

May 28, 2021

Dear Mayors Brown, Thompson and Crombie,

Re: Recommended Amendments and Extension of the Municipal Mandatory Face Covering By-laws

The Mandatory Face Covering By-laws for the City of Brampton, City of Mississauga and Town of Caledon are set to expire on June 30, 2021. While vaccine coverage increases, as of May 25, 2021, the region of Peel continues to see high rates of community transmission of COVID-19 as well as the emergence of fast-spreading variants of concern. Therefore, it is critical that the Municipal Mandatory Face Covering By-laws be extended and amended based on current guidance.

The Region of Peel – Public Health adheres to the mask guidance from the Government of Ontario and Public Health Agency of Canada's (PHAC). Since the approval of the municipal by-laws in July 2020, guidance around the use of non-medical masks has evolved.

1. Recommendation: Amend by-laws to disallow the use of any face covering other than well-fitted, non-medical face masks.

Previously, scarves, bandanas, neck gaiters or neck warmers and masks with exhalation valves were acceptable forms of face coverings. These types of face coverings are no longer recommended. Scarves and bandanas are not well secured to the head or ears, can easily move or slip out of place, and don't cover the nose, mouth and chin securely without gaps. Neck gaiters are also not well-secured to the head or ears, can easily move or slip out of place, and are also difficult to remove without contaminating oneself. Finally, masks with exhalation valves allow infectious respiratory particles to spread outside the mask.

2. Recommendation: That the name of the by-law be changed to Mandatory Mask By-law

Current guidance from PHAC is that non-medical face masks are the only recommended face covering. It is suggested that the title of the municipal by-laws be changed to reflect that face coverings are no longer recommended. The non-medical mask should be made of at least two layers of tightly woven fabric, with a recommended third middle layer of filter-type material. The mask should also be well-fitting, covering the nose, mouth and chin without gaps; fit securely to the head; can be adjusted with ties or ear loops; and maintain its shape after cleaning. The non-medical mask can be homemade or purchased.

3. Recommendation: Amend by-laws to limit removal of the mask for consumption of food or drink only if the individual is seated in a designated area for that purpose.

Non-medical masks should only be removed to consume food and/or drink indoors or in enclosed spaces if the individual is in a designated area where consuming food and/or drink is permitted. There have been complaints where individuals have been using the food and drink exemption to remove their mask in indoor spaces like shopping malls, but in fact were found carrying an empty cup.

**Health
Services**

PO Box 669
RPO Streetsville
Mississauga, ON
L5M 2C2
tel: 905-799-7700

peelregion.ca

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4. Recommendation: That the by-laws be extended, with these recommended amendments, through September 30, 2021

Based on this information, please find enclosed suggested amendments to bring the Municipal Mandatory Face Covering By-laws in line with current guidance. If you have any questions, please contact Louise Aubin at louise.aubin@peelregion.ca.

Sincerely,

Dr. Lawrence C. Loh, MD, MPH, FCFP, FRCPC, FACPM (*he/his*)
Medical Officer of Health

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Masking By-Laws in the Region of Peel

City of Mississauga: [By-law 0169-2020](#)

Section	Current Language	Suggested Amendment
By-Law Title	COVID-19 Mandatory Face Covering By-law 0169-2020.	COVID-19 Mandatory Face Mask By-law 0169-2020.
Part 1- Definitions “Face Covering”	“Face Covering” means a mask or face covering (including a bandana or scarf) constructed of cloth, linen or other similar fabric that fits securely to the head and is large enough to completely and comfortably cover the mouth, nose and chin without gaping. For greater clarity, a Face Covering may include, but is not required to be, a medical mask such as surgical masks, N95 or other masks required by healthcare workers.	“Face Mask” means a mask that is constructed of at least two layers of cloth, linen or other similar fabric, and a third middle layer being of filter-type fabric, is well fitting and is large enough to completely and comfortably cover the mouth, nose and chin without gaping. For greater clarity, a Face Mask may include, but is not required to be, a medical mask such as surgical masks, N95 or other masks required by healthcare workers.
Part 5- Exemptions	Persons inside a restaurant or bar while consuming food or drink, provided such businesses are permitted to operate in accordance with the Emergency Orders and all other conditions of the Emergency Orders are met.	Persons inside a restaurant, bar, or enclosed space while consuming food or drink, provided they are within a designated area, and such businesses are permitted to operate in accordance with the Emergency Orders and all other conditions of the Emergency Orders are met.

