

Sturgeon County

9613-100 Street Morinville, Alberta T8R 1L9

Meeting Agenda - Final Special Council Meeting

Thursday, August 20, 2020

1:00 PM

Through Electronic Communications

A. CALL TO ORDER & RELATED BUSINESS

A.1 CALL TO ORDER

A.2 ADOPTION OF AGENDA

B. NEW BUSINESS

B.1 Bylaw 1513/20 - Temporary Mandatory Face Coverings Bylaw

Proposed Motion: 1. That Council give first reading of Bylaw 1513/20.

2. That Council give second reading of Bylaw 1513/20.3. That Council consider third reading of Bylaw 1513/20.4. That Council give third reading of Bylaw 1513/20.

5. That Council mandate the wearing of face coverings in County facilities located outside of the municipal boundaries of Sturgeon County consistent with the provisions of the Temporary Mandatory Face Coverings Bylaw.

Attachments: Request for Decision

Bylaw 1513/20 – Temporary Mandatory Face Coverings

Attachment 1 - Summary Table on Mandatory Face Coveri

Attachment 2 - Comparison of Regional Temporary Manda

Scott MacDougall, Chief Operating Officer - COO and Jesse

Sopko, Director, Corporate Services

C. ADJOURNMENT



Sturgeon County

9613-100 Street Morinville, Alberta T8R 1L9

Legislation Text

File #: RFD-361-20, Version: 1

Bylaw 1513/20 - Temporary Mandatory Face Coverings Bylaw

- 1. That Council give first reading of Bylaw 1513/20.
- 2. That Council give second reading of Bylaw 1513/20.
- 3. That Council consider third reading of Bylaw 1513/20.
- 4. That Council give third reading of Bylaw 1513/20.
- 5. That Council mandate the wearing of face coverings in County facilities located outside of the municipal boundaries of Sturgeon County consistent with the provisions of the Temporary Mandatory Face Coverings Bylaw.



Agenda Item: B.1

Request for Decision

Bylaw 1513/20 – Temporary Mandatory Face Coverings Bylaw Title

Proposed Motions

- 1. That Council give first reading of Bylaw 1513/20.
- 2. That Council give second reading of Bylaw 1513/20.
- 3. That Council consider third reading of Bylaw 1513/20.
- 4. That Council give third reading of Bylaw 1513/20.
- 5. That Council mandate the wearing of face coverings in County facilities located outside of the municipal boundaries of Sturgeon County consistent with the provisions of the Temporary Mandatory Face Coverings Bylaw.

Administrative Recommendation

Administration recommends that Council give three readings of Bylaw 1513/20 to temporarily mandate face coverings in public spaces in Sturgeon County. Further, Administration recommends that Council require face coverings to be worn in County facilities located outside of Sturgeon County's municipal boundaries consistent with the provisions of the proposed bylaw.

Previous Council Direction

August 11, 2020 Council Meeting

Motion 351/20: That Council direct Administration to continue to monitor active COVID-19 cases in the Sturgeon County region and provide an update to Council at the August 25, 2020 Council meeting and send a letter to Government of Alberta advocating for provincial leadership with respect to the mandating of face coverings in public spaces.

Report | Background Information

Government of Alberta Information on the Use of Face Coverings

- Since the beginning of the COVID-19 pandemic in March 2020, residents of Sturgeon County have made great efforts to reduce the transmission of the virus by physical distancing, practicing good hand hygiene, and staying home if sick.
- The Government of Alberta states that face coverings can be an effective measure for reducing the spread of COVID-19, especially when combined with other prevention measures, including physical distancing, good hand hygiene, and staying home when sick.
- While wearing a homemade or non-medical mask has not been proven to protect the person wearing it, it can help others from being exposed

Date Written: August 19, 2020 Council Meeting Date: August 20, 2020

- to the virus. Masks are a complement, not a replacement, to other preventative measures.
- To date, neither the federal nor the provincial Chief Medical Officer of Health have imposed requirements on the use of masks or face coverings in public spaces. The use of masks and face coverings continue to be a recommendation.

