommendation of the Sarnia Fire Chief, in consultation with the Sarnia Chief of Police, the Mayor, as Head of Council, issued Emergency Order No 1: *"To enact a general prohibition on outdoor fires within the City of Sarnia to protect the safety of first responders and enforce physical distancing measures"* in place to stop the spread of the COVID-19 disease on April 3, 2020 which is set to expire on May 3, 2020.

WHEREAS this Emergency Order No 2 is based on the advice and recommendation of the Sarnia Primary Control Group, in consultation with the Sarnia Fire Chief and the Sarnia Chief of Police, who all recommend that the general prohibition on recreational outdoor fires currently in place be maintained but to allow open air burning in rural areas to accommodate the operational needs of the agricultural industry within the region; and,

WHEREAS in accordance with the *Emergency Management and Civil Protection Act*, I verily believe that it is necessary to utilize the authority available to me under this Act to make the following order to address the Emergency in a timely manner, and that the exercise of this authority is reasonable to alleviate harm or damage as a reasonable alternative to other measures to address the Emergency for the reasons outlined below, which makes implementation of these measures through other means impractical in the circumstances:

- (a) The fact that calls to emergency response centers related to open burn incidents:
 - (i) take away from the capacity of first responders to deal with COVID-19 and other emergencies; and,
 - (ii) unnecessarily places first responders at risk of contracting COVID-19, a disease that is readily communicable from person to person and that time is of the essence in implementing measures to address the spread of COVID-19; and,
- (b) It is imperative that the City of Sarnia support local agricultural industry by allowing for rural open burning so that fields can be properly prepared for seeding.

- (c) It remains necessary to maintain a general prohibition on recreational outdoor fires within the City of Sarnia for the protection of the general public and first responders.

WHEREAS the City currently regulates and prohibits specific conduct within the City which is undesirable, constitutes a nuisance, or presents health risks to other residents of the City of Sarnia and it is my opinion that the harm caused by COVID-19 will be alleviated by adding to the list of prohibited conduct in these areas, a general prohibition on recreational outdoor fires within the City of Sarnia, which shall be enforceable in the same manner as other currently prohibited conduct.

NOW THEREFORE, I, Mike Bradley, Mayor of the City of Sarnia, enact by issuing of this Order, the following regulations with respect to the City of Sarnia:

1. No person shall set a Recreational Fire, an Open Fire or a Cooking Fire within the boundaries of the City of Sarnia during a period Declared Emergency;
2. Any permissions given by the Fire Chief in compliance with By-Law 81 of 2002 "A By-Law to Regulate Open Air Burning in the City of Sarnia" before a Declared Emergency is hereby revoked;
3. Nothing in this Order precludes a person from conducting an open air burn in a rural area that is made in full compliance with Part 3: SPECIAL REGULATIONS FOR RURAL AREAS of By-Law No 91 of 2001 of the City of Sarnia, being "A By-Law to Regulate Open Air Burning in the City of Sarnia"; and,
4. The above Order is revoked as of May 31, 2020 unless extended.

A handwritten signature in black ink, appearing to read 'Mike Bradley', with a long horizontal stroke extending to the right.

MAYOR MIKE BRADLEY

Date

May 1, 2020