
TO: GENERAL COMMITTEE

SUBJECT: IMPLICATIONS OF DECLARING A LOCAL EMERGENCY RELATED TO THE OPIOID CRISIS

WARD: ALL

PREPARED BY AND KEY CONTACT: C. MAINPRIZE, FIRE CHIEF/DIRECTOR OF EMERGENCY SERVICES EXT. 3256 AND D. MCALPINE, GENERAL MANAGER OF COMMUNITY AND CORPORATE SERVICES, EXT. 4421

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GENERAL MANAGER APPROVAL: D. MCALPINE, GENERAL MANAGER OF COMMUNITY AND CORPORATE SERVICES

CHIEF ADMINISTRATIVE OFFICER APPROVAL: M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

RECOMMENDED MOTION

1. That Staff Report FES002-19 concerning the Implications of declaring a local emergency under the *Emergency Management and Civil Protection Act* related to the opioid crisis, be received for information purposes.

PURPOSE & BACKGROUND

Purpose

2. The purpose of this report is to provide information related to the implications of declaring a local emergency under the *Emergency Management and Civil Protection Act* related to the opioid crisis.

Background

3. On March 4, 2019, City Council adopted motion 19-G-049 concerning the Ongoing Opioid Crisis in Canada. The full motion is available as Appendix "A". The following is an excerpt from motion 19-G-049:

"3. THAT staff investigate the implications of having the Mayor declare a local emergency under the *Emergency Management and Civil Protection Act* due to the escalation of the opioid crisis and report back to General Committee in three weeks."

Background - The local opioid crisis

4. Simcoe Muskoka District Health Unit website describes opioids as "a class of drugs that affect how people feel pain. Opioids include drugs directly derived from the opium poppy plant (e.g. opium, codeine, morphine, and heroin) and synthetic drugs that mimic the effects of opium (e.g. fentanyl, oxycodone and hydromorphone). Many opioids are prescribed to treat both acute and chronic pain. Some opioids, such as methadone, are also prescribed to treat opioid dependence. ... Opioid poisoning occurs when too much of the opioid drug is taken or opioids are used in combination with other sedative substances (e.g. other opioids or alcohol)."

5. Effective April 1, 2017, all Ontario hospitals with emergency departments are required to report all cases of opioid poisonings in the emergency department within one week of the occurrence. These reports are summarized on a weekly basis by the Ontario Ministry of Health and Long-Term Care.
6. There were 127 hospitalizations among residents of Simcoe Muskoka for opioid poisonings in 2017. Opioid deaths in Simcoe Muskoka increased by 70% between 2016 and 2017. Over the first six months of 2018 there were 31 confirmed and 4 probable opioid-related deaths in Simcoe Muskoka.
7. In December of 2018, there were 38 opioid poisoning emergency department visits at hospitals in Simcoe Muskoka, which was down from November which saw 66 visits to Simcoe Muskoka hospitals. The Simcoe Muskoka District Health Unit reported 28 visits to Royal Victoria Regional Health Care for suspected drug overdose in the first 10 days of February, 2019.
8. In May 2017, the North Simcoe Muskoka Local Health Integration Network and the Simcoe Muskoka District Health Unit co-hosted a forum which brought together a variety of key stakeholders involved in the growing issue of opioid misuse. This forum led to the development of the Simcoe Muskoka Opioid Strategy issued in May of 2018.
9. According to the Simcoe Muskoka Opioid Strategy, the Barrie area (Barrie, Springwater, Essa and Innisfil) has been particularly impacted by the opioid crisis. Data from January to December 2017 indicates that overall rates of emergency department visits per 100,000 people for an opioid overdose were significantly higher in Barrie than the average for Ontario or Simcoe Muskoka. On March 4, 2019, the representatives of the Simcoe Muskoka Opioid Strategy stated that the rate of emergency-department visits for overdoses in 2017 was the third-highest in the province among 26 cities with more than 100,000 residents, after Brantford and Oshawa.

Background - Declaring a Local Emergency under the *Emergency Management and Civil Protection Act*

10. Under Ontario's *Emergency Management and Civil Protection Act*, an emergency is defined as "a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise."
11. Emergency Management Ontario (EMO) is a branch of the Ministry of Community Safety and Correctional Services. EMO is responsible for monitoring, coordinating and assisting in the development and implementation of emergency management programs throughout Ontario.
12. Headquartered in Toronto, with Field Officers stationed across the province, EMO assists municipalities in achieving the requirements of the *Emergency Management and Civil Protection Act* and the associated Regulation 380/04. Support services, training and advice are available from field staff and EMO products.
13. According to EMO's website, a declaration of an emergency is "a signed declaration made in writing by the Head of Council or the Premier of Ontario in accordance with the *Emergency Management and Civil Protection Act*. This declaration is usually based on a situation or an impending situation that threatens public safety, public health, the environment, critical infrastructure, property, and/or economic stability and exceeds the scope of routine community emergency response."

