



# Media Release

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May 28, 2020

## **Medical Officer of Health Rescinding Order for Beach Closures in Grey Bruce**

The Grey Bruce Health Unit Medical Officer of Health, Dr. Ian Arra, is rescinding the Order of May 14, 2020 that required municipalities to close all beaches in Grey and Bruce Counties. This Order is effective today, Thursday, May 28, 2020 at 12:00 p.m.

The risk of COVID-19 transmission and community spread remains. To address this risk each municipality can maintain its beach closure based on local need.

The intent of the May 14 Order was to send a message provincially that Grey and Bruce Counties are not open for tourism yet. This would deter one-day visitors and prevent mass gatherings on beaches. The ultimate goal is to suppress community transmission of Covid-19 for all residents in Grey and Bruce and protect the most vulnerable of us, seniors and individuals with comorbidities who would suffer severe disease.

The Medical Officer of Health can and will make Orders based on scientific and epidemiological information and data, it may exercise a discretion to refrain from enforcement of its Orders in appropriate circumstances. The authority of the *Health Protection and Promotion Act* is purposely robust and can supersede provincial directives to suit local needs in some cases. To that end, we conveyed to all Mayors of Bruce and Grey Counties that it would be at the discretion of each municipality to keep its boat launches, marinas and trails along the beach closed, or open to some or all people. As a matter of fact, this Order was requested and/or welcomed by all municipalities as expressed by their Mayors. The Order was devised to be a legal vehicle that could be utilized by municipalities as they see fit, based on their local need, until each municipality passes its own by-law, if needed.

The Medical Officer of Health is not required by law to consult with or take permission from affected municipalities, especially in emergencies. However, as the better practice of the specialty of Public Health and Preventive Medicine dictates, before the Order's making we consulted and maintained robust communication, over 7 days, with all relevant stakeholders including all Grey County and Bruce County Mayors, Municipal CAOs, Police Chiefs, Prosecutor, Fire Chiefs, Indigenous Chiefs, the Chief Medical Officer of Health of Ontario, and select neighbouring Medical Officers of Health.

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A healthier future for all.

101 17<sup>th</sup> Street East, Owen Sound, Ontario N4K 0A5 [www.publichealthgreybruce.on.ca](http://www.publichealthgreybruce.on.ca)

519-376-9420

1-800-263-3456

Fax 519-376-0605

The information on potential mass gatherings on beaches and subsequently the need for an Order were brought to our attention by Mayors of Grey and Bruce Counties. It was championed by Mayors who have health and safety as their focus.

The original plan was to rescind the May 14 Order after two weeks, provided the epidemiological data stays constant. Because the data has been constant, we are rescinding the Order for all affected municipalities so that individual by-laws may be considered.

Risk of COVID-19 spread related to day-use beaches in any municipality has the potential to increase the prevalence of the disease in the wider health unit; this is especially so during popular tourist gathering times, like holiday weekends. We encourage all municipalities, to consider adoption of such by-law.

**For More Information:**

Dr. Ian Arra

Medical Officer of Health and Chief Executive Officer

To arrange to speak with Dr. Arra, please contact Drew Ferguson at:

519-376-9420 or 1-800-263-3456 ext. 1269

[d.ferguson@publichealthgreybruce.on.ca](mailto:d.ferguson@publichealthgreybruce.on.ca)

## CLASS ORDER

of the Medical Officer of Health for the Grey Bruce Health Unit

made pursuant to s. 22 of the *Health Protection and Promotion Act*, R.S.O. 1990, c. H. 7 as amended.

Date: May 28, 2020

### TO:

ALL MUNICIPALITIES WITHIN THE AREA OF THE GREY BRUCE HEALTH UNIT (being "persons" within the class affected by this Order and whose names appear on Schedule "A" attached to this Order):

I, **Dr. Ian Arra, the Medical Officer of Health for the Grey Bruce Health Unit**, order that in respect of any real property you control, occupy or are in charge of that is or contains a beach or shore ordinarily accessible to the public and which includes any point of entry thereto (each being a "Premises") and which is subject to my previous Order dated 14 May 2020:

**(a) that my previous Order dated 14 May 2020 be and is hereby rescinded by this Order.**

THIS ORDER shall come into force on the 28th<sup>th</sup> day of May, 2020 at 12:00 noon Eastern Daylight Time.

