



## BYLAW NO. 12-2020

### BEING A BYLAW OF THE VILLAGE OF WABAMUN, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF TEMPORARILY MANDATING THE WEARING OF FACE COVERINGS IN INDOOR PUBLIC PLACE AND PUBLIC VEHICLES

**WHEREAS** on March 11, 2020 the World Health Organization declared a global pandemic related to the spread of the COVID-19 virus and the COVID-19 pandemic remains a health risk;

**AND WHEREAS** the World Health Organization, Chief Public Health Officer for Canada and the Chief Medical Officer of Health for Alberta have identified Face Coverings as a way to reduce the risk of spreading COVID-19 in circumstances where physical distancing may not be possible;

**AND WHEREAS** physical distancing may not be possible in indoor Public Places and in Public Vehicles;

**AND WHEREAS** pursuant to the *Municipal Government Act*, RSA 2000, c.M-26 a council of a municipality may pass bylaws respecting the safety, health and welfare of people and the protection of people and property; people, activities and things in, on or near a public place or place that is open to the public; and businesses, business activities and persons engaged in business;

**AND WHEREAS** Council considers it expedient and desirable for the health, safety, and welfare of the inhabitants of the Village of Wabamun to require the wearing of Face Coverings in indoor Public Places and in Public Vehicles;

**NOW THEREFORE** the Council of the Village of Wabamun, in the Province of Alberta, duly assembled and under the authority of the *MGA* as amended, enacts as follows:

#### SHORT TITLE

1. This Bylaw shall be known as the **“Temporary Mandatory Face Coverings Bylaw”**.

#### DEFINITIONS

2. In this Bylaw, unless the context otherwise requires:

**Chief Administrative Officer (CAO)** means the Chief Administrative Officer or their delegate;

**Face Covering** means a mask or other face covering that covers the mouth, nose and chin ensuring a barrier that limits the transmission of infectious respiratory droplets;

**Peace Officer** means a member of the Royal Canadian Mounted Police or a Peace Officer appointed under the *Peace Officer Act*, SA 2006, c.P-3.5, as amended;

**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;

**Public Vehicle** means a bus, taxi or other vehicle that is used to transport members of the public for a fee;

**Violation Ticket** means a ticket issued pursuant to Part II or III of the *Provincial Offences Procedure Act*, RSA 2000, c.P-34 amended; and

**Watch** means the designation of a region by the Government of Alberta as defined in their Relaunch Status Protocols.

## FACE COVERINGS

3. A person must wear a Face Covering at all times while in an indoor, enclosed, or substantially enclosed Public Place or in a Public Vehicle.

## EXCEPTIONS

4. Section 3 does not apply to the following persons:
  - a. persons under the age of 10;
  - b. persons who are unable to place, use, or remove a Face Covering without assistance;
  - c. persons unable to wear a Face Covering due to mental or physical concern or limitation, or protected ground under the *Alberta Human Rights Act*, RSA 2000, c.A-25.5;
  - d. persons consuming food or drink in designated seating areas or as part of a religious or spiritual ceremony;
  - e. persons engaged in physical activities, water activities or the paid supervision of water activities, or attending within a sauna or steam room;
  - f. persons providing care or assistance to a person with a disability where a face covering would hinder that caregiving or assistance;
  - g. persons engaging in services that require the temporary removal of a face covering;
  - h. persons participating in a dance, theatrical or musical performance, if all participants in the performance are able to maintain a least two metres of physical distance from each other and do not enter the areas where the public is viewing the performance;
  - i. person providing or receiving a service that requires personal consultation if that activity occurs in a closed office or meeting room and all participants in the personal consultation are able to maintain physical separation of at least two metres from each other; and

- j. persons separated from others by physical barriers or shields such as plexiglass.
5. Section 3 does not apply to the following places:
- a. schools and other educational facilities;
  - b. hospitals and health care facilities’
  - c. child care facilities; and
  - d. areas exclusively accessed or used by the Public Place’s employees or a Public Vehicle operator, or platform and stage areas in places of worship during worship services, provided that physical barriers or physical distancing practices are implemented between any person not required to wear a face covering by operation of this exception and any other person.

**ENACTMENT**

- 6. Council may by resolution, implement the provisions of this Bylaw at any time.
- 7. The provisions of this Bylaw may only be enacted by the Chief Administrative Officer if the Government of Alberta places Parkland Region under a Watch as per their existing COVID-19 case thresholds.

**REVERSION**

- 8. Council may by resolution, revert the enactment of this Bylaw at any time.
- 9. If the provisions of this Bylaw have been enacted in accordance with Section 7, they may only be reverted if the Government of Alberta rescinds the Watch designation on Parkland Region and it remains free of such for a period of thirty (30) consecutive days.

**OFFENCE AND PENALTIES**

- 10. A person who contravenes this Bylaw is guilty of an offence.
- 11. A person found guilty of an offence under this Bylaw is liable to a fine in an amount not less than \$100.00.

**ENFORCEMENT**

- 12. Where a Peace Officer believes that a person has contravened any provision of this Bylaw, the Peace Office may issue a Violation Ticket in accordance with the *Provincial Offences Procedure Act*, RSA 2000, c.P-34.
- 13. If a Violation Ticket is issued for an offence under this bylaw, the Violation Ticket may:
  - 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
- 14. 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.

**SEVERABILITY**

- 15. Every provision of this Bylaw is independent of all other provisions and if any provision is declared invalid by a court, then the invalid provisions shall be severed and the remainder provisions shall remain valid and enforceable.
- 16. This Bylaw shall come into force and take effect on the day of its third reading and signing thereof.

READ A FIRST TIME IN COUNCIL THIS 17<sup>th</sup> DAY OF NOVEMBER, 2020

READ A SECOND TIME IN COUNCIL THIS 17<sup>th</sup> DAY OF NOVEMBER, 2020

READ A THIRD TIME IN COUNCIL AND FINALLY PASSED THIS 1<sup>ST</sup> DAY OF DECEMBER, 2020

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Signed by the CEO this date

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CHIEF ELECTED OFFICIAL

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Signed by the CAO this date

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CHIEF ADMINISTRATIVE OFFICER