



STAFF REPORT

Title: Mandatory Masks - COVID-19

Meeting Date: September 15, 2020

Executive Summary:

Since August, numerous municipalities across Alberta have passed bylaws to make face-coverings mandatory in public spaces in an effort to reduce the risk of COVID-19 transmission while balancing efforts to restore the economy. Administration has prepared a summary of the municipalities across Alberta which have made masks mandatory in public spaces within their communities. This report is presented for discussion purposes.

Background:

As a result of the COVID-19 pandemic, numerous municipalities across Alberta have made face-coverings mandatory in public places, civic facilities, public transit, and in public vehicles. There are also two examples of municipalities making face coverings mandatory outdoors in areas with heavy pedestrian traffic due to tourism (ie. Sidewalks on a main street in Banff and Jasper).

Consistent rational, and legislative authority, is being used by the municipalities that have made masks mandatory:

- On or about March 11, 2020, the World Health Organization declared a global pandemic related to the spread of COVID-19 and the COVID-19 pandemic remains a health risk;
- The World Health Organization, the Chief of Public Health Officer for Canada and the Chief Medical Officer of Health for Alberta have identified face coverings as an important component of a public health strategy to reduce the risk of transmission of the COVID-19 virus;
- Pursuant to section 7 of the *Municipal Government Act*, a municipality may pass bylaws respecting the safety, health and welfare of people and the protection of people and property; people, activities and things in, on or near a public place or place that is open to the public; and businesses, business activities and persons engaged in business.

The Alberta Government COVID-19 information states that:

Albertans are encouraged to wear non-medical masks in public when it's difficult to maintain physical distancing of 2 meters at all times. It hasn't been proven that masks protect the person wearing it, but it can



help protect people from being exposed to your germs. Masks should complement – not replace – other prevention measures. Continue physical distancing and good hand hygiene, and stay home when sick.

While international, federal and provincial health authorities have identified face coverings as an important component of public health in reducing COVID-19 transmission, there has been no mandate from the federal or provincial government that masks be made mandatory. This decision has been left to municipalities.

Numerous municipalities in Alberta have put bylaws in place to make face-coverings mandatory. Municipalities have utilized one of two approaches for mandatory masks bylaws:

1. The bylaw takes effect immediately upon passing, such that, masks become mandatory as of the date of the passing of the Bylaw. Many of the municipalities stated that the Bylaw was temporary, coming into effect immediately upon passing, and only in effect until a specific date. Some communities have used December 31, 2020 or January 31, 2021 for example.
2. The bylaw takes effect if a specific event occurs, such that, masks become mandatory if an outbreak of COVID-19 occurs in the community. There are several variations in wording currently being used to trigger the requirement that masks be worn, including for example:
 - The provisions of the bylaw will be enacted by the CAO if the number of active cases of COVID-19 are reported by Alberta Health Services to be 15 or more in the City.
 - Provisions of the bylaw may only be enacted by the Director of Emergency Management if the Government of Alberta places the City under a 'Watch' as per their existing COVID-19 case thresholds.
 - Bylaw shall come into force upon Alberta Public Health reporting that there exists 10 or more active cases of COVID-19 virus in the City.

Generally, the bylaw also includes a "reversion" clause, the following examples are used, if a mandatory mask provision of the bylaw is enacted by a triggering event:

- the mandatory mask provisions may only be reverted if the Government of Alberta rescinds the 'watch designation' on the City and it remains free of such for a period of thirty (30) consecutive days
- the mandatory mask provisions remain in force until the number of active COVID-19 cases in the City are reported by Alberta Health Services to be less than 15 for thirty (30) consecutive days and as declared by the CAO
- it may only be reverted through Council by resolution.



The following chart summarizes which municipalities have to date passed mandatory mask bylaws in Alberta. Highlighted in red are the mask requirements that become mandatory on a specific event occurring. Masks do not currently have to be worn in these communities, until the triggering event occurs:

