

Bylaw 19783

Temporary Mandatory Face Coverings Bylaw Amendment

Recommendation

That Bylaw 19783, as set out in Attachment 1 of the Office of the City Manager report OCM00687, be given the appropriate readings.

Purpose

To amend the Temporary Mandatory Face Coverings Bylaw in response to the provincial Open for Summer Plan and anticipated expiry of public health orders.

Readings

Bylaw 19783 is ready for three readings.

A majority vote of City Council on all three readings is required for passage.

If Council wishes to give three readings during a single meeting, then prior to moving third reading, Council must unanimously agree “That Bylaw 19783 be considered for third reading.”

Position of Administration

Administration supports this Bylaw.

Report Summary

The City’s Temporary Mandatory Face Coverings Bylaw is currently in effect until December 31, 2021. Given the recently announced provincial Open for Summer Plan, which includes expiry of nearly all provincial public health orders in Stage 3, this report recommends deactivating the bylaw concurrent with the start of Stage 3. Should Council wish to consider an alternative approach, other options are also presented.

Report

The City’s Temporary Mandatory Face Coverings Bylaw, Bylaw 19408, which came into force on August 1, 2020, requires individuals to wear a face covering in all indoor public places and on public vehicles, such as the LRT, buses, and vehicles for hire.

Currently, this requirement is duplicated through a provincial order issued by the Chief Medical Officer of Health, which first came into effect for Edmonton and Calgary on November 24, 2020. Masks became mandatory province-wide on December 8, 2020.

On May 25, 2021, the province announced the Open for Summer Plan to ease current public health restrictions based on first-dose vaccination rates.

Stage 1 of the Plan began on June 1 based on 50 percent of eligible Albertans (those aged 12 and older) having received their first vaccination at least two weeks prior, and less than 800 hospitalizations due to COVID-19. Stage 2 of the Plan began on June 10 based on 60 percent of eligible Albertans having received their first vaccination at least two weeks prior, and less than 500 hospitalizations.

On June 18, the Province announced that 70 percent of eligible Albertans had received their first vaccination and Stage 3 will begin on July 1.

According to the provincial plan, once Stage 3 begins, nearly all of the current public health orders will end, with the only exception being mandatory isolation if an individual tests positive for COVID-19, or is a close contact or symptomatic. Increased health standards will also continue to be required in acute and long-term health care facilities.

The general provincial order requiring masks to be worn in indoor public places will end on July 1. The province has indicated that masking may continue to be required in specific, limited circumstances but has not provided details on what those circumstances may be.

Following the expiry of the provincial order, unless amended by Council, the City's Temporary Mandatory Face Coverings Bylaw would continue to be in effect and masks would remain mandatory in all indoor public places and in public vehicles (e.g. transit and vehicles for hire) until December 31, 2021, at which point the Bylaw will be automatically repealed.

Bylaw Options

Recommendation: Open for Summer Plan Alignment (Attachment 1)

This would amend the Bylaw to end the mandatory requirement for masks concurrent with the start of Stage 3 (July 1). In the event conditions change after the start of Stage 3 and Alberta returns to a previous stage of the relaunch plan, or if the Chief Medical Officer of Health issues an order mandating the wearing of masks in Alberta, the mandatory requirement in the bylaw would automatically reactivate.

This recommendation is supported by the Edmonton Zone medical officer of health, and aligns with the provincial reopening plan put forward by the Chief Medical Officer of Health.

Alternative Option 1: Deactivation after 50 percent full vaccination (Attachment 2)

This option would amend the Bylaw to keep mandatory masking in place after Stage 3 begins until two weeks after 50 percent of eligible Edmonton Zone residents are fully vaccinated (two doses). In the event conditions change after the start of Stage 3 and Alberta returns to a previous stage of the relaunch plan, or if the Chief Medical Officer of Health issues an order mandating the wearing of masks in Alberta, the mandatory requirement in the bylaw would automatically reactivate regardless of vaccination rates.

Alternative Option 2: Bylaw Repealed (Attachment 3)

This option would fully repeal the Temporary Mandatory Face Coverings Bylaw at the start of Stage 3. In the event conditions change after the Bylaw is repealed, Council will need to pass a new bylaw to implement a municipal mask requirement.

Alternative Option 3: No Change

If Council chooses to receive this report for information, the Bylaw will continue to apply to all indoor public places and public vehicles until December 31, 2021. Council can review the bylaw again at any time.

Jurisdictional Review

As many Alberta municipalities implemented mask bylaws prior to the provincial Order coming into effect, several jurisdictions are currently evaluating the status of their municipal masking requirements. Attachment 4 contains a summary of the current status of masking requirements in the region. The City of Calgary reviewed its bylaw on June 21, and directed its Administration to return to Council no later than July 5 with the intention to repeal its bylaw as soon as possible provided the Calgary zone data continues to trend in a positive direction.

Other larger Canadian municipalities, such as Vancouver, Toronto, and Montreal, will all continue to follow their current provincial masking requirements but anticipate that changes to mandatory mask requirements will be made in the summer months based on their provincial reopening strategies.

Corporate Outcomes and Performance Management

Corporate Outcome(s): Edmonton is a safe city			
Outcome(s)	Measure(s)	Result(s)	Target(s)
Reduced spread of COVID-19	City of Edmonton active case rate per 100,000	25.0 (June 20, 2021)	Less than 50
	Percentage of eligible Edmonton zone residents partially vaccinated	72.9 (June 19, 2021)	Greater than 70
	Percentage of eligible Edmonton zone residents fully vaccinated	29.5 (June 19, 2021)	Greater than 70

Public Engagement

Consistent with other time-sensitive and complex COVID-related recommendations, public engagement was not conducted for this report.

Attachments

1. Bylaw 19783 (Recommended Option - Provincial plan alignment)
2. Bylaw 19783 (Alternative Option 1 - Require masks until 50 percent fully vaccinated)
3. Bylaw 19783 (Alternative Option 2 - Bylaw repealed)
4. Jurisdictional Review

Others Reviewing this Report

- C. Owen, Deputy City Manager, Communications and Engagement
- G. Cebryk, Deputy City Manager, City Operations
- R. Smyth, Deputy City Manager, Citizen Services
- S. McCabe, Deputy City Manager, Urban Planning and Economy
- K. Fallis-Howell, Acting City Solicitor