### THE REASONS for this ORDER are that:

- i. COVID-19 is a disease of public health significance and has been designated as communicable under Ontario Regulation 135/18 as amended.
- ii. COVID-19 has been declared a pandemic by the World Health Organization.
- iii. The Province of Ontario and each municipality to which this order is directed have declared an emergency under the *Emergency Management and Civil Protection Act* as a result of the pandemic.
- iv. The COVID-19 virus is spread from an infected person to a close contact by direct contact or when respiratory secretions from the infected person enter the eyes, nose or mouth of another person;

- v. The closing of beaches to the public by the municipalities affected by my Order dated 14 May 2020 has, to the present time, contributed to reducing the spread of COVID-19; and
- vi. The May 14 Order was devised to mitigate the risk until each municipality passes its own by-law, if needed.

**As the Medical Officer of Health for the Grey Bruce, I am of the opinion, on reasonable and probable grounds that:**

- I. the communicable disease caused by a novel coronavirus known as COVID-19 did and may now exist and persist in the health unit served by the Medical Officer of Health during the currency of the Order dated 14 May 2020;
- II. COVID-19 presents a clear risk to the health of persons in the health unit served by me; and
- III. The requirements specified in the Order of 14 May 2020 closing beaches were necessary in order to help decrease or eliminate the risk to health presented by COVID-19 in the health unit by reducing community transmission and spread; and,
- IV. The risk of transmission and community spread remains. To address this risk each municipality can maintain its beach closure based on local need.

**NOTICE:**

**TAKE NOTICE THAT** each member of the class is entitled to a hearing by the Health Services Appeal and Review Board if the member has delivered to the Medical Officer of Health and to the Health Services Appeal and Review Board (151 Bloor Street West, 9th Floor, Toronto, Ontario M5S 1S4, E-mail: (hsarb@ontario.ca) a notice in writing, requesting a hearing within 15 days after the effective date and time of this Order or otherwise in accordance with applicable law.

**AND TAKE FURTHER NOTICE THAT** although a hearing may be requested this Order takes effect when it is delivered to a member of the class or brought to the attention of a member of the class.

**FAILURE TO COMPLY WITH THIS Order** is an offence for which you may be liable, on conviction, to a fine of not more than \$25,000.00 for every day or part of each day on which the offence occurs or continues.

SIGNED THIS 28th<sup>th</sup> DAY OF MAY, 2020 AT OWEN SOUND, ONTARIO.



Dr. Ian Arra, MD MSc FRCPC ACPM ABPM (Diplomate)  
Medical Officer of Health  
Grey Bruce Health Unit  
101 17th Street East  
Owen Sound ON N4K 0A5

[I.Arra@publichealthgreybruce.on.ca](mailto:I.Arra@publichealthgreybruce.on.ca)

This Order shall be posted on the Grey Bruce Health Unit website: [www.publichealthgreybruce.on.ca](http://www.publichealthgreybruce.on.ca)

ANY INQUIRY respecting this Order may be directed to the Medical Officer of Health at the address hereon.

## **SCHEDULE A TO CLASS ORDER**

of the Medical Officer of Health for the Grey Bruce Health Unit

dated 27 May 2020.

1. County of Grey
2. City of Owen Sound
3. Municipality of Grey Highlands
4. Municipality of Meaford
5. Municipality of West Grey
6. Town of Hanover
7. Town of The Blue Mountains
8. Township of Chatsworth
9. Township of Georgian Bluffs
10. Township of Southgate
11. County of Bruce
12. Town of Saugeen Shores
13. Municipality of Kincardine
14. Municipality of Brockton
15. Town of South Bruce Peninsula
16. Municipality of Arran–Elderslie
17. Township of Huron-Kinloss
18. Municipality of South Bruce
19. Municipality of Northern Bruce Peninsula