

Authority: Board of Health Item HL20.1, adopted as amended, by City of Toronto Council on September 30 and October 1, 2020

CITY OF TORONTO

Bill 814

BY-LAW -2020

To amend City of Toronto Municipal Code Chapter 545, Licensing with respect to further reducing the risk from COVID-19 at establishments serving food and drink.

Whereas under sections 7 and 8 of the City of Toronto Act, 2006 (the "Act"), the City may 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 a disease which is present in the City of Toronto, is readily communicable from person to person and carries a risk of serious complications such as pneumonia or respiratory failure, and may result in death; and

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

Whereas subsection 8(1) of the Act, provides the City with broad authority to provide any service or thing the City considers necessary or desirable for the public; and

Whereas the City has the authority to pass by-laws respecting matters related to the economic, social and environmental well-being of the City, and the health, safety and well-being of persons under paragraphs 5 and 6 of subsection 8(2) of the Act; and

Whereas Council authorized the adoption of City of Toronto Municipal Code Chapter 545, Licensing, to regulate the operation of businesses within the City of Toronto; and

Whereas the Medical Officer of Health for the City of Toronto Health Unit has responsibilities for case, contact and outbreak management pursuant to the Health Protection and Promotion Act; and

Whereas By-law 665-2020, which amended Chapter 545, Licensing, of the City of Toronto Municipal Code, was adopted by the City on July 28 and 29, 2020 and implemented appropriate measures for establishment serving food and drink to better prevent the spread of COVID-19 and protect the health, safety and well-being of their customers; and

Whereas the following is deemed necessary to further amend City of Toronto Municipal Code Chapter 545, Licensing, to implement additional appropriate measures for establishments serving food and drink to better prevent the spread of COVID-19 and protect the health, safety and well-being of their customers; and

The Council of the City of Toronto enacts:

1. § 545-8.4.1.A.(2)(b) of City of Toronto Municipal Code Chapter 545, Licensing, is amended by replacing both occurrences of the number "100" with the number "75".
2. § 545-8.4.1.A.(3) of City of Toronto Municipal Code Chapter 545, Licensing, is amended by replacing the number "10" with the number "6".
3. § 545-8.4.1.A.(4)(a) of City of Toronto Municipal Code Chapter 545, Licensing, is amended by replacing the phrase "name, email address and telephone number of at least one person from each party" with the phrase "name and email address and/or telephone number of every person in the party, not including children residing in the same household as an adult in the party".
4. § 545-8.4.1.A.(4)(b) of City of Toronto Municipal Code Chapter 545, Licensing, is amended by replacing the phrase "30 days" with the phrase "one month".
5. § 545-8.4.1.A of City of Toronto Municipal Code Chapter 545, Licensing, is amended by adding a new provision as follows:
 - (7) (a) Ensure amplified sound in any area where food or drink consumption is permitted is not at a volume that impedes two persons who are two metres apart from carrying on a conversation without raising their voices to be heard by one another.
 - (b) § 545-8.4.1.A(7)(a) does not apply to performing arts (concerts, artistic events, theatrical performances or other performances) that are governed by and carried out in compliance with the Reopening Ontario Act, 2020 and its regulations.
 - (c) If there is a conflict between § 545-8.4.1.A(7)(a) and a provision of any other applicable City of Toronto by-law including but not limited to City of Toronto Municipal Code Chapter 591, Noise, the provision that is more restrictive of sound or noise applies.
6. § 545-8.4.1.C of City of Toronto Municipal Code Chapter 545, Licensing, is replaced by the following new provision:
 - C. Each provision of § 545-8.4.1:
 - (1) enacted by By-law 665-2020 comes into force seven days after July 29, 2020;
 - (2) enacted by By-law 814-2020 comes into force six days after October 2, 2020; and

- (3) is deemed to be no longer in effect and revoked at 12:01 a.m. on the first day after the first City Council meeting in 2021, unless extended by City Council.

7. This By-law shall come into force 6 days after the date of enactment.

Enacted and passed on October , 2020.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)