



REPORT

Report Date: March 19, 2020
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VanRIMS No.: 08-2000-20
Meeting Date: March 19, 2020
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TO: Vancouver City Council
FROM: City Manager, Sadhu Johnston
SUBJECT: Declaration of an Emergency in the City of Vancouver

RECOMMENDATION

THAT Council enact a By-law to Declare a State of Emergency in Vancouver, which is attached as Appendix A of the Report dated March 19, 2020, entitled "Declaration of an Emergency in the City of Vancouver".

REPORT SUMMARY

This report recommends that Council enact a by-law to declare a state of emergency in the City of Vancouver because of the pandemic spread of COVID-19.

The by-law will also authorize Council to exercise powers necessary to deal effectively with the emergency.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

There is no applicable Council Authority or previous decisions relevant to this report.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The City Manager recommends approval of the foregoing.

REPORT

The World Health Organization has declared the communicable disease known as COVID-19 to be a pandemic. The disease is present in British Columbia and across Canada and requires extraordinary action to limit its further spread, and cope with its consequences.

The Government of Canada, the Government of B.C. and the City of Vancouver have taken significant steps to slow the spread of the disease, but further action is still needed.

This report recommends that Council enact a by-law to declare a state of emergency in the City of Vancouver because of the pandemic spread of COVID-19. The by-law will also authorize Council to exercise powers necessary to deal effectively with the emergency.

Section 173 of the *Vancouver Charter* authorizes Council to declare an emergency. That section reads:

“Council may declare emergency

173. Where the powers conferred on Council are inadequate to deal with an emergency the Council may, by by-law adopted by a vote of at least two-thirds of its members, declare that an emergency exists and exercise powers necessary to deal effectively with the emergency.”

Declaring a state of emergency will allow Council to take additional measures to help ensure that the City has the resources it needs to maintain essential services and try to meet the demands placed on the City by the spread of COVID-19.

The specific additional emergency powers Council is being asked to approve relate to:

- acquiring or using land or personal property to prevent, respond to or alleviate the effects of the emergency, including the use of buildings to assist with the increased demands for healthcare, shelter and childcare;
- procuring on a first priority basis any clothing, equipment, medical supplies or other essential supplies required to cope with the emergency, for the duration of the emergency; and
- restricting the use or occupancy of any premises within the City of Vancouver.

Background/Context

The Province has declared a state of emergency under the *Emergency Program Act* (“EPA”), and a public health emergency has also been declared. City staff will continue to coordinate with the Province, and assist the Province and the Government of Canada as needed.

Strategic Analysis

The additional emergency powers to be authorized in the By-law should assist the City in slowing the spread of the pandemic, and coping with its growing consequences.

Financial

There will be financial implications, but they are not quantifiable now.

Legal

The declaration of an emergency is authorized by section 173 of the *Vancouver Charter*.

CONCLUSION

The City Manager recommends enactment of the By-law to declare a State of Emergency in Vancouver.

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**A By-law to declare a
State of Emergency in Vancouver**

WHEREAS an emergency exists in the City of Vancouver as a result of the pandemic spread of COVID-19;

AND WHEREAS the powers of the City are not adequate to address the pandemic spread of COVID-19 without declaring an emergency.

NOW THEREFORE THE COUNCIL OF THE CITY OF VANCOUVER, in a public meeting, enacts as follows:

1. Pursuant to section 173 of the *Vancouver Charter* (SBC 1953, c. 55), a state of emergency exists across the City of Vancouver, due to the spread of COVID-19.
2. The Council of the City of Vancouver is hereby authorized to exercise all powers necessary to deal effectively with the emergency.
3. Council hereby authorizes City Manager Sadhu Johnston, Deputy City Manager Paul Mochrie and Fire Chief Darrell Reid to:
 - a. acquire or use any land or personal property considered necessary to prevent, respond to or alleviate the effects of the emergency, including the use of buildings to assist with the increased demands for healthcare, shelter and childcare;
 - b. procure on a first priority basis any clothing, equipment, medical supplies or other essential supplies required to cope with the emergency, for the duration of the emergency; and
 - c. restrict, limit or prohibit through the issuance of written orders, the use or occupancy of any premises within the City of Vancouver.
4. This By-law shall come into force and take effect immediately upon enactment.
5. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

Enacted by Council this 19th day of March, 2020

Mayor

Acting City Clerk