Municipality	Where mandatory	Trigger Point to Make Masks Mandatory
Edmonton	<ul style="list-style-type: none"> Indoor public places, public transit, vehicles for hire 	<ul style="list-style-type: none"> Immediate as of August 1st
Calgary	<ul style="list-style-type: none"> Indoor public places, public transit, public vehicles 	<ul style="list-style-type: none"> Immediate as of August 1st
Lethbridge	<ul style="list-style-type: none"> Indoor public places, public transit 	<ul style="list-style-type: none"> Immediate as of August 4th – transit Immediate as of August 24th – public spaces
Banff	<ul style="list-style-type: none"> Indoor public spaces, outside pedestrian zone 	<ul style="list-style-type: none"> Immediate as of July 31st
Canmore	<ul style="list-style-type: none"> Indoor public spaces, town facilities, public transit, vehicles for hire 	<ul style="list-style-type: none"> Immediate as of August 7th
Jasper	<ul style="list-style-type: none"> Indoor public places, public sidewalks 	<ul style="list-style-type: none"> Immediate as of August 4th
St Albert	<ul style="list-style-type: none"> Indoor public places, civic facility, transit property 	<ul style="list-style-type: none"> Immediate as of August 8th
Spruce Grove	<ul style="list-style-type: none"> Indoor public place, public vehicle 	<ul style="list-style-type: none"> If active cases hit 'watch' status as per AB Government
Strathcona County	<ul style="list-style-type: none"> County owned facilities, transit vehicles 	<ul style="list-style-type: none"> Immediately as of August 1st
Leduc	<ul style="list-style-type: none"> Public transit Indoor public place 	<ul style="list-style-type: none"> Immediately as of August 1st – transit If 10 active cases – indoors, public spaces
Beaumont	<ul style="list-style-type: none"> Indoor public places, public vehicles 	<ul style="list-style-type: none"> Immediately as of August 14th
Fort Saskatchewan	<ul style="list-style-type: none"> In city buildings Indoor public places, transit vehicle 	<ul style="list-style-type: none"> Immediately as of August 10 – city buildings If 10 active cases – indoor public spaces
Cochrane	<ul style="list-style-type: none"> Public premises, public vehicles (unless there is an installed barrier) 	<ul style="list-style-type: none"> If 10 active cases
Airdrie	<ul style="list-style-type: none"> Public premises, public vehicle (unless there is an installed barrier) 	<ul style="list-style-type: none"> If active cases hit 'enhanced' status as per province of AB Government
Okotoks	<ul style="list-style-type: none"> All indoor municipal places Indoor public places 	<ul style="list-style-type: none"> Immediately as of August 24, 2020 – indoor municipal places If 15 active cases – indoor public places
Edson	<ul style="list-style-type: none"> Indoor, enclosed or substantially enclosed public place, public transit 	<ul style="list-style-type: none"> If 10 active cases
Sturgeon County	<ul style="list-style-type: none"> Public spaces, public vehicles, county facilities 	<ul style="list-style-type: none"> If active cases hit 'watch' as per existing thresholds
Red Deer	<ul style="list-style-type: none"> Public transit 	<ul style="list-style-type: none"> Immediate as of August 17th

Generally, municipalities have defined a “public place” as being any enclosed (or substantially enclosed) indoor space, open to the public by right or by invitation, express or implied, regardless of who owns or occupies the indoor space. This would include, but not limited to: eating and drinking establishments, entertainment establishments, bingo establishments, theatres, retail stores, markets, shopping centers, places of worship,



community facilities, recreational facilities, gyms, studios, indoor or enclosed parking facilities.

Where mask use has been mandated, municipalities have applied some or all of the following exceptions:

- Children (ages vary by municipality from under 2, 5, or 10 years old)
- People unable to
 - place, use or remove a face covering without assistance
 - wear a face covering due to a mental or physical condition, disability, or limitation, or other grounds for protection from discrimination under the *Alberta Human Rights Act*
- People who are:
 - Engaged in services that require the temporary removal of their face covering, physical exercise or physical activity, within an area designated for such activities
 - Consuming food or drink while seated in a designated food and drink seating area or as part of a religious or spiritual ceremony
 - Providing or receiving care or assistance for a mental or physical condition, disability or limitation and a face covering would have hindered providing or receiving that caregiving or assistance
 - Providing or receiving a service that requires personal consultation if that activity occurs in a closed office or meeting room and all participants in the personal consultation have at all times maintained physical separation of at least 2 meters from each other
- Schools or other educational facilities, hospitals and health care facilities, child care facilities
- Transit operators, if barriers are in place to create physical screening between the transit operator and passengers in the transit vehicle.

Many of the communities canvassed have emphasized that the focus of their mandatory mask bylaw will be education not enforcement. Calgary has utilized specific branding to emphasize the intent of the bylaw:

In times of need or crisis, our city comes together to support each other. We are known for our kindness. For the safety and protection of the community, the City of Calgary requires the wearing of face coverings or masks in indoor public areas and public vehicles.

Where mandatory masks have been implemented, municipalities have been providing links to the Government of Alberta resources (ie posters for business doors, etc.) to assist businesses with educating the public on mask requirements. There are already several stores in Cold Lake that require masks, for example, Walmart, Winners, Oasis Spa, Staples, V nails, and No Frills. There are also several business that have signs



encouraging, but not requiring, mask use and limiting the number of patrons who can enter.

It is administration's advice that further actions beyond that of the Chief Medical Officer's of Health (CMOH) isn't immediately required however City Council could provide direction on what it feels as priority of the community to maintain a its mandate of a safe and health community.

This report is provided for discussion purposes.

Alternatives:

Recommended Action:

Type the recommendation here

Budget Implications (Yes or No):

Submitted by:

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