



Legislation Text

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Bylaw 32/2020 Temporary Mandatory Face Coverings Bylaw (1st, 2nd and 3rd readings) Presented by: Percy Janke, Director of Emergency Management, EOC

RECOMMENDATION

1. That Bylaw 32/2020, the Face Coverings Bylaw, be read a first time
2. That Bylaw 32/2020 be read a second time
3. That unanimous consent be given for third reading of Bylaw 32/2020
4. That Bylaw 32/2020 be read a third time
5. That Administration report back to Council not later than the October 5, 2020 Council meeting as to experience to date with the bylaw, and whether any amendments are recommended at that time

PURPOSE OF REPORT

At the July 27, 2020 Special Council Meeting, Council directed Administration to prepare a Bylaw to formalize the requirement of mandatory face coverings on St. Albert Transit and within publicly accessible civic facilities. This report provides the suggested draft Bylaw for Council's consideration.

ALIGNMENT TO PRIORITIES IN COUNCIL'S STRATEGIC PLAN

N/A

ALIGNMENT TO LEVELS OF SERVICE DELIVERY

N/A

ALIGNMENT TO COUNCIL DIRECTION OR MANDATORY STATUTORY PROVISION

At the July 27, 2020, Special City Council meeting the following motion was passed (AR-20-263):

1. That Administration be instructed to communicate to the public through media, social media, the City website and by signage that effective August 1, 2020 all persons in any civic facility (excepting only City employees when alone in private offices with the door closed) and all persons in a St. Albert transit bus or other transit facility, must at all times be wearing a mask or other face covering that covers the mouth, nose and chin ensuring a barrier that limits the transmission of infectious

respiratory droplets, and that this requirement remain in place until such time as Alberta's Chief Medical Officer of Health issues official public advice that face masks are no longer recommended as a measure for limiting the risk of spread of infectious disease;

2. That Administration prepare for Council's consideration on August 4, 2020, a bylaw to formalize the requirement of mandatory masking in all civic facilities and St. Albert Transit, including fines enforceable through the courts for non-compliance and the bylaw will be reviewed by Council in 60 days.

BACKGROUND AND DISCUSSION

At the June 27, 2020 Special Council Meeting, Council directed Administration to prepare a Bylaw to formalize the requirement of mandatory face coverings on St. Albert Transit and within publicly accessible civic facilities temporarily as a result of the COVID-19 pandemic. This report provides the suggested draft Bylaw for Council's consideration.

The following table represents Administration's interpretation of which facilities would be included in the bylaw and which would only be incorporated should a broader bylaw be incorporated for all public facilities.

| August 4, 2020 bylaw would apply | Bylaw for broader public spaces required |
|---|---|
| Indoor spaces that are open to the public, in a building owned or leased by the City in which services or amenities to the public are provided by the City, regardless of whether the indoor space is occupied by the City or by another party. Also includes buildings where the City is the lessee and will expect public mask use within leased space . | City-owned but operated by third party who would determine face covering requirements unless a bylaw for all public spaces was passed. |
| <ul style="list-style-type: none"> • Beaudry Place - CS department • Change Shelters (Kingswood, Lacombe Lake) • Clubhouses (Akinsdale, Grandin, Lacombe, Willoughby) • Fire Halls 1, 2, 3 • Fountain Park Recreation Centre • Jack Kraft • Jarome Iginla/Kinex Arenas • Larry Olexiuk user-washroom • Liggett Place and washroom (Transit) • Lions Park washroom • Maloney Place • Servus Place • St Albert Place • Synergy - R&P department • Village Transit Station • Guilds • Lessees in Servus Place (Active Physio Works, Booster Juice, Skybox) • Museum (Arts and Heritage Foundation) • St Albert Public Library • WARES • Cultural Performing Arts (Carleton) • Charter Place • IT Services (Perron Block) • HR offices (Professional Building) • St Albert Business Centre • The Collective | <ul style="list-style-type: none"> • Art Gallery • Beaudry Place - Food Bank and Police services • BLESS log cabin • Chamber of Commerce • Fountain Park Daycare Centre • Hemingway Building • Heritage Sites (Grain Elevators and Little White School house) • Juneau House • Lease Groups (BMX Club, Botanic Park, Curling Club, Fowler Athletic Club House, Kinsmen Banquet Hall, Legion Ball Park, Meadowview Clubhouse, Nordic Ski Club, Rugby Club, RV Park, St Albert Soccer) • Mission Clubhouse (Tennis Club) • NABI • Red Willow Place • Synergy Centre - Canadian National Resource Limited |

Any staff-only facilities would default to City Operational Procedures (e.g. Utilities Pumphouses or Riel Quonset).

