

**Deputation by Jayne Sutherland, Thornbury, Ontario**  
**Town of the Blue Mountains' Council Meeting**  
**November 2, 2020**  
**Re: Proposed Mandatory Face Covering By-law**

First off, as you can see from the letter (below) I tabled for this deputation, I am strong proponent of masks in preventing the spread of covid and especially in protecting the most vulnerable in our society. The scientific and medical proof is irrefutable: masks save lives. I also recognize that emergency measures put in place by the various levels of government are crucial in fighting this pandemic. I think Canadians should be proud of our public servants and elected officials for rising to the challenge. While not perfect, we have shown the world we are united as a country and are working together to weather this storm.

As Council knows, under the Emergency Management and Civil Protection Act, the Provincial Government has the power to make temporary Orders. These orders are enforced by police officers, special constables and importantly for this discussion, municipal by-law officers. Under this Act, Regulation 364/20 mandates the use of face coverings in all public indoor settings across the province, such as businesses, facilities and workplaces. As well, the Grey-Bruce Public Health Unit's Chief Medical Officer has ordered that persons without face masks be restricted from entering public premises in our region.

So, the Town of the Blue Mountains is already empowered to enforce the rules and regulations of the provincial Emergency Act and I understand we've hired additional by-law officers to do so. In the motion put forward to justify this by-law, it cites every medical reason and health expert's finding on the overwhelming efficacy of face coverings, but it doesn't explain why the already existing covid laws are insufficient for our municipality.

As I said, I wholeheartedly agree with the necessity for face masks and I think you'll find that view is shared by most residents in the Town of the Blue Mountains'. But what is the rationale for our small town, rural community with some of the lowest covid stats in Ontario to institute this by-law at this time?

However, I realize we can't be complacent. As we move inside for the winter, it is, in part, contributing to the second wave we are experiencing in Canada. But, in my opinion, it's also due to the lack of adherence or understanding of the need to maintain the social bubble convention. But the solution to this is communications, not overlaying another level of bureaucracy. The last thing we should be doing is making things more complicated and confusing. So far, with the exception of this proposed by-law, the Town has done a good job at communicating during the pandemic. I urge you to keep up the good work; you don't need to pass an unnecessary by-law to demonstrate your commitment to keeping our community safe.

My overall point is that governments' ability to impose laws – be they federal statutes, provincial statutes or municipal by-laws – is a power that citizens in a civil society have bequeathed to you through our democratic process. As such, they are not to be taken lightly. Enacting a piece of municipal legislation without explaining its necessity is a breach of the trust we have given you. This is especially relevant now given that emergency measures are, by definition, a suspension of some of our inherent rights and allow for bypassing certain procedures necessary for transparent and accountable governing. You have a fiduciary responsibility to use your law-making powers wisely.

What I'm proposing is - you have a draft by-law ready to go – why not table it and defer its passage for now. And if you feel there is an overriding need for it later, explain it thoroughly beforehand to your constituents, and then vote on it.

Finally and on a personal note, I would like to say to all the anti-maskers: Hey, news flash, no one likes wearing a face mask. But try to think of the well being of your neighbours and community and not only yourself. I implore you to be a decent, caring and responsible human being – please, just wear a mask. It's not going to kill you, but covid certainly could.

Thank you.

**Letter to TBM Mayor and Council re: Mandatory Mask Bylaw**

October 29, 2020

Mayor and Council  
Town of the Blue Mountains  
32 Mill Street, PO Box 310  
Thornbury ON N0H 2P0

Dear Mayor and Council,

I have some concerns about the Town of the Blue Mountains' proposed by-law on mandatory face coverings being considered at the November 2, 2020 Council meeting.

First, I must make it clear, I wholeheartedly agree with the scientific and medical consensus about the efficacy of face masks in preventing the spread of covid. I think we all have a fundamental responsibility to do whatever we can to protect ourselves and our fellow citizens from this virus. Masks have been proven to be an important measure in preventing the transmission of covid.

To that end, the Federal Government, the Ontario Government, their Chief Medical Officers of Health and the Grey-Bruce Public Health Unit have provided clear direction as well as mandates on mask usage. The Ontario Government's Emergency Management and Civil Protections Act is a comprehensive piece of legislation that enacts restrictions relating to the covid pandemic. Under this Act, Regulation 364/20 mandates the use of face coverings in all public indoor settings across the province, such as businesses, facilities and workplaces. As well the Grey-Bruce Public Health Unit Medical Officer of Health has ordered that persons without face masks be restricted from entering public premises in our region.

Larger municipalities in Ontario such as Toronto have gone further and passed their own covid by-laws which are perhaps more appropriate for their densely populated urban environments. However, it is interesting to note that the Province of Ontario's mandatory mask requirements go beyond Toronto's own mask by-laws.

A motion put forward at the October 19, 2020 TBM Council Meeting is calling for a mandatory mask by-law for the Town of the Blue Mountains. The proposed by-law is scheduled to be voted on at the November 2, 2020 Council meeting. The motion lists almost every medical reason why masks are necessary, which is all well and good. However, I don't think most residents question the scientific need for masks; what hasn't been outlined in the motion is why existing mask mandates are not sufficient for our municipality. Certainly, our relatively low covid stats aren't driving the need and I am unaware of any significant anti-masker movement afoot in our community. The TBM already has enforcement measures they can execute under the Emergency Management and Civil Protection Act. It makes no sense to add yet another layer of bureaucracy and set of redundant rules. If nothing else, this proposed by-law needs further consideration and public input. If we are being asked to accept this by-law with unprecedented urgency we need to know why.

I'm not arguing for complacency, we are all in uncharted territory and we must be able to adapt quickly, as required. The Town of the Blue Mountains' Council and Staff have done an

commendable job during this crisis. But we must also be pragmatic and do what we can to ensure that some level of consistency is maintained across multiple jurisdictions. We live in a rural, small town municipality with a strong sense of community and our by-laws must reflect that reality. Let's focus our efforts on issues that will make a meaningful and positive difference for our community.

Sincerely,

Jayne Sutherland  
PO Box 892  
Thornbury ON N0H 2P0