

THE CITY OF EDMONTON
BYLAW 20090
TEMPORARY TRANSIT FACILITIES FACE MASK BYLAW

Edmonton City Council enacts:

PART I - GENERAL

PURPOSE	1	The purpose of this bylaw is to temporarily mandate the wearing of face masks in indoor transit facilities.
DEFINITIONS	2	In this bylaw: <ul style="list-style-type: none">(a) “face mask” means a medical or non-medical mask or other face covering that covers a person’s nose, mouth, and chin;(b) “transit facility” means<ul style="list-style-type: none">(i) a bus, light rail vehicle, or other vehicle operated by Edmonton Transit Service;(ii) bus shelters; and(iii) transit centres, LRT stations and terminals; and(c) “violation ticket” has the same meaning as defined in the <i>Provincial Offences Procedure Act</i>, 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

FACE MASKS MANDATORY	4	A person must wear a face mask at all times while in an indoor, enclosed, or substantially enclosed transit facility.
EXCEPTIONS	5	(1) In this section: <ul style="list-style-type: none">(a) “authorizing health professional” means one of the following regulated members under the <i>Health</i>

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) “**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 while attending a transit facility 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.

(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 without assistance;
- (c) seated while consuming food or drink;
- (d) providing or receiving care or assistance where a face mask 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 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 for the purpose of:
 - (i) receiving a service that requires the temporary removal of their face mask;
 - (ii) an emergency or medical purpose, or;
 - (iii) establishing their identity; or

- (i) unable to wear a face mask 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.

PART III - ENFORCEMENT

OFFENCE	6	A person who contravenes this bylaw is guilty of an offence.
FINE	7	A person found guilty of an offence under this bylaw is liable to a fine in an amount not less than \$100.
VIOLATION TICKET	8	<ul style="list-style-type: none"> (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.

PART IV - EXPIRY

EXPIRY 9 This bylaw ceases to have effect on the date that all orders issued by the Chief Medical Officer of Health requiring face masks to be worn on public transit, as defined by the Chief Medical Officer of Health, expire.

Read a first time

Read a second time

Read a third time

SIGNED AND PASSED

THE CITY OF EDMONTON

MAYOR

CITY CLERK