

Corporation of the Town of Newmarket

Emergency Order No. 1 – To impose temporary amendments to parking restrictions by imposing a thirty (30) minute maximum parking requirement along Main Street in an effort to facilitate curb side pick-up or delivery for retail services for the purpose of engaging in retail sales to the public.

Whereas the World Health Organization has declared a worldwide pandemic regarding the Novel Coronavirus 19 (“COVID-19 pandemic”);

Whereas on March 17, 2020 a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9 (“EMCPA”) related to COVID-19;

Whereas Section 4 of the EMCPA provides that the head of council of a municipality may declare that an emergency exists in the municipality or in any part thereof and may take such action and make such orders as he or she considers necessary and are not contrary to law to implement the emergency plan of the municipality and to protect property and the health, safety and welfare of the inhabitants of the emergency area;

Whereas on March 18, 2020 the Corporation of the Town of Newmarket declared an emergency pursuant to section 4 of the EMCPA;

Whereas the Province of Ontario has issued Orders under the EMCPA to prohibit and regulate certain activities in the interest of public health, safety and wellbeing during the COVID-19 declared emergency;

Whereas Section 11(2) of the Municipal Act provides that a municipality may pass bylaws respecting: Economic, social and environmental well-being of the municipality; Health, safety and well-being of persons; and Protection of persons and property, including consumer protection;

Whereas Section 425 of the Municipal Act provides that any person who contravenes any by-law of the municipality is guilty of an offence;

Whereas Section 429 of the Municipal Act provides for a municipality to establish a system of fines for offences under a by-law of the municipality passed under the Act;

Whereas the Corporation of the Town of Newmarket considers it desirable to enact regulations to support the intent and purpose of the Provincial orders made under the EMCPA in order to protect the health, safety and wellbeing of all persons within the jurisdictional boundaries of the Town of Newmarket, by prohibiting or regulating certain activities of individuals and businesses during the COVID-19 Emergency;

Whereas this Order is based on the advice of the Government for the Province of Ontario, who has required alternative methods of business operations for retail service establishments through curb-side pickup and delivery options for the purpose of retail sales to the public;

Whereas in accordance with Section 4(2)(a) of the Town of Newmarket Emergency Measures By-law 2020-20, the Mayor of the Town of Newmarket

believes that it is necessary to utilize the delegated authority to address a situation in a timely manner;

Whereas in accordance with Section 4(2)(c) of the Town of Newmarket Emergency Measures By-law 2020-20, the Mayor of the Town of Newmarket believes that the actions authorized under the delegated authority are exercised in a manner, which, consistent with the objectives, reasonably limits their intrusiveness;

Whereas in accordance with Section 4(2)(d) and 4(2)(e) of the Town of Newmarket Emergency Measures By-law 2020-20, the Mayor of the Town of Newmarket believes the exercise of the delegated authority only applies to the areas of the Town where it is necessary and the Order is effective only for as long as is reasonably necessary;

Therefore, I, John Taylor, Mayor of the Town of Newmarket, enact by the issuance of this Order, the following regulations with respect to the Town of Newmarket:

1. Parking By-law 2019-63, Schedule VI: Parking for Restricted Periods

The following parking restrictions will be replaced commencing on the date of this Order on a temporary basis to reflect thirty (30) minute maximum parking restrictions and the appropriate signage will be posted to reflect such changes:

- (a) Main Street West Side – from a point 26 metres north of Water Street to a point 52 metres north of Water Street (currently 2 hours);
- (b) Main Street West Side – from a point 14 metres north of Simcoe Street to a point 55 metres south of Davis Drive (currently 2 hours);
- (c) Main Street East Side – from a point 45 metres south of Queen Street to a point of 92 metres south of Queen Street (currently 2 hours);
- (d) Main Street East Side – from a point 29 metres south of Davis Drive to a point 58 metres south of Davis Drive (currently 2 hours);
- (e) Main Street East Side – from a point 45 metres north of Queen Street to a point 30 metres south of Ontario Street (currently 2 hours); and
- (f) Main Street East Side – from a point 58 metres north of Ontario Street to a point 18 metres south of Simcoe Street (currently 2 hours).

2. The above amendment to Parking By-law 2019-63 is revoked thirty (30) days from the date of this Order unless Council of the Town of Newmarket authorizes an extension of the amendments.

Enacted this 9th day of May, 2020.



John Taylor, Mayor

A handwritten signature in black ink, appearing to read 'Jag Sharma', written in a cursive style.

Jag Sharma, Chief Administrative Officer