14. The Head of Council (or his or her designate) may declare a municipal emergency, based on established criteria. The Lieutenant Governor in Council or the Premier have the authority to declare a Provincial emergency, based on established criteria. The specific “established criteria” are not readily apparent in the Provincial legislation beyond utilizing the wording of the definition of an emergency. “Established criteria” may be intended to refer to the local municipality determining that the situation meets parameters that it deems to be an emergency as it is beyond the scope of its capabilities.
15. A local/municipal emergency declaration may extend to all or any part of the geographical area in the municipality.
16. If an emergency is declared, the municipality must notify Solicitor General/Emergency Management Ontario as soon as possible of the declaration. Emergency Management Ontario maintains a Provincial Emergency Operations Centre (PEOC). The PEOC is a fully equipped facility that can be activated in response to, or in anticipation of, emergencies. The PEOC is staffed with appropriate representatives from ministries that have been delegated responsibilities for those emergencies as well as Emergency Management Ontario staff. For example, the Ministry of Natural Resources is responsible for floods and wildfire response, the Ministry of Health and Long Term Care is responsible for flu pandemics/human health emergencies and the Ministry of the Environment is responsible for emergencies related to water quality. It serves as an initial point-of-contact for the affected municipality and federal interests. If the Province requires specialized or large-scale assistance from the federal government, it will be requested through the PEOC.
17. The Province has an Emergency Medical Assistance Team (EMAT) that provides a mobile medical field unit that can be requested when local health resources are significantly stressed by an emergency or major incident. The EMAT can set-up a 56 bed unit that provides a staging and triage base, and has the capability to treat 20 acute care patients and 36 intermediate care patients. The EMAT can also provide patient isolation in the case of an infectious diseases outbreak; medical support and decontamination in the case of a chemical, biological or radiological incident; and case management and triage of patients in a mass casualties situation. Given the nature of their work, the request for support from EMAT must come from a health system partner.

ANALYSIS

18. The following paragraphs are intended to provide a high level overview of the implications associated with declaring a local emergency under the *Emergency Management and Civil Protection Act*. Given the timeline for the report back, there may be matters that are not addressed within this report.

City resource implications

19. A Field Manager from the Office of the Fire Marshall and Emergency Management advised that, the mitigation of the emergency is the responsibility of the municipality, if it declares a local emergency. The Province may provide emergency response assistance that is supplemental to, and not a substitute for, community resources.
20. When a local emergency is called, there is significant draw on City resources, both human, physical and financial. Typically, the types of emergencies that municipalities are involved in include natural disasters such as storms or dangerous situations such as a gas leak impacting a major portion of the community. These types of emergencies also normally have a defined start (the date of the natural disaster or accident) and finish (a termination date that is the point where the municipality deems it can manage the incident with its own resources).

21. As part of declaring an emergency, the City activates its Emergency Operations Control Group. The Emergency Operations Control Group is comprised of senior staff. Representatives of the Barrie Police Service also participate as members of the Emergency Operations Control Group.
22. The Emergency Operations Control Group develops an Incident Action Plan to address the emergency. Within an Incident Management System, an Incident Action Plan, is an oral or written plan containing general objectives reflecting the overall strategy for managing an incident. It may include the identification of operational resources and assignments. It may also include attachments that provide direction and important information for management of the incident during one or more operational periods.
23. The Emergency Operations Control Group would establish operational periods (frequency of meetings) based on the prioritized actions to be undertaken and the estimated time for an update on the status of these actions. The intent is to restore the community back to non-emergency status as quickly as possible. Once the community has returned to non-emergency status, a declaration is made by the Head of Council to terminate the emergency.
24. In an emergency that involves a natural disaster such as an ice storm, the Emergency Operations Control Group would develop a plan that would direct the City's external and/or internal response to the emergency. The response would focus on the City's resources to address the safety of residents as well as the public infrastructure that serves the health and safety of residents. City crews would focus on clearing roadways, fixing water main breaks and addressing downed trees. The Emergency Operations Control Group would coordinate with local utilities for the restoration of power. Community organizations such as Red Cross may be asked to assist with supporting shelters for displaced individuals.
25. The operational periods for the Emergency Operations Control Group in the beginning of an emergency response to an ice storm are often relatively frequent and are established on the basis of appropriate timelines for status updates related to the actions directed by the Group. The operational periods are also typically coordinated to allow for updates to the general public, which may include recommendations to shelter in place, locations of warming shelters, and/or not attempting unnecessary travel, etc.
26. The amount of time and effort required to address an emergency by the Emergency Operations Control Group and other City resources is entirely dependent upon the nature of the emergency, the magnitude of the community impacted, etc.
27. The City does not provide health services itself and relies upon the Simcoe Muskoka District Health Unit and Royal Victoria Regional Health Centre for these services. Similarly, social services and paramedic services are provided by the County of Simcoe. The City's Emergency Operations Control Group doesn't have the training, resources, insights, etc. to contribute to developing an incident action plan for an opioid crisis that it would for a natural disaster type of emergency.
28. The timeline for addressing this type of emergency is anticipated to take years, rather than days or weeks. Declaring a local emergency will require a significant number of senior staff involved in Emergency Operations Control Group meetings with limited value added, over a substantial period of time. The specific amount of time required would not be known, until the plans are developed.

