

CITY OF HAMILTON

NOTICE OF MOTION

Council: December 16, 2020

MOVED BY COUNCILLOR A. VANDERBEEK.....

Regulations in the Red (Control) and Grey (Lockdown) Categories for Retail Fairness

WHEREAS Hamilton business owners have been challenged by months of restrictions which challenge their profitability and sustainability due to COVID-19;

WHEREAS the City of Hamilton has declared its support for small business in our City during the current pandemic;

WHEREAS the City of Hamilton has entered the Provincial Red (Control) Category and may be elevated to the Grey (Lockdown) Category in coming days;

WHEREAS small retail businesses are now required to severely limit the number of patrons, and therefore their ability to conduct business, and may have to close under a lockdown situation;

WHEREAS, large big-box stores (because of their square footage) continue to operate and can allow larger numbers of people in their facilities and during lockdown would currently not be limited to selling only essential items during in-person shopping;

WHEREAS, local restaurant owners in the City of Hamilton are now limited by Provincial Order to 10 diners indoors in their facilities;

WHEREAS the restaurants with patios, in an effort to retain staff and sustain the viability of their businesses while the City is in the Red Category and now that the weather has cooled, have found innovative ways to continue to accommodate diners outdoors; and

WHEREAS, these accommodations have been denied based on the Provincial regulations which do not provide for enclosed structures on patios and therefore allocate these efforts as an extension of the 10 person indoor dining limit, thereby reducing the number of diners inside the facility;

THEREFORE, BE IT RESOLVED:

- (a) That the Mayor correspond with the Premier requesting that the Province revise the regulations in the Red (Control) and Grey (Lockdown) categories to ensure that:

- (i) retailers selling essential items be prohibited from selling non-essential items to in-person shoppers in the Grey (Lockdown) categories; and
 - (ii) clear guidance related to outdoor dining structures permitted (or not) so that there is consistent application of the regulations between areas in the Red (Control) and Grey (lockdown) categories; and
 - (iii) a clearer definition of the term “facility” as it relates to recreational facilities, including multi-pad arenas, soccer facilities and dance studios with separated areas.
- (b) That further to the referral of Communication Items 4.9.a and 4.9.b on the December 16th, 2020 Council Agenda to the Emergency Operations Centre (EOC) staff, staff be directed to review these issues to investigate what, if any, local actions could be taken to support the issues outlined in the correspondence and in item (a) of this motion and provide an update at the January 13th 2020 GIC meeting.
- (c) That the resolution respecting the Regulations in the Red (Control) and Grey (Lockdown) Categories for Retail Fairness, be circulated to AMO.