

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

Edmonton City Council enacts:

**PART I - GENERAL**

- |                                 |   |  |
|---------------------------------|---|--|
| <b>PURPOSE</b>                  | 1 | The purpose of this bylaw is to temporarily mandate the wearing of face masks in indoor transit facilities.  |
| <b>DEFINITIONS</b>              | 2 | <p>In this bylaw:</p> <p>(a) “<b>face mask</b>” means a medical or non-medical mask or other face covering that covers a person’s nose, mouth, and chin;</p> <p>(b) “<b>transit facility</b>” means</p> <p style="padding-left: 40px;">(i) a bus, light rail vehicle, or other vehicle operated by Edmonton Transit Service;</p> <p style="padding-left: 40px;">(ii) bus shelters; and</p> <p style="padding-left: 40px;">(iii) transit centres, LRT stations and terminals; and</p> <p>(c) “<b>violation ticket</b>” has the same meaning as defined in the <i>Provincial Offences Procedure Act</i>, RSA 2000, c P-34.</p> |
| <b>RULES FOR INTERPRETATION</b> | 3 | The marginal notes and headings in this bylaw are for ease of reference only.  |

**PART II - FACE MASKS**

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|-----------------------------|---|--|
| <b>FACE MASKS MANDATORY</b> | 4 | A person must wear a face mask at all times while in an indoor, enclosed, or substantially enclosed transit facility.                                |
| <b>EXCEPTIONS</b>           | 5 | <p>(1) In this section:</p> <p>(a) “<b>authorizing health professional</b>” means one of the following regulated members under the <i>Health</i></p> |

*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**

<b>OFFENCE</b>	6	A person who contravenes this bylaw is guilty of an offence.
<b>FINE</b>	7	A person found guilty of an offence under this bylaw is liable to a fine in an amount not less than \$100.
<b>VIOLATION TICKET</b>	8	<ul style="list-style-type: none"> <li>(1) If a violation ticket is issued for an offence under this bylaw, the violation ticket may: <ul style="list-style-type: none"> <li>(a) specify the fine amount established by this bylaw for the offence; or</li> <li>(b) require a person to appear in court without the alternative of making a voluntary payment.</li> </ul> </li> <li>(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.</li> </ul>