COVID-19 Response in Sturgeon County

- At the August 11, 2020 Council meeting, since there were only 2 active cases of COVID-19 at that time, representing a case rate of 3.6 per 100,000, Administration recommended that the active case rate continue to be monitored and that Administration keep Council updated on the status of the virus within the Sturgeon region.
- The Government of Alberta designates regions in the province as Open, Watch, or Enhanced Relaunch status according to the level of risk and number of active cases.
- On August 18, 2020, the Sturgeon region moved from an Open designation (low level of risk; less than 50 active cases per 100,000 people) to a Watch designation (provincial monitoring and discussions with local governments about the possible need for additional health measures; at least 10 active cases and more than 50 active cases per 100,000 people).
- At the time of writing this report, the Sturgeon region has 16 active cases and an active case rate of 57.2.
- In response to the Sturgeon region being moved to a Watch designation, on August 18, 2020, the Mayor called a Special Council Meeting for Council to consider a temporary mandatory face coverings bylaw.

<u>Comparison of Face Coverings Bylaws in other Edmonton Metropolitan</u> Region Municipalities

- A number of municipalities in Alberta have passed bylaws mandating the use of face coverings in public spaces. Attachment 1 provides a summary of mandatory face covering bylaws in the Edmonton Metropolitan Region.
- Summaries of the detailed provisions of Edmonton Metropolitan Region municipalities that has passed a face coverings bylaw are provided in Attachment 2, as well as a summary of the proposed provisions of Bylaw 1513/20 to temporarily mandate face coverings in Sturgeon County.

Face Coverings in Sturgeon County Facilities

- If passed, Bylaw 1513/20 would apply to Sturgeon County facilities within the County's municipal boundaries, but would not apply to facilities in other municipalities, such as County Centre, which is located within the Town of Morinville.
- In order to promote the health and safety of residents and County employees, Administration recommends that Council pass a resolution

Date Written:
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August 19, 2020 August 20, 2020 mandating the wearing of face coverings in County facilities located outside of the County's municipal boundaries consistent with the provisions of Bylaw 1513/20.

- Complimentary non-medical masks would be provided at County facilities for patrons who do not have one.
- Administration would continue to promote physical distancing at County-operated outdoor locations such as parks and sports fields.

External Communication

- If Bylaw 1513/20 is passed, Administration will communicate the Bylaw through a press release, interviews with the media, by posting information on the County website, and through road signs.
- Administration will also provide support to County businesses and other
 organizations that will require that patrons wear face coverings in
 accordance with the provisions of the Bylaw.

Relevant Policy/Legislation/Practices:

Municipal Government Act, section 7

Implication of Administrative Recommendation

Strategic Alignment:

Strong Local and Regional Governance – Passing a bylaw mandating the wearing of face coverings shows regional leadership in an effort to reduce the transmission of the COVID-19 virus.

Maintain and Enhance Strong Communities – A face coverings bylaw promotes public safety.

Organizational:

Administration would make efforts to educate the public on the Bylaw.
 Education would precede any enforcement efforts.

Financial:

None.

Alternatives Considered

- 1. Council could amend Bylaw 1513/20 before passing it.
- 2. Council could defeat Bylaw 1513/20.

Implications of Alternatives

- 1. The implications of an amended bylaw are dependent on the amendments proposed.
- A decision to defeat Bylaw 1513/20 would result in face coverings continuing to be a recommendation in public places and public vehicles in Sturgeon County and not a requirement.

Follow up Action

- 1. Obtain Mayor and CAO signatures on the Bylaw (Legislative Services, August 2020).
- 2. Communicate the Bylaw to the public (Corporate Communications, August 2020).

Date Written: Council Meeting Date: August 19, 2020 August 20, 2020 3. Communicate requirement of wearing face coverings in County facilities outside of Sturgeon County municipal boundaries to employees (Corporate Communications and CAO Office, August 2020).

Attachment(s)

- 1. Bylaw 1513/20 Temporary Mandatory Face Coverings
- 2. Summary Table on Mandatory Face Covering Bylaws in the Edmonton Metropolitan Region
- 3. Comparison of Regional Temporary Mandatory Face Coverings Bylaw Provisions

Report Reviewed

by:

Jesse Sopko, Director, Corporate Services

Scott MacDougall, Chief Operating Officer – COO

Reegan McCullough, County Commissioner – CAO

Date Written: August 19, 2020 Council Meeting Date: August 20, 2020

Strategic Alignment Checklist

Vision: Sturgeon County: a diverse, active community that pioneers opportunities and promotes initiative while embracing rural lifestyles.

Mission: Provide quality, cost effective services and infrastructure to meet the diverse needs of the Sturgeon County community, while improving competitiveness and sustainability.