Increasing Awareness of the Crisis

29. The motion adopted by Council with respect to the Ongoing Opioid Crisis in Canada, the important discussions that occurred while General Committee and Council debated the motion and the presentation of the Simcoe Muskoka Opioid Strategy have resulted in a significant increase in the awareness of the opioid epidemic locally and its impacts.

30. Declaring a local emergency has the ability to raise further awareness of the opioid crisis. At this time, staff have not been able to find any other municipalities in Ontario that have declared an emergency under the *Emergency Management and Civil Protection Act* related to this issue.
31. A number of municipalities have supported plans developed with or by their respective Health Unit to address the opioid epidemic, similar to the Simcoe Muskoka Opioid Strategy. Should Council decide to declare an emergency, it appears that Barrie would be the first of Ontario's 444 municipalities to declare an emergency on this issue.

Ability to request resources from other levels of government

32. The Province of Ontario has emergency resources and expertise that are used to address emergency response needs that are beyond the capability of the community. These resources are supplemental to and not a substitute for City/local community resources. In accordance with Section 2.1.2 g) of the Province of Ontario Emergency Response Plan, "Provincial assistance to communities is not dependent on a formal declaration of emergency by a community, except where prior agreements are in place." Barrie does not have a prior agreement in place.
33. A declaration of an emergency does not result in additional funding provincially. Representatives of the Office of the Fire Marshall and Emergency Management (OFMEM) have advised that the declaration of an emergency would not change or improve the City's ability to request resources. The PEOC acts as a central coordination centre to assist municipalities during emergencies. They have no authority to direct or approve resource requests. Approvals for resource requests are still subject to the same authority for approval regardless if an emergency has been declared. The representatives of OFMEM have indicated that the City has the right to request any resources from all the same agencies with or without the declaration of an emergency.
34. Other than raising awareness of the issue the OFMEM representative did not see any benefit to a declaration. It was the representative's view that Barrie is not unique or facing anything different than other municipalities across the province and country.
35. There is the potential that as the first municipality to declare a local emergency, additional resources may be allocated to Barrie. However, there are other municipalities with a greater number of emergency department visits per 100,000 people for an opioid overdose or opioid deaths. It may be challenging for other levels of government to direct resources to Barrie, if they are not directing similar or greater levels of resources to these communities.
36. If an emergency is declared, the health authority could call upon the Province's Emergency Medical Assistance Team (EMAT) for resources, if the health authority is of the belief that its current resources are inadequate to address the medical emergency. The EMAT team is a mobile medical response team that would likely be more suited to physical injuries than treatment.
37. Based on the presentations on March 4, 2019 by the representatives of the Simcoe Muskoka Opioid Strategy and Simcoe Muskoka District Health Unit, while the Board has supported advocacy from other jurisdictions calling on the Provincial and Federal governments to make the opioid crisis a priority, for a comprehensive approach to the matter and to provide resources, neither the Board nor the staff had entertained the concept of the municipality declaring an emergency. The representatives did not recommend this as a tool to resolve this opioid situation as "any declaration that will create a short term attention is unlikely to make long term change" and they questioned whether the declaration of an emergency would be the proper tool to address the crisis. .

Financial Implications

38. The OFMEM representative advised that there is no technical or financial benefit to declaring an emergency. No Provincial funds are allocated to a municipality that declares an emergency.

Reducing legislative burden

39. The declaration of an emergency will not reduce the requirements associated with any laws or regulations that govern the municipality that are in place from other levels of government. Only the laws or regulations of the level of government that declares the emergency are affected.
40. For example, if the municipality declares an emergency they are afforded additional latitude with respect to procurement and labour contracts. It would not affect any provincial or federal policies. The same principles would apply if the Province declared an emergency, the provincial operations could be affected, but the City operations would remain unchanged.