City Administration intends to temporarily offer face coverings (masks) provided by Alberta Health to

patrons of civic facilities in the event they do not have one. This would occur the first two weeks of August to support the transition and would be re-evaluated to determine if an extension is required.

STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

Several other communities within the Edmonton Metropolitan Region, and across Alberta have made similar decisions within the past two weeks; some have gone further with mandating face coverings in all indoor spaces, with some exceptions.

Within the region:

- Edmonton: Mandatory on transit and in city-operated facilities - Aug 1, 2020; indoor public spaces and vehicles Bylaw passed July 29, 2020 - effective Aug 1, 2020
- Strathcona County: Mandatory on transit and in public county-owned facilities - Aug 4, 2020. Working towards a bylaw that would include vehicles for hire and all indoor public places, to be debated in early August.
- Leduc: Mandatory on transit - Aug 1, 2020
- Spruce Grove: Mandatory on transit - Aug 1, 2020

Within the province:

- Calgary: Mandatory on transit and indoors - Aug 1, 2020
- Banff: Mandatory indoors and outdoors on their Main Street - July 31, 2020
- Lethbridge: Mandatory on transit and at City facilities - Aug 4, 2020
- Airdrie: Decided against a bylaw, established a threshold of 50 per 100,000 to reconsider a mandate
- Okotoks: Deferred the discussion to mid-August

The Board of Directors for the St. Albert and District Chamber of Commerce was asked to provide an official statement. The Chamber is conducting a survey of their membership that closes July 31 and the results are anticipated to be available for Administration to share in the presentation to Council on August 4, 2020.

Leaseholders within St Albert Place, Servus Credit Union Place, Fountain Park Recreation Centre, and Jarome Iginla Arena were consulted on the possibility of mandatory face coverings for leaseholders in City-owned and operated facilities. All leaseholders indicated that they would have no objections to face coverings being mandatory in their leased spaces.

Leaseholders in City-owned facilities that are operated by a third party and in which no City services or amenities to the public are offered (such as the Art Gallery, sporting clubs, Red Willow Place, and NABI) were not consulted since the bylaw as presented would not apply to them.

The main branch of the Public Library in St. Albert Place is an indoor place under the management and control of the Library Board which is an autonomous board under the Libraries Act -- however the Library has indicated upon consultation that they would have no objection to complying with a mandatory face covering requirement in every place within the Library that the public is entitled to go, hence the bylaw as presented does not make an exception for the Library and would apply to the

main branch.

IMPLICATIONS OF RECOMMENDATION(S)

Financial:

None at this time.

Legal / Risk:

Municipalities in Alberta have full authority to legislate mandatory face covering requirements, under provisions of the *Municipal Government Act* that allow bylaws for the purpose of promoting health and safety, and of regulating people and their activities in places that are open to the public.

Program or Service:

Transit: The City of St. Albert has been provided with masks by Alberta Health, that will continue to be distributed to riders. Riders will continue to be encouraged to wear masks.

Municipal Enforcement: A plan has been developed and is ready for implementation post bylaw approval. There is the potential for impact to the department in order to respond to additional calls.

Communication: The development of robust communications, in collaboration with various City departments, to support a wide-reaching public awareness campaign that includes internal and external audiences such as the general public, media, facility patrons, partner groups, etc. Messaging will be updated as the situation evolves.

Economic Development: Should Council determine that face coverings are required in all public spaces, there is the potential to be inundated with inquiries from the local business community on matters such as PPE and enforcement. Staffing in this department might be required to reprioritize work in the short term to address the need.

Organizational:

Administration is prepared to operationalize the Bylaw, if approved by Council.

ALTERNATIVES AND IMPLICATIONS CONSIDERED

Alternative 1. Council could choose to approve the Bylaw with or without amendments.

Alternative 2. Council could choose to amend the Bylaw to extend to all publicly accessible indoor spaces within the City of St. Albert, inclusive of private retail locations, similar to the City of Edmonton direction provided on July 29, 2020.

Alternative 3. Council could choose not to approve the Bylaw.

Report Date: August 4, 2020

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