City of Brampton: [By-law 135-2020](#)**Health
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Section	Current Language	Suggested Amendment
By-Law Title	This by-law may be referred to as the "Brampton COVID-19 Mandatory Face Coverings By-law".	This by-law may be referred to as the "Brampton COVID-19 Mandatory Face Mask By-law".
Part 1- Definitions "Face Covering"	"Face Covering" means a mask or face covering (including a bandana or scarf) constructed of cloth, linen or other similar fabric that fits securely to the head and is large enough to completely and comfortably cover the mouth, nose and chin without gaping. For greater clarity, a Face Covering may include, but is not required to be, a medical mask such as surgical masks, N95 or other masks required by healthcare workers.	"Face mask" is constructed of at least two layers of cloth, linen or other similar fabric, and a third middle layer that is a filter-type fabric, is well fitting and is large enough to completely and comfortably cover the mouth, nose and chin without gaping. For greater clarity, a Face Mask may include, but is not required to be, a medical mask such as surgical masks, N95 or other masks required by healthcare workers.
Part 6- Exemptions	12. Notwithstanding Parts 4 and 5 of this By-law, Persons exempt from wearing a mask or face covering under the Emergency Orders shall be exempt from wearing a Face Covering under this By-law. (By-law 262-2020) Note: subsections 1 to 9 under this Section were deleted pursuant to By-law 262-2020.	12. Notwithstanding Parts 4 and 5 of this By-law, Persons exempt from wearing a mask under the Emergency Orders shall be exempt from wearing a Face Mask under this By-law. (By-law 262-2020) Note: subsections 1 to 9 under this Section were deleted pursuant to By-law 262-2020. Persons inside a restaurant, bar, or enclosed space while consuming food or drink, provided they are within a designated area, and such businesses are permitted to operate in accordance with the Emergency Orders and all other conditions of the Emergency Orders are met.

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Town of Caledon: [By-law NO. 2020-47](#)

Section	Current Language	Suggested Amendment
By-Law Title	<p>A by-law to require mandatory face coverings in indoor spaces and vehicles accessible to the public in the Town of Caledon.</p> <p>This By-law shall be known as the "COVID-19 Mandatory Face Covering By-law".</p>	<p>A by-law to require mandatory face masks in indoor spaces and vehicles accessible to the public in the Town of Caledon.</p> <p>This By-law shall be known as the "COVID-19 Mandatory Face Mask By-law".</p>
Part 1- Definitions "Face Covering"	<p>"Face Covering" means a mask or face covering (including a bandana or scarf) constructed of cloth, linen or other similar fabric that fits securely to the head and is large enough to completely and comfortably cover the mouth, nose and chin without gaping. For greater clarity, a Face Covering may include, but is not required to be, a medical mask such as surgical masks, N95 or other masks required by healthcare worker.</p>	<p>"Face Mask" is constructed of at least two layers of cloth, linen or other similar fabric, with a third middle layer that is a filter-type fabric, is well fitting and is large enough to completely and comfortably cover the mouth, nose and chin without gaping. For greater clarity, a Face Mask may include, but is not required to be, a medical mask such as surgical masks, N95 or other masks required by healthcare workers.</p>
Part 5- Exemptions	<p>(4) Persons while consuming food or drink provided such businesses are permitted to operate under the Emergency Order and all other conditions of the Emergency Order are met.</p>	<p>Persons inside a restaurant, bar, or enclosed space while consuming food or drink, provided they are within a designated area, and such businesses are permitted to operate in accordance with the Emergency Orders and all other conditions of the Emergency Orders are met.</p>