Focus Areas	Not consistent	N/A	Consistent
Planned Growth and Prosperity			
We encourage varied and integrated enterprises that enhance our strong economic base, while balancing the needs of the community and natural environment. (Strategic Plan and MDP pg. 36)		×	
 Supports a strong thriving business environment to strengthen our economic foundation 		×	
 Plans for responsible growth through the MDP and regional growth plan. 			
 Manages growth for current and future developments through: transparent bylaws, policies and processes to enable responsible land development 		⊠	
 targeting growth around existing and identified future growth areas 		⊠	
Maintain and Enhance Strong Communities			
We are committed to a safe and viable community, where our residents are provided with access to opportunities and quality of life. (Strategic Plan and pg. 27 MDP)		×	
 Provides access to programs and services that have a positive impact on residents' quality of life 		×	
Provides access to safe and reliable infrastructure assets		×	
Supports the safety of people and property			×
Strong Local and Regional Governance			
We promote consistent and accountable leadership through collaborative and transparent processes (Strategic Plan and pg. 27 MDP)			×
 Provides effective leadership and management consistent with Strategic Plan, MDP, master plans, bylaws, policies, community engagement 		×	
Considers fiscal stability and sustainability			
 Fosters collaborative intergovernmental partnerships 			\boxtimes
Community Identity & Spirit			
We will build upon our strengths, where together we will create an inclusive, caring community (Strategic Plan and MDP pg. 27)		⊠	
 Promotes and/or enhances residents' identification with Sturgeon County 		\boxtimes	
Support and/or collaborate with voluntary organizations in the region		\boxtimes	
Environmental Stewardship			
We foster a healthy environment and minimize our impact on ecosystems. (Strategic Plan and MDP pg. 27)		×	
 Plans and partnerships that minimize environmental impact on natural areas 		×	
Provides awareness of environmental issues impacting the County		×	

Date Written: August 19, 2020 Council Meeting Date: August 20, 2020

BYLAW 1513/20

TEMPORARY MANDATORY FACE COVERINGS BYLAW

STURGEON COUNTY, MORINVILLE, ALBERTA

A BYLAW OF STURGEON COUNTY, IN THE PROVINCE OF ALBERTA, TO TEMPORARILY MANDATE THE WEARING OF FACE COVERINGS IN INDOOR PUBLIC PLACES AND PUBLIC VEHICLES

WHEREAS, the World Health Organization, the Chief Public Health Officer of Canada and the Chief Medical Officer of Health for Alberta have identified Face Coverings as a way to reduce the transmission of the COVID-19 virus;

AND WHEREAS, pursuant to section 7 of the *Municipal Government Act*, RSA 2000, c. M-16, a municipality may pass bylaws respecting:

- a. the safety, health and welfare of people and the protection of people and property;
- b. people, activities and things in, on or near a public place or place that is open to the public; and
- c. businesses, business activities and persons engaged in business;

AND WHEREAS, Council considers it appropriate to mandate the wearing of Face Coverings in Public Places and Public Vehicles subject to exceptions set out in this bylaw;

NOW THEREFORE, the Council of Sturgeon County, in the Province of Alberta, duly assembled, enacts as follows:

1. Title

1.1. This Bylaw may be referred to as the "Temporary Mandatory Face Coverings Bylaw".

2. Purpose

2.1. The purpose of this Bylaw is to establish requirements to wear Face Coverings in Public Places and Public Vehicles subject to exceptions set out in this bylaw.

3. Definitions

- 3.1. In this Bylaw, unless the context otherwise requires:
 - (a) "Council" means the Council of Sturgeon County;
 - (b) "County" means Sturgeon County;
 - (c) "County Commissioner" means the Chief Administrative Officer of Sturgeon County;
 - (d) "Face Covering" means a medical or non-medical mask or other face covering that fully covers the nose, mouth and chin;
 - (e) "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;
 - (f) "Public Vehicle" means a motor vehicle used or offered for the transportation of at least one passenger in return for a fee, and includes but is not limited to motor vehicles

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typically referred to as buses, taxis, shuttles, transportation network vehicles, and limousines; and

(g) "Violation Ticket" has the same meaning as defined in the *Provincial Offences Procedure Act,* RSA 2000, c. P-34.

