

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE MINISTER OF PUBLIC SAFETY AND
SOLICITOR GENERAL

Emergency Program Act

Ministerial Order No. M128

WHEREAS a declaration of a state of emergency throughout the whole of the Province of British Columbia was declared on March 18, 2020 because of the COVID-19 pandemic;

WHEREAS the COVID-19 pandemic poses a significant threat to the health, safety and welfare of the residents of British Columbia, and threatens to disproportionately impact the most vulnerable segments of society;

AND WHEREAS section 10 (1) of the *Emergency Program Act* provides that I may do all acts and implement all procedures that I consider necessary to prevent, respond to or alleviate the effects of any emergency, including causing the evacuation of persons and the removal of personal property from any area of British Columbia that is or may be affected by an emergency, and making arrangements for the adequate care and protection of those persons and personal property;

AND WHEREAS the COVID-19 pandemic has contributed to a reduction in the necessary supports available to people experiencing homelessness in encampments such as outreach, shelter, housing, food, income, access to day programs, harm reduction and health services;

AND WHEREAS the conditions in the encampments that have been established in Oppenheimer Park, Topaz Park and the Pandora Avenue corridor (the "Encampments") pose a risk to the health, safety and welfare of the persons in the Encampments;

AND WHEREAS efforts to relocate persons from the Encampments to alternative housing and to improve sanitation within the Encampments have not been sufficiently successful;

AND WHEREAS the conditions in the Encampments present health and safety risks for first responders, health care workers, and the staff and volunteers of support agencies, who must attend at the Encampments for emergency, injury or health reasons or to otherwise ensure that the complex needs of the vulnerable populations in the Encampments are met;

AND WHEREAS changes to how financial and social supports are being delivered during the COVID-19 pandemic have exacerbated pre-existing safety and public order issues within the Encampments;

April 24, 2020
Date


Minister of Public Safety and Solicitor General

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Emergency Program Act*, R.S.B.C. 1996, c. 111, s. 10

Other: MO 73/2020; OIC 173/2020

AND WHEREAS the Province of British Columbia has developed a comprehensive plan in consultation with the Cities of Vancouver and Victoria, associated police, fire and other agencies, non-government organizations and other stakeholders, to provide adequate alternative living arrangements and other health and social supports for persons currently residing in the Encampments, including the care of their personal property;

AND WHEREAS measures are needed to address the risks to health, safety, and welfare associated with the conditions in the Encampments;

I, Mike Farnworth, Minister of Public Safety and Solicitor General, order that the attached Encampment Health and Safety (COVID-19) Order is made.

ENCAMPMENT HEALTH AND SAFETY (COVID-19) ORDER

Application

- 1** This order applies during the period that starts on the date this order is made and ends on the date on which the last extension of the declaration of a state of emergency made March 18, 2020 under section 9 (1) of the *Emergency Program Act* expires or is cancelled.

Evacuation of encampments

- 2** All persons camping in, residing in or occupying any of the areas listed in the attached Appendix must evacuate the area as soon as practicable, but no later than 12:00 p.m. (noon) on May 9, 2020.

Entry to encampments prohibited

- 3** A person must not enter any of the areas listed in the attached Appendix for the purpose of camping in, residing in or occupying the area.

APPENDIX

- 1 The area known as Oppenheimer Park in the City of Vancouver, having a legal description of:
PID 015-585-395, Block 54 (Explanatory Plan 6556), District Lot 196, Plan 196, Vancouver District.
- 2 The area known as Topaz Park in the City of Victoria, having a legal description of:
PID 003-652-297, Lot 4, Sections 4 and 5, Victoria District, Plan 19667, except Part in Plan 3718 RW;
PID 003-854-752, Lot 1, Section 4, Victoria District, Plan 17978; and
PID 004-040-210, Lot A, Section 4, Victoria District, Plan 16258.
- 3 The area in the City of Victoria shown outlined in bold on the attached map (“Pandora Avenue Corridor”), being
 - (a) the portion of Pandora Avenue between Blanshard Street and Chambers Street, and
 - (b) the portion of Vancouver Street between Pandora Avenue and Johnson Street.

Pandora Avenue Corridor

