

THE CITY OF EDMONTON
BYLAW ~~20072~~ 19408
TEMPORARY FACE MASK ~~MANDATORY FACE COVERINGS~~ BYLAW

Edmonton City Council enacts:

PART I - GENERAL

- PURPOSE** 1 The purpose of this bylaw is to temporarily mandate the wearing of face masks ~~coverings~~ in indoor public places and public vehicles.
- DEFINITIONS** 2 In this bylaw:
- (a.01) ~~“City Manager” means the chief administrative officer, as defined in the Municipal Government Act, RSA 2000, c M-26, of The City of Edmonton;~~
 - (a) **“face mask covering”** means a medical or non-medical mask or other face covering that fully covers a person’s ~~the~~ nose, mouth, and chin;
 - (b) **“public place”** means any property, whether publicly or privately owned, to which members of the public have access as of right or by express or implied invitation, whether on payment of any fee or not;
 - (c) **“public vehicle”** means a bus, light rail vehicle, or other vehicle operated by Edmonton Transit Service, or a vehicle for hire as defined in the Vehicle for Hire Bylaw, Bylaw 17400; and
 - (d) **“violation ticket”** has the same meaning as defined in the *Provincial Offences Procedure Act*, RSA 2000, c P-34.
- RULES FOR INTERPRETATION** 3 The marginal notes and headings in this bylaw are for ease of reference only.

PART II - FACE MASKS ~~COVERINGS~~

- FACE MASKS** 4 A person must wear a face mask ~~covering~~ at all times while in an

~~COVERINGS~~
~~MANDATORY~~

indoor, enclosed, or substantially enclosed public place or a public vehicle.

~~EFFECTIVE DATES~~ 4.1

~~DELETED~~

~~EXCEPTIONS~~

5 (1) In this section:

- (a) **“authorizing health professional”** means one of the following regulated members under the *Health Professions Act*, RSA 2000, c H-7, who holds a practice permit:
 - (i) nurse practitioners;
 - (ii) physicians;
 - (iii) psychologists;
- (b) **“City Manager”** means the chief administrative officer, as defined in the *Municipal Government Act*, RSA 2000, c M-26, of the City of Edmonton;
- (c) **“fitness activity”** means a physical activity that occurs at a gym, fitness studio, dance studio, rink, pool, sauna, steam room, hot tub, arena, or recreation centre and includes dance classes, rowing, spin, pole dancing, martial arts, yoga, boxing, boot camp, Pilates, and other activities of a similar nature;
- (d) **“health condition”** means the following mental or physical limitations:
 - (i) sensory processing disorders;
 - (ii) developmental delays;
 - (iii) mental illnesses including:
 - (A) anxiety disorders;
 - (B) psychotic disorders;
 - (C) dissociative identity disorder; and
 - (D) depressive disorders;

- (iv) facial trauma or recent oral maxillofacial surgery;
 - (v) contact dermatitis or allergic reactions to face mask components; or
 - (vi) clinically significant acute respiratory distress;
- (d) “**medical exception letter**” means written confirmation provided to a person by an authorizing health professional that:
- (i) verifies that the person has a health condition that prevents the person from wearing a face ~~mask covering~~ while attending an indoor public place or public vehicle without providing specific information about the health condition;
 - (ii) contains the name of the person to whom the exception applies;
 - (iii) states the name, phone number, email address, professional registration number, and signature of the authorizing health professional; and
 - (iv) includes the date on which the written confirmation was provided.
- (e) “**performance activity**” means singing, playing a musical instrument, dancing, acting or other activities of a similar nature;
- (f) “**physical activity**” means a fitness activity or sport activity; and
- (g) “**sport activity**” means sports training, practices, events, games, scrimmages, competitions, gameplay, league play, and other activities of a similar nature.
- (2) Section 4 does not apply to a person:
- (a) under the age of 2;
 - (b) unable to place, use, or remove a face ~~mask covering~~ mask covering

without assistance;

- (c) seated while consuming food or drink;
- (d) providing or receiving care or assistance where a face ~~mask covering~~ would hinder that caregiving or assistance;
- (e) alone at a workstation and separated by at least two metres' distance from all other persons;
- (f) subject to a workplace hazard assessment in which it is determined that the person's safety will be at risk if the person wears a face ~~mask covering~~ while working;
- (g) separated from every other person by a physical barrier that prevents droplet transmission;
- (h) who needs to temporarily remove their face ~~mask covering~~ for the purpose of:
 - (i) receiving a service that requires the temporary removal of their face ~~mask covering~~;
 - (ii) an emergency or medical purpose, or;
 - (iii) establishing their identity;
- (i) participating in a physical activity;
- (j) participating in or leading a worship, spiritual, or religious ceremony or service at a place of worship, provided that a physical barrier or at least two metres' distance exists between the person and anyone observing or attending the ceremony or service;
- (k) participating in a performance activity, provided that a physical barrier or at least two metres' distance exists between the person and anyone observing or attending the performance activity; or
- (l) unable to wear a face ~~mask covering~~ due to a health condition, as determined by an authorizing health professional, that presents a medical exception letter

dated within the prior one year.

(3) The City Manager may exempt any person, or class of persons, from the application of section 4 ~~provided that the exemption would not conflict with any order issued by the Chief Medical Officer of Health or any enactment.~~

~~(4) Subsection (3) ceases to have effect on November 15, 2021.~~

6 Section 4 does not apply to the following places:

- (a) schools and other educational facilities;
- (b) hospitals and health-care facilities; and
- (c) child care facilities.

PART III - ENFORCEMENT

OFFENCE	7	A person who contravenes this bylaw is guilty of an offence.
FINE	8	A person found guilty of an offence under this bylaw is liable to a fine in an amount not less than \$100.
VIOLATION TICKET	9	(1) If a violation ticket is issued for an offence under this bylaw, the violation ticket may: <ul style="list-style-type: none">(a) specify the fine amount established by this bylaw for the offence; or(b) require a person to appear in court without the alternative of making a voluntary payment.
		(2) A person who commits an offence may, if a violation ticket is issued specifying the fine amount established by this bylaw for the offence, make a voluntary payment equal to the specified fine amount.
DEEMING PROVISION	9.1	DELETED

PART IV - EFFECTIVE DATES

COMING INTO FORCE

- 10 This bylaw comes into force on the date it is approved by the Minister of Municipal Affairs.
~~This bylaw comes into force on August 1, 2020.~~

REPEAL

- ~~11 DELETED~~

REVIEW

- 11 (1) This bylaw must be reviewed by City Council no later than June 30, 2022.
~~12~~
- (2) Nothing in this section requires Council to amend or repeal this bylaw following the review required by subsection (1).
- ~~— (1) This bylaw must be reviewed by City Council within 30 days of the later of:~~
- ~~(a) — the day on which the number of active COVID-19 cases in the City of Edmonton has been less than or equal to 100 per 100,000 population, as reported by Alberta Health, for 28 consecutive days; and~~
- ~~(b) — the day on which the provincial Chief Medical Officer of Health order requiring face coverings is rescinded.~~
- ~~— (2) Notwithstanding anything in this bylaw, if the number of active COVID-19 cases in the City of Edmonton is less than or equal to 100 per 100,000 population on the day this section comes into force, the 28-day period set out in subsection (1)(a) begins on the day this section comes into force.~~
- ~~— (3) Nothing in this section requires Council to amend or repeal this bylaw following the review required by subsection (1).~~