Community Reputational Implications

41. It is likely that being the first municipality in Ontario to declare a local emergency for the opioid crisis will generate a perception that the crisis in Barrie is worse than anywhere else in the Province and will generate additional media coverage. This media coverage may result in negative repercussions for business retention/attraction and tourism.
42. Anecdotally, vendors have told staff in Invest Barrie that the opiate crisis has already impacted people's willingness to go downtown. A declaration of an emergency may lead to an increased number of people refraining from visiting downtown. This would be a major concern for an area that is more susceptible to irregular demand patterns.
43. However, an alternative view would suggest that Barrie has already been identified in the media related to the high number of emergency department visits and declaring a local emergency may be viewed as the community attempting to address the problem in a more significant manner than other communities facing this same problem.

Political Impact

44. Once a municipality declares a local emergency, the municipality has the primary responsibility for mitigating it. As noted during the Simcoe Muskoka Opioid Strategy presentation, there is no overnight fix for this epidemic. Therefore, if Council declares a local emergency, it needs to be prepared to extend resources to the mitigation effort for a significant period of time.

ENVIRONMENTAL MATTERS

45. There are no direct environmental matters related to the recommendation to receive this staff report.

ALTERNATIVES

46. The following alternatives are available for consideration by General Committee:

Alternative #1 General Committee could recommend that the Mayor declare a local health emergency under the *Emergency Management and Civil Protection Act*.

This alternative is available. However, a municipality can develop or adopt a strategy or plan to address the opioid crisis without declaring a local emergency.

Alternative #2

General Committee could direct staff to work with the Simcoe Muskoka Opioid Strategy members to determine the most effective use of City resources to support the Strategy or it could utilize the Community Safety and Well-being Committee to further the Simcoe Muskoka Opioid Strategy.

This option is available for consideration. This approach has been used in a number of communities in association with their respective Health Units.

FINANCIAL

47. As noted earlier in this report, representatives of the Office of the Fire Marshall and Emergency Management have advised that the declaration of an emergency would not change or improve the City's ability to request resources and there is no financial benefit to declaring an emergency. The representatives have indicated that the City has the right to request any resources from all the same agencies with or without the declaration of an emergency.

LINKAGE TO 2018-2022 STRATEGIC PLAN

48. The 2018-2022 Council Strategic Plan has not been finalized as of the writing of this report.

Appendix "A"

19-G-049 ONGOING OPIOID OVERDOSE CRISIS IN CANADA

WHEREAS Barrie ranks third among large municipalities in Ontario for opioid overdose emergency department (ED) visit rates, and

WHEREAS there were 81 opioid-related deaths in Simcoe Muskoka in 2017, with 36 of those deaths in Barrie, and

WHEREAS there were an estimated 4000 opioid-related deaths across Canada in 2017, and

WHEREAS the central north area of Barrie (which includes downtown) had 10 times the rate of opioid overdose ED visits in 2017 than the provincial average, and four times the overall Barrie average, and

WHEREAS the Canadian drug and substances strategy and the Simcoe-Muskoka Opioid Strategy are based on the pillars of Prevention, Treatment, Harm Reduction, Enforcement, and Emergency Management.

THEREFORE BE IT RESOLVED:

1. THAT the City of Barrie calls on the Federal and Provincial Governments to declare a Public Health Emergency in relation to the ongoing Opioid Overdose Crisis and that funding be allocated to improve emergency management in the region.
2. THAT City staff be directed to work with local Members of Parliament and Members of Provincial Parliament to access funding opportunities to address the opioid crisis.
3. THAT City staff investigate the implications of having the Mayor declare a local emergency under the *Emergency Management and Civil Protection Act* due to the escalation of the opioid crisis and report back to General Committee in three weeks.
4. THAT the City of Barrie calls for Federal and Provincial funding to support, enhance, and expand evidence-based treatment and rehabilitation services, addiction prevention and education, and harm reduction measures.
5. THAT the City of Barrie calls for Federal and Provincial funding to address the root causes of addiction, including housing, poverty, unemployment, mental illness and trauma.
6. THAT the City of Barrie calls for Federal and Provincial funding to enforce laws surrounding illicit drug supply, production, and distribution.
7. THAT this resolution be distributed to: the leaders of all parties represented in the House of Commons and the Legislature; the Minister of Health; the Minister of Public Safety and Emergency Preparedness; the Minister of Health and Long-Term Care; and the Minister of Community Safety and Correctional Services and that the Federal and Provincial Ministries of Health be requested to provide a response within three weeks.
8. THAT this resolution be distributed to the Federation of Canadian Municipalities (FCM), the Association of Municipalities of Ontario (AMO), the Large Urban Mayors Caucus of Ontario (LUMCO), the County of Simcoe, the Barrie Police Service, and the Ontario Provincial Police. (Item for Discussion 8.1, February 25, 2019)