

Bylaw 19491

Amendment to Extend the Temporary Mandatory Face Coverings Bylaw - Bylaw 19408 Amendment #1

Purpose

This report recommends an amendment to extend the Temporary Mandatory Face Coverings Bylaw until May 31, 2021.

Readings

Bylaw 19491 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 19491 be considered for third reading.”

Previous Council/Committee Action

- At the November 16/18/20, 2020, City Council meeting, the following motion was passed:

That Council assume jurisdiction over Bylaw 19491 - Amendment to Extend the Temporary Mandatory Face Coverings Bylaw - Bylaw 19408 Amendment #1 and route it to City Council to be dealt with on Friday, November 20, 2020, and that further submissions on the matter be invited in writing.

- At the November 13, 2020, Community and Public Services Committee meeting, Bylaw 19491 was considered.

Position of Administration

Administration supports this Bylaw.

Report Summary

As part of the ongoing need for public health protection measures due to the COVID-19 pandemic, Bylaw 19491 extends the Temporary Mandatory Face Coverings Bylaw for an additional five months. This aligns with the strong recommendation from the Government of Alberta regarding use of face coverings in enclosed spaces.

Report

Background

On July 23, 2020, Administration advised the Emergency Advisory Committee that it had moved to Level 2 of the Face Covering Decision-Making Model and face coverings were required on City transit and in City facilities as of August 1, 2020.

At that time, the Chief Medical Officer of Health had not issued a province-wide order requiring the use of face coverings and the Province signalled it was a municipality's choice to invoke any face covering legislation. On July 29, 2020, Council passed Bylaw 19408 making face coverings mandatory in indoor, public spaces effective August 1, 2020.

Bylaw 19408 requires individuals to wear a face covering in all indoor, publicly accessible spaces. This includes retail stores, entertainment venues, recreation centres, restaurants, and vehicles for hire. The bylaw set out several exemptions relating to age, specific activities and mental or physical concerns or limitations. The bylaw does not apply to schools, health care facilities and hospitals, child care facilities and employee-only spaces where physical barriers have been installed between the employee and patrons. Bylaw 19408 will be repealed on December 31, 2020, unless extended by Council.

Wearing face coverings 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 coverings 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.

Compliance Approach

Edmonton's regulatory approach has been to seek individual, community and industry voluntary compliance. Administration has been monitoring compliance levels within the transit system, recreational facilities, vehicle for hire industry, and public spaces and measures an overall Edmonton compliance rate. Since the bylaw first came into effect, overall compliance throughout Edmonton has been calculated as 97 percent (see Attachment 2).

From August 1 to October 15, City enforcement staff have received 1161 face covering complaints, issued 1638 warnings and 4 tickets.

Current Case Numbers and Epidemiology

When the bylaw came into force on August 1, 2020, there were approximately 272 confirmed active COVID-19 cases (active case rate of 26.6/100,000) in the Edmonton health zone and Edmonton had an "Open" provincial relaunch status, which meant no further public health measures were in place.

As of October 31, 2020, there were 2312 confirmed active COVID-19 cases (active case rate of 185/100,000) in the Edmonton health zone. On October 8, 2020, Edmonton was put into an "Enhanced" provincial relaunch status, which means risk levels require enhanced public health measures to control the spread, and voluntary measures were announced for the Edmonton health zone. On October 26, 2020, the Province announced a mandatory restriction limiting the size of private social gatherings in Edmonton to 15 people or less based on epidemiological data demonstrating that a significant number of active cases were acquired at these types of events in the Edmonton zone.

Face Covering Bylaws in Alberta

As of October 31, 2020, all of the following municipalities in and around the Edmonton zone have mandatory face covering bylaws in effect:

- Spruce Grove (expires when City reaches "open" status for 30 days)
- Stony Plain (expires 14 days after the City has less than 10 active cases)
- St. Albert (expires December 31, 2020)
- Strathcona County (expires March 31, 2021)
- Fort Saskatchewan (expires December 31, 2020)
- Sturgeon County (expires December 31, 2020)
- Beaumont (expires January 31, 2021)

- Leduc County (no expiry date)
- Red Deer (transit vehicles only; expires December 31, 2020)

In addition, the City of Calgary's Temporary COVID-19 Face Coverings Bylaw remains in effect with no scheduled repeal date; however, their Administration will be providing quarterly updates to Council. The next update is scheduled for December 14, 2020.

Next Steps

Due to the continued high number of active cases in the Edmonton zone, and with support of the Edmonton zone Medical Officer of Health, Administration recommends extending the Temporary Mandatory Face Coverings Bylaw until May 31, 2021, as part of the ongoing health protection measures to reduce the spread of COVID-19.

If a province-wide order is issued while the bylaw is in effect, Administration would review both the bylaw and the order and recommend any necessary bylaw amendments to Council. Should there be a need to extend or repeal the bylaw sooner, Council can approve a bylaw amendment at any time.

If approved by Council, face coverings would continue to be mandatory for all public, indoor spaces until May 31, 2021. Administration will continue ongoing education and awareness, including public service announcements, website updates, social media advertising and in-person education by City enforcement officers.

Corporate Outcomes and Performance Management

Corporate Outcome(s): Edmonton is a Safe City			
Outcome(s)	Measure(s)	Result(s)	Target(s)
Transmission of COVID-19 in Edmonton is reduced	Number of active COVID-19 cases in Edmonton zone per 100,000 population	185 (October 31, 2020) 19.7 (July 24, 2020)	Downward trend (2020)

Public Engagement

Public engagement was not conducted for this report; however, limited feedback was obtained from the Business Improvement Areas, the Edmonton Chamber of Commerce and Vehicle For Hire operators for the original bylaw report.

Budget/Financial Implications

The bylaw will continue to be implemented within existing budgets.

Attachments

1. Bylaw 19491 - Temporary Mandatory Face Coverings Bylaw Amendment No. 1
2. Face Covering Compliance Data
3. Dashboard Summary
4. Epidemiology Curve

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
- B. Andriachuk, City Solicitor