



TOWN OF BLACKFALDS  
REGULAR COUNCIL MEETING  
REQUEST FOR DECISION

6.4

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**MEETING DATE:** November 24th, 2020

**PREPARED BY:** Ken Morrison, Emergency Management & Protective Services Manager

**SUBJECT:** Temporary Mandatory Face Coverings Bylaw No. 1253.20

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**BACKGROUND:**

Throughout 2020, the world has been reacting to a Global Pandemic. The virus commonly known as COVID 19, has resulted in many deaths and illness throughout the world. The Province of Alberta during the first stage of COVID 19, in effort to contain the virus, mandated all but essential business and government offices closed. These actions taken by the Province resulted in an extreme strain on the economy negatively affecting many businesses, government and citizens. These actions were successful in keeping the number of positive cases low and not overwhelming the health care system.

In recent months, the second wave of COVID 19 has hit the Province of Alberta hard, with numbers of new cases and deaths increasing daily. The Province is now seeing a strain on the health care system, with numbers in hospital and ICU increasing at alarming rates.

On November 16<sup>th</sup>, Lacombe County was classified in the “Enhanced” category, which includes the Town of Blackfalds.

Many communities within the province have passed temporary mandatory mask bylaws in efforts to slow down the virus and flatten the curve. School boards have required students to wear masks while on school buses and in schools to help prevent the spread. Many businesses, in absence of bylaws or provincial laws, have put in place their own policy of mandatory face masks while in their business to do their part in preventing the spread of COVID 19.

**DISCUSSION:**

In response to the increase in COVID 19 positive cases, the Province put in place targeted measures, some mandatory, others voluntary for those communities in the Enhanced category. They commented, **“this is our last chance to avoid more restrictive measures”**. This would imply if we do not see a decrease in the numbers, a flattening of the curve, we may see the restrictions which were put in place in the early stages of the response to COVID 19. The province further commented **“Together, these measures will help protect our health care system, keep schools and businesses open, and protect vulnerable Albertans by limiting the spread of the virus”**.

One of the voluntary measures suggested was **“Mask use to be encouraged in all indoor workplaces”**. The Province has placed these as voluntary measures, leaving it up to the municipality to implement or not. Our neighbors to the south, in the City of Red Deer, are currently reviewing a face mask bylaw for their community, moving to third reading.

It has been reported masks are a key measure to suppress transmission and save lives. Masks reduce potential exposure risk from an infected person whether they have symptoms or not. People wearing masks are protected from getting infected. Masks also prevent onward transmission when worn by a person who is infected.



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The Centers for Disease Control and Prevention (CDC) has stated:

**“CDC recommends community use of masks, specifically non-valved multi-layer cloth masks, to prevent transmission of SARS-CoV-2. Masks are primarily intended to reduce the emission of virus-laden droplets (“source control”), which is especially relevant for asymptomatic or presymptomatic infected wearers who feel well and may be unaware of their infectiousness to others, and who are estimated to account for more than 50% of transmissions.<sup>1,2</sup> Masks also help reduce inhalation of these droplets by the wearer (“filtration for personal protection”). The community benefit of masking for SARS-CoV-2 control is due to the combination of these effects; individual prevention benefit increases with increasing numbers of people using masks consistently and correctly.”**

A mandatory mask bylaw would assist in preventing the spread of the virus within the public spaces, helping to keep businesses within our community open and our residents healthy. Mandatory mask wearing would also ensure consistency throughout the municipality.

It is recognized, enforcement would be difficult, and there would be a need for an educational period to ensure the public is aware of the temporary bylaw.

While a mask is not a substitute for physical distancing, or proper hand sanitization, it is an integral part of preventing the spread.

**FINANCIAL IMPLICATIONS:**

Minimal

**ADMINISTRATIVE RECOMMENDATION:**

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| <ol style="list-style-type: none"> <li>1. That Council give first reading to Face Coverings Bylaw No. 1253.20 as presented.</li> <li>2. That Council give second reading to Face Coverings Bylaw No. 1253.20.</li> <li>3. That Council give unanimous consent to all three readings of Face Coverings Bylaw No. 1253.20.</li> <li>4. That Council give third and final reading to the Face Coverings Bylaw No. 1253.20.</li> </ol> |
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**ALTERNATIVES:**

- A) That Council refers Bylaw No. 1253.20 back to Administration for further review.

**ATTACHMENTS:**

- *Draft Temporary Face Coverings Bylaw No. 1253.20*

**APPROVALS**




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CAO Myron Thompson




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Department Director/Author



**Town of Blackfalds**  
**FACE COVERINGS BYLAW NO. 1253.20**

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**A BYLAW OF THE TOWN OF BLACKFALDS IN THE PROVINCE OF ALBERTA TO TEMPORARILY MANDATE THE WEARING OF FACE COVERINGS IN INDOOR PUBLIC PLACES AND PUBLIC VEHICLES IN THE TOWN OF BLACKFALDS**

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**WHEREAS** the World Health Organization (WHO), the Chief 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 Coronavirus (COVID-19) virus;

**AND WHEREAS** pursuant to Section 7 of the Municipal Government Act (MGA), RSA 2000, Chapter M-26, as amended, a municipality may pass bylaws respecting:

- a) the safety, health and welfare of people and the protection of people and property;
- b) people, activities and things in, on or near a public place or place that is open to the public, and;
- c) businesses, business activities and persons engaged in business.