4. Interpretation

- 4.1. The headings, titles, and margin notes in this bylaw are for ease of reference only.
- 4.2. Where this bylaw cites or refers to any act, regulation, code or other bylaw, the citation or reference is to the act, regulation, code or other bylaw as amended, whether amended before or after the commencement of this bylaw, and includes reference to any act, regulation, code or other bylaw that may be substituted in its place.
- 4.3. Nothing in this bylaw relieves a person from complying with any federal or provincial law, regulation or order, court order, or any lawful permit or license.

5. Face Coverings Mandatory

5.1. 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.

6. Exceptions

- 6.1. Section 5.1 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 a 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 theatrical dance or theatrical or musical public performance, if all participants in the performance are able to maintain at least

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two metres of physical distance from each other and do not enter the areas where the public is viewing the performance;

- (i) persons 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.
- 6.2. No person shall in any manner harass or attempt to intimidate a person who is not guilty of an offence while not wearing a Face Covering as a result of any provision of section 6.1.
- 6.3. Section 5.1 does not apply to the following places:
 - (a) schools and other educational facilities;
 - (b) child-care facilities;
 - (c) areas exclusively accessed or used by the Public Place's employees or a public vehicle operator 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; and
 - (d) platforms or 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.

7. Enforcement

- 7.1. A person who contravenes a provision of this bylaw is guilty of an offence.
- 7.2. A person found guilty of an offence under this bylaw is liable to a fine in the amount of \$100.

8. Violation Ticket

- 8.1. 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.
- 8.2. 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.

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9. Enactment

9.1. The provisions of this bylaw may only be enacted by the County Commissioner if the Government of Alberta places the Sturgeon region under a Watch as per their existing COVID-19 case thresholds.

9.2. If the provisions of this bylaw have been enacted in accordance with section 9.1, they may only be reverted if the Government of Alberta rescinds the Watch designation on the County and it remains free of such for a period of 14 (fourteen) consecutive days.

10. Effective Date

10.1. This bylaw shall come into force and take effect on the date that it is passed.

11. Repeal Date

11.1. This bylaw is repealed on December 31, 2020.

Read a first time thisday of, 20	
Read a second time this day of, 20	
Read a third time this day of, 20	
	Alanna Hnatiw
	MAYOR
	 Reegan McCullough
	COUNTY COMMISSIONER (CAO)
DATE SIGNED	

If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

Summary Table on Mandatory Face Covering Bylaws in the Edmonton Metropolitan Region

Municipality	Mandatory Face Covering Bylaw in Place	Face Coverings Required
	Yes	All public places
City of Edmonton		Transit
		Vehicles for Hire
	Yes	All public places
City of St. Albert		Transit
		Vehicles for Hire
	Yes	All public places (if more than 10 active COVID-19
City of Fort Saskatchewan	(in effect only if more than 10 active COVID-19	cases)
	cases)	Transit
	Yes	All public places
City of Beaumont		City-owned facilities
		Transit
	Yes	All public places (if 10 or more active COVID-19
City of Ladys	(in effect only if 10 or more active COVID-19 cases)	cases)
City of Leduc		Transit (effective August 1)
Town of Morinville	No	
Town of Stony Plain	No	
	Yes	All public places (if 18 or more active COVID-19
City of Common Common	(in effect only if 18 or more active COVID-19 cases)	cases)
City of Spruce Grove		Transit (effective August 1)
Town of Devon	No	
	Yes	All public places (if 25 or more active COVID-19
Charles and Const.	(in effect only if 25 or more active COVID-19 cases)	cases)
Strathcona County		Transit
		City-owned facilities
Leduc County	No	
Parkland County	No	
Sturgeon County	No	

Municipality	When Bylaw is in Effect	Where Face Coverings are Mandatory	Exceptions	Enforcement	Repeal Provisions
Sturgeon County (proposed)	When the Sturgeon region is placed under a Watch as per Government of Alberta thresholds (currently at least 10 cases and more than 50 active cases per 100,000)	All indoor, enclosed, or substantially enclosed public places and public vehicles with the exception of: -Schools and other educational facilities -Child care facilities -Areas exclusively accessed by employees or a public vehicle operator where physical barriers or physical distancing is in place -Platforms and stages in places of worship where physical barriers or physical distancing is in place	-Persons under the age of 10 -Persons who are unable to place, use, or remove a Face Covering without assistance -Persons unable to wear a Face Covering due to a mental or physical concern or limitation -Religious or spiritual ceremonies -Physical or water activities -Caregiving where a Face Covering would hinder the caregiving -Services that require the temporary removal of a Face Covering -Theatrical performances	Fine of \$100	Bylaw repeals on December 31, 2020

