

Bylaw 19873

Potential Amendments to the Temporary Mandatory Face Coverings Bylaw

Purpose

To reactivate the portions of the Temporary Mandatory Face Coverings Bylaw that apply to public transit, vehicles for hire, and ridesharing services as of the expiry of the provincial order, provided that the active case rate remains above 100 per 100,000 population.

Readings

Bylaw 19873 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 19873 be considered for third reading.”

Position of Administration

Administration supports this Bylaw.

Previous Council/Committee Action

At the August 16, 2021, City Council meeting, the following motion was passed:

That Administration prepare potential amendments to the Temporary Mandatory Face Coverings Bylaw to reinstate the requirement for masks on transit and vehicles for hire as of September 27, 2021, to coincide with the expiry of the current provincial Chief Medical Officer of Health order, including any recommended thresholds or conditions.

Report Summary

Proposed Bylaw 19873 would reactivate the requirement for masks on transit and vehicles for hire following the expiry of the current provincial order for as long as the City of Edmonton active case rate exceeds 100 per 100,000 population until the bylaw is automatically repealed on December 31, 2021.

Report

The Temporary Mandatory Face Coverings Bylaw came into effect on August 1, 2020, to require masks to be worn in all indoor public places, transit vehicles, and vehicles for hire, including rideshare services. On June 25, 2021, the bylaw was amended by Council to deactivate the requirement for face coverings concurrent with the beginning of Stage 3 of the provincial Open for Summer plan. As a result, while the bylaw remains in force until December 31, 2021, the requirement to wear a mask is not currently in effect.

On July 1, 2021, Stage 3 of the provincial Open for Summer plan came into effect, including Chief Medical Officer of Health Order 34-2021, which requires masks to be worn while operating or riding in a public transit, vehicle for hire, or rideshare vehicle. Based on provincial announcements, that Order will remain in effect until at least September 27, 2021.

Proposed Bylaw 19873 would reactivate the portions of the Temporary Mandatory Face Coverings Bylaw that apply to transit and vehicles for hire, including rideshare services, as of the date the current provincial order expires provided the active case rate threshold of 100 active cases per 100,000 population is met for at least 10 days. Connecting the active case rate to the effectiveness of the bylaw will ensure continuity of the requirement to wear masks in public vehicles following the expiry of the provincial order until case rates fall for at least 10 days or the bylaw is automatically repealed on December 31, 2021.

Administration considered multiple options for potential thresholds, including the Edmonton Zone R-value, City of Edmonton active case rate, and Edmonton Zone hospitalizations. In consultation with the Edmonton Zone medical officer of health, Administration is recommending using only the active case rate for the City of Edmonton. This data point is one of few available to the City that is specific to the City of Edmonton and not the Edmonton Zone, and is the most direct indicator of the presence of COVID-19 in our community. R-value is only provided on a two-week interval, and is not a useful indicator when case numbers are low due to the method of calculation. Hospitalizations are a lagging indicator, and the purpose of monitoring hospitalizations is the protection of the health care system, which does not directly correlate to the perception of safety experienced by transit users.

As there is some uncertainty regarding the continued availability of active case rate data after September 27, there is some risk to linking the effectiveness of the bylaw to this threshold. To fully eliminate this risk, the bylaw could be amended to remove the active case rate as a condition and have the bylaw in effect upon expiry of the provincial order until December 31, 2021.

Public Engagement

Administration conducted a survey through the Edmonton Insight Community regarding mandatory face coverings and perceptions of safety. The survey was open between August 23 - 26, 2021, and Administration will provide the results when this report is considered by Council.

Attachment

1. Bylaw 19873 - Temporary Mandatory Face Coverings Bylaw Amendment No. 3

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
- K. Fallis-Howell, Acting City Solicitor