**AND WHEREAS** the Town of Blackfalds wishes to mandate the wearing of face coverings in specified places open to the public, subject to exceptions set out in this bylaw;

**NOW THEREFORE** the Council of the Town of Blackfalds in the Province of Alberta, duly assembled in Council Chambers, enacts as follows:

**1.0 TITLE**

1.1 This Bylaw may be cited as the 'Face Coverings Bylaw' for the Town of Blackfalds.

**2.0 DEFINITIONS**

2.1 In this bylaw, the following terms mean:

- a) **'Act'** means the Municipal Government Act, RSA 2000, Chapter M-26, as amended;
- b) **'Town'** means the municipal corporation of the Town of Blackfalds;
- c) **'Civic Facility'** means any indoor space open to the public, within a building that is owned or leased by the Town of Blackfalds in which services or amenities to the public are provided by the Town in all or part of the building, regardless of whether the indoor space is occupied by the Town or another party;
- d) **'Face coverings'** means a medical or non-medical, cloth or other face covering that fully covers the nose, mouth and chin;
- e) **'Enforcement Officer'** means a member of the Town of Blackfalds Royal Canadian Mounted Police (RCMP), Community Peace Officer (CPO), or any other person appointed by Council or the Town Chief Administrative Officer (CAO);
- f) **'Public Place'** means all or part of a building structure or other enclosed area to which members of the public have access as a right or by express or implied invitation including public transit services (BOLT) within the Town, the area occupied by the driver and passengers in a 'Taxi Cab' as defined in Taxi Cab Bylaw No. 1158/13 and all businesses, but may not include some indoor spaces (unless mandated by that facility) located within;
  - i. a school or other educational institution/facility;
  - ii. a health care facility;
  - iii. a childcare facility
- g) **'Taxicab Operator'** means the operator of a 'taxicab' as defined in the Town of Blackfalds Taxicab Bylaw No. 1158/13;
- h) **'Violation Ticket'** means a ticket issued pursuant to the Provincial Offences Procedures Act, RSA 2000, Chapter P-34, as amended, and regulations thereunder and which requires payment in the amount specified in this Bylaw.

**3.0 FACE COVERING REQUIREMENTS AND EXCEPTIONS**

3.1 A person must wear a face covering at all times, while in a Civic Facility or a Public Place.



**Town of Blackfalds**  
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- 3.2 Parents/guardians are responsible for ensuring that children (over 8 years of age) in their care, comply with this bylaw.
- 3.3 Section 3.1 of this bylaw does not apply to:
- a) children under the age of 8;
  - b) persons unable to place, use or remove a face covering without assistance;
  - c) persons unable to 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;
  - d) persons consuming food or drink while seated in a designated food and drinking area, or as part of a religious or spiritual ceremony;
  - e) persons 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;
  - f) persons 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 or there is a physical barrier to provide protection;
  - g) a participant in a dance, theatrical or musical or public performance. If all participants in the performance maintain at least 2 meters of physical distance from each other and do not enter the area where the public was viewing the performance.
- 3.4. No person shall in any manner harass or attempt to intimidate a person who is not guilty of an offence while not wearing a face covering as a result of any provision of Section 3.3 of this bylaw.

**4.0 FACE COVERING REQUIREMENTS AND EXCEPTIONS**

- 4.1 A person who contravenes a provision of this bylaw is guilty of an offence.
- 4.2 Where an offence is of a continuing nature, a contravention of a provision of this bylaw constitutes a separate offence with respect to each day, or part of a day, during which the contravention continues, and a person guilty of such an offence is liable to a fine in amount not less than that established by this bylaw for each separate offence

**5.0 FINES AND PENALTIES**

- 5.1 A person who is guilty of an offence under this bylaw is liable to:
- a) a fine in the amount of \$100; or
  - b) upon summary conviction, at the discretion of the court, a fine not exceeding \$10,000 or a period of imprisonment of no more than one year, or both.

**6.0 VIOLATION TICKET**

- 6.1 An Enforcement Officer may issue, with respect to an offence under this bylaw, a violation ticket which shall state:
- a) the nature of the offence;
  - b) the penalty payable in connection with the offence; and
  - c) the time period within which the penalty must be paid.
- 6.2. In lieu of prosecution the person named in the violation ticket may elect to voluntarily make payment to the Town of the amount specified in the violation ticket.

**7.0 DATE OF ENFORCEMENT**

7.1 This bylaw shall come into effect upon the date of third and final reading.

**8.0 REPEAL**

8.1 This bylaw may be repealed at the discretion of Council should circumstances warrant. A violation ticket issued prior to the time of repeal remains valid and the person to whom the violation ticket was issued remains as fully liable to pay the specified penalty or to other legal process as the case may be, as though this bylaw had not been repealed.

READ for the first time this \_\_\_\_\_ day of \_\_\_\_\_, 2020 A.D.

(Resolution No. \_\_\_\_\_ )

\_\_\_\_\_  
Richard Poole, Mayor

\_\_\_\_\_  
Myron Thompson,  
Chief Administrative Officer

READ for the second time this \_\_\_\_\_ day of \_\_\_\_\_, 2020 A.D.

(Resolution No. \_\_\_\_\_ )

\_\_\_\_\_  
Richard Poole, Mayor

\_\_\_\_\_  
Myron Thompson,  
Chief Administrative Officer

READ for the third and final time this \_\_\_\_\_ day of \_\_\_\_\_, 2020 A.D.

(Resolution No. \_\_\_\_\_ )

\_\_\_\_\_  
Richard Poole, Mayor

\_\_\_\_\_  
Myron Thompson,  
Chief Administrative Officer

