

CITY OF LANGFORD

BUSINESS REGULATION (COVID-19) BYLAW NO. 1908, 2020

A BYLAW TO REGULATE BUSINESS DURING THE COVID-19 PANDEMIC

WHEREAS the Council of the City of Langford believes that the COVID-19 Pandemic is a clear and present risk to the health of business owners, employees and customers;

AND WHEREAS the Council of the City of Langford wishes to protect the health of business owners, employees and customers, while preserving the ability of the public to shop for essential goods;

AND WHEREAS the Council of the City of Langford wishes to require that businesses put in place physical distancing measures to protect business owners, employees and customers from the risk of COVID-19;

AND WHEREAS the City of Langford has the authority to regulate in relation to business pursuant to section 8(6) of the Community Charter, S.B.C. 2003, c. 26;

AND WHEREAS the City of Langford has the authority to regulate, prohibit and impose requirements in relation to public health pursuant section 8(3)(i) of the Community Charter, S.B.C. 2003, c. 26;

NOW THEREFORE the Council of the City of Langford enacts as follows:

INTERPRETATION

1. Unless the context requires otherwise, words and phrases defined in the Business Licence and Business Regulation Bylaw 216, 1997, have the same definition in this bylaw.
2. A reference to another bylaw or enactment in this bylaw is a reference to that bylaw or enactment as it may be amended, replaced or in effect from time to time.

APPLICATION

3. This bylaw applies to all businesses in the City that remain open during the COVID-19 pandemic.

PHYSICAL DISTANCING REGULATIONS

4. No licence holder shall operate their business in the City unless they have installed and implemented the following physical distancing measures:
 - (a) Lineups for entry into business premises must be marked with tape or cones every two metres, indicating where customers should stand while lined up;
 - (b) Checkout lineups must be marked with tape or cones every two metres, indicating where customers should stand while lined up;

- (c) Plexi-glass or plastic barriers must be installed in a secure manner at all checkouts at locations between the customer being served and the cashier so as to create a physical barrier between the customer and the cashier and to prevent physical contact between the customer and the cashier;
 - (d) Where a business has multiple checkouts, there must be at least two metres of separation between the customer at one operating checkout and the cashier at the next closest operating checkout;
 - (e) Where business spaces contain aisles, the aisles must be marked to show which direction a customer should walk while at the business premises; and
 - (f) Clear signs must be posted indicating the maximum number of persons permitted in a store at any given time, as determined in accordance with section 5(c) of this bylaw.
5. In the operation of their business in the City, no licence holder shall:
- (a) Use, or permit the use of, containers, reusable bags, or boxes provided by customers;
 - (b) Sell bulk food items, except:
 - (i) By means of gravity feed bins, unless staff dispense the bulk items; and
 - (ii) where the bins have secure covers to prevent physical contact with the bulk item other than at times when the bins are being filled or the bulk item is being dispensed; and
 - (c) Allow their business premises to be occupied by more than one person per sixteen metres squared of floor space open to customers at any given time.
6. In the operation of their business in the City, every licence holder shall:
- (a) Implement and maintain reasonable measures to ensure that customers, except those who reside together, maintain a physical separation of at least two metres at all times while lined up to enter the business premises;
 - (b) Implement and maintain reasonable measures to ensure that customers, except those who reside together, maintain a physical separation of at least two metres at all times while in the business premises; and
 - (c) Implement and maintain reasonable measures to ensure that customers walk down aisles in the business premises in the direction marked in accordance with section 4(e) of this bylaw.

GENERAL REGULATIONS

- 7. No licence holder shall, in operating their business in the City, contravene or permit or allow the contravention of any provision of this bylaw.

REPEAL

- 8. This bylaw is repealed on the later of the repeal of the public health emergency declared under the *Public Health Act* on March 17, 2020 and the repeal of the state of emergency initially declared under the *Emergency Program Act* on March 18, 2020.

OFFENCES

- 9. A person who contravenes any provision of this bylaw commits an offence of this bylaw, and is liable on conviction to a fine or penalty of up to \$10,000 for each offence.

GENERAL

- 10. If any portion of this bylaw is held to be invalid by a court of competent jurisdiction, it shall be severed from the bylaw and the remaining portions shall remain in full force and effect as if the bylaw had been enacted without the invalid portion.
- 11. This bylaw may be cited as “Business Regulation (COVID-19) Bylaw No. 1908”.

GIVEN FIRST, SECOND AND THIRD READING THIS _____ DAY OF _____, 2020.

DEPOSITED with the Minister of Health on _____, 2020.

ADOPTED by the Council on _____, 2020.

Mayor

Corporate Officer