Municipality	When Bylaw is in Effect	Where Face Coverings are Mandatory	Exceptions	Enforcement	Repeal Provisions
			where physical distancing is maintained -Personal consultations where physical distancing is maintained -Persons separated by others by barriers such as plexiglass		
City of Edmonton	All of the time	All indoor, enclosed or substantially enclosed public spaces and vehicles except for: -Schools and other educational facilities -Hospitals and health-care facilities -Child care facilities -Areas exclusively accessed or used by the public place's employees or a public vehicle operator, provided that physical barriers or physical distancing practices are	-Persons under the age of 2 -Persons unable to wear one without assistance -Unable to wear due to a physical concern or limitation under the Alberta Human Rights ActPersons eating or drinking in designated areas or as part of a religious of	Fine not less than \$100	In effect from August 1 to December 31, 2020

Municipality	When Bylaw is in Effect	Where Face Coverings are Mandatory	Exceptions	Enforcement	Repeal Provisions
		implemented	spiritual		
		between any person	ceremony		
		not required to wear	-Water activities		
		a face covering by	or physical		
		operation of this	exercise		
		exception and any	-Persons		
		other person.	providing care or		
			assistance to a		
			person with a		
			disability where a		
			face covering		
			would hinder		
			that caregiving or		
			assistance		
			-persons		
			engaging in		
			services that		
			require the		
			temporary removal of a face		
	If more than 25	All indoor, enclosed,	covering -Persons under	Fine not less than	In effect for three months (August 17 to November
	cases per	or substantially	the age of 10	\$100	17, 2020)
	100,000 in	enclosed public place	-Same as City of	7100	17, 2020)
	population	or in a public vehicle	Edmonton, with		
Strathcona	population	except for:	the addition of		
County		-Exclusions provided	persons		
		in the City of	participating in a		
		Edmonton Bylaw.	dance, theatrical		
		-Stage areas in places	or musical public		
		of worship during	performance, if		

Municipality	When Bylaw is in Effect	Where Face Coverings are Mandatory	Exceptions	Enforcement	Repeal Provisions
		worship services,	all participants		
		provided that	are able to		
		physical barriers or	maintain at least		
		physical distancing	two metres of		
		practices are	physical distance		
		implemented.	from each other		
			and do not enter		
			areas where the		
			public is viewing		
			the performance.		
			-Persons		
			providing or		
			receiving a		
			service that		
			requires personal		
			consultation in a		
			closed space		
			where all		
			participants are		
			able to maintain		
			physical		
			distancing.		
			-Persons		
			separated from		
			others by		
			physical barriers		
			or shields such as		
			plexiglass.		
City of St.	All of the time	All public places,	-Persons under	Fine of \$100	In effect from August 8 to December 31, 2020
Albert		transit and vehicles	the age of 10.		
/ libert		for hire except for:			

Municipality	When Bylaw is in Effect	Where Face Coverings are Mandatory	Exceptions	Enforcement	Repeal Provisions
City of Fort Saskatchewan	Only if more than 10 active COVID-19 cases	-School or other educational institution -Hospital or other health care facility -A child-care facility All indoor, enclosed or substantially enclosed public places and in any public transportation vehicle with the same exceptions as the City of Edmonton.	-Same exceptions as Strathcona County. -Persons 9 years of age or youngerSame exceptions as City of Edmonton.	-Failing to wear face covering — first offence \$100 second offence \$200Interference with a person in the exercise or performance of the person's powers pursuant to the Bylaw — first offence \$250 second offence \$500.	Effective August 4 to December 31, 2020
City of Leduc	Only if 10 or more active cases	Public places and public vehicles	-Persons under 5 years of ageSame exceptions as City of Edmonton Bylaw.	Fine of \$100	No repeal provision
City of Spruce Grove	When Government of Alberta places the City under a Watch as per	Indoor, enclosed, or substantially enclosed public space or in a public vehicle with the same	-Persons under the age of 2. -Same exceptions as City of Edmonton Bylaw.	Fine not less than \$100	No repeal provision

Municipality	When Bylaw is in Effect	Where Face Coverings are Mandatory	Exceptions	Enforcement	Repeal Provisions
	existing COVID-	exceptions as the City			
	19 case	of Edmonton Bylaw.			
	thresholds and				
	remains in				
	effect for 14				
	days after the				
	Watch has				
	ended.				