

Bylaw 20072 - Temporary Face Mask Bylaw

RECOMMENDATION

That Bylaw 20072 be given the appropriate readings.

Purpose

This report provides a new temporary face mask bylaw for all indoor public spaces and in public vehicles in Edmonton.

Readings

At this time Bylaw 20072 is ready for two readings only. This bylaw cannot be given third reading until the Province has proclaimed Bill 4, *Municipal Government (Face Mask and Proof of COVID-19 Vaccination Bylaws) Amendment Act, 2022* to be in force.

Position of Administration

Not applicable.

Previous Council/Committee Action

At the March 8, 2022, Special City Council meeting, the following motion was passed:

That Administration prepare a new Temporary Face Coverings Bylaw similar to Bylaw 19408 and return to the March 14/16, 2022, City Council meeting with the intention of the new bylaw, if it receives the appropriate readings, being submitted to GOA under the provisions under Bill 4.

Report Summary

If City Council believes there is a continuing need for mandatory face masks due to the ongoing COVID-19 pandemic, Bylaw 20072 provides for the use of face masks in all indoor public spaces and in public vehicles in Edmonton.

REPORT

The proposed new Face Mask Bylaw 20072 will require individuals to wear a face mask in all indoor public places and in public vehicles in Edmonton. This will include all retail stores, restaurants (until seated), buses, LRT, recreation centres, entertainment venues, and vehicles for

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hire, as discussed at the March 8, 2022 Special Council meeting. The bylaw contains exemptions for specific circumstances where wearing a face mask would not be appropriate, and each exemption is listed in the bylaw.

Medical experts suggest wearing face masks in public is one action individuals can take to help prevent the spread of COVID-19. When combined with measures such as physical distancing, proper hand hygiene and staying home when sick, face masks are viewed as an effective means in preventing the transmission of COVID-19 by symptomatic and asymptomatic carriers as well as potentially offering some protection to the wearer.

COMMUNITY INSIGHTS

An Insight survey was launched on February 28, 2022, and Administration completed community stakeholders check-ins with the business community, social agencies, faith-based groups, marginalized community associations, seniors associations, post secondary education, school boards, community groups and event based venues.

Through these listening opportunities, Administration heard a diversity of perspectives on the Temporary Face Coverings Bylaw and the continued use of face masks in indoor public spaces, including on transit.

Administration considered those perspectives when preparing this recommendation for Council's consideration. Administration presented the final survey results at the March 8, 2022, Special City Council meeting.

Legal Implications

Under Bill 4, *Municipal Government (Face Mask and Proof of COVID-19 Vaccination Bylaws) Amendment Act, 2022*, a council may not, unless approved by the Minister, bring into force a bylaw requiring the wearing of a face mask or covering. The Minister of Municipal Affairs shall consider the public interest and consult with the Chief Medical Officer of Health appointed under the Public Health Act in determining whether to approve such a municipal bylaw. If Council were to give three readings to this bylaw prior to the coming into force of Bill 4, the bylaw would be automatically repealed once the legislation takes effect. If the bylaw receives second reading, Administration will return the bylaw to Council once Bill 4 comes into force for Council to consider third reading.

ATTACHMENTS

1. Bylaw 20072
2. Bylaw 20072 (tracked-changes to repealed Bylaw 19408)

OTHERS REVIEWING THIS REPORT

- M. Plouffe, City Solicitor