



City of Calgary Bylaw 26M2020 – Questions & Answers

QUESTIONS & ANSWERS

Should the decision of mandatory face coverings be the Province's responsibility?

- The Province of Alberta would be in the best position to mandate the wearing of face coverings or masks by the general public. However, the Chief Medical Officer of Health for Alberta has indicated that mandatory face coverings could be a policy implemented by local governments based on local circumstances.
- Since the province has not yet enacted a mandate, Council has the authority through the Municipal Government Act to enact bylaws with respect to safety, health and welfare of people and the protection of people and property along with enacting bylaws related to businesses.

Why this approach of mandating face coverings, why not continued education?

- The City continues to educate Calgarians on the three critical measures to help prevent the spread of COVID-19. Even with continued education and strong recommendation from all orders of government, only 35 per cent of Calgarians report 'always' wearing face coverings in public or confined spaces. This is lower than the desired critical mass of 80 per cent of citizens that are regularly wearing face coverings that is required to contain community spread.

Are Calgarians supportive of this measure?

- 74 per cent of Calgarians either strongly or somewhat support making face masks/coverings mandatory. The approach is intended to keep businesses open and to help mitigate a potential resurgence.

Why now?

- Right now is the ideal time to take action, as the Government of Alberta is reporting increasing numbers of COVID-19 cases across the province daily.
- The wearing of face coverings is an additional measure that can be taken to help mitigate a potential resurgence as being experienced in other parts of the world.
- The World Health Organization, Centers for Disease Control and Prevention, the Public Health Agency of Canada and Alberta Health all indicate that the highest risk activities are those that take place indoors and in spaces where people spend extended periods of time in close proximity with poor air circulation. In a few short months, we will see additional challenges as cooler weather limits our ability to gather and engage in activities outside.
- The bylaw mandating the wearing of face coverings will not only restore confidence in the community who don't feel safe when those around them are not wearing masks, it also serves as a visual reminder that the pandemic continues to remain a health risk.
- As mentioned by Dr Bhardwaj on July 20, when we began considering this bylaw it was expected that the summer would be when Calgary would experience lower incidence of COVID transmission, with people on vacation and outdoors. However, with the latest numbers coming in over the course of the past week and a half, The City of Calgary supports the direction from Dr. Bhardwaj and Chief Sampson to implement this bylaw as soon as possible.

What is considered a public premise?

- People will be expected to wear a face covering in any part of an enclosed space to which the public can readily access. The bylaw excludes premises for which there is an enrolment or membership requirement such as schools and educational institutions.
- The rule of thumb is, if the public does not have access to it, it will be exempt under the bylaw.

Will businesses be responsible for making sure people are complying with the bylaw?

- The bylaw will require businesses to display a prescribed sign at a location that is visible to a person immediately upon entering the public premises or public vehicle.
- The business is not expected to evict a customer or refuse service to people who are not complying with the bylaw.

What is the compliance responsibility for citizens?

- Calgarians must wear a face covering in a public indoor space or a public vehicle, unless the person is separated from others by an installed screen, shield or other barrier. (For example, plexi glass)

Will individuals need to wear a face covering if physical distancing can be achieved?

- Yes. Physical distancing in indoor public spaces is inconsistent and unpredictable and part of why this temporary bylaw is necessary.



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Who will be responsible for enforcement?

- The focus of this bylaw is on education first, with enforcement as a last resort option to be deployed only as needed. The approach is largely around communication and education for the public to better understand that wearing face coverings is the right thing to do.
- Shared enforcement responsibilities are between Community Peace Officers, the Calgary Police Service, Livery Inspectors and Calgary Transit Peace Officers.

Who all exempt from the bylaw?

- The bylaw will not apply to very young children under 2 years of age; people with an underlying medical condition or disability which inhibits their ability to wear a face covering; people who are unable to place, use or remove a face covering safely without assistance; people who are eating or drinking at a public premises that offers food or beverage services; people engaging in athletic or fitness activity and people who are caregivers for or accompanying a person with a disability, where wearing a face covering would hinder the accommodation.
- Proof of exceptions will not be required.

How is enforcement in businesses possible for people who have exceptions?

- Employers, operators or proprietors are not expected to enforce this bylaw. The bylaw was drafted to minimize the chance of conflict and provide a safe environment for all.
- Those exempt will not be required to provide proof of exemption.

Why won't the bylaw not be in effect immediately, why the delay?

- The window provides an opportunity for citizens and businesses to better understand and prepare for the regulation.

What is the criteria for when to repeal the bylaw?

- A series of indicators and measures need to be considered. As a local jurisdiction, we will look at local circumstances. If the bylaw is passed, we can monitor and report back at the 2020 September 14 Combined Council Meeting with respect to the effectiveness of the proposed bylaw and with any recommended amendments or a repeal.

Will The City be providing masks to the public to encourage mask wearing?

- CEMA has recently received an additional 1.5 Million face covering from the Province of Alberta and are currently working with agency members to determine the best method to have the face coverings distributed to the community.

What are the other municipalities observing as a result of the mandatory mask bylaws?

- Waterloo: After only four days of the regional bylaw in effect, Waterloo have not been called on to do any enforcement. The bylaw is purely an educational tool. Waterloo has observed a significant increase in people entering stores and public buildings wearing a mask. Overall, there has not been any significant resistance. A few people have made public comments, but the bylaw is meeting its objective of increasing mask use inside buildings.
- Toronto: Notes a significant increase in mask use and has observed a majority of residents now wearing masks. Since the bylaw has been enacted, Toronto has received 300 complaints. To date, no fines have been issued.

Do face coverings need to be worn in places of worship?

- Places of worship would be included in the bylaw definition of a public premise, as they are enclosed buildings that members of the public have access to. Those attending places of worship are permitted to temporarily remove their face covering to provide or receive service, such as to receive communion.

Would it be correct to assume public meetings, such as condo board meetings, would be exempt from the bylaw?

- A meeting such as a condo board meeting would not be included in the definition of a public premises, as members of the public would not have access, therefore participants would not be required under the bylaw to wear face coverings.

Are vehicle for-hire companies like Uber and cab companies included in the transportation that must follow the bylaw?

- Passengers of Transportation Network Companies (TNCs) and taxis require a face covering as both are defined under the bylaw as a public vehicle. In the bylaw, a 'public vehicle' includes a bus, LRT vehicle, taxi and any vehicle that is used to transport members of the public for a fee. Drivers that are separated from their passengers by an installed screen, shield or other barrier or not required to wear face coverings.



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Are there any instances where masks would need to be worn in an outdoor setting in Calgary? If so, where?

- The bylaw only applies to enclosed spaces, but face coverings are strongly recommended in outdoor settings where it is difficult or impossible to maintain physical distance.

Does this bylaw apply to gym/sports centre/fitness studios in Calgary?

- People actively engaging in athletic or fitness activities in gyms, sports centres and fitness studios would be exempt from the bylaw. However, if the facility is accessible to the public, people who are not engaging in such activities would have to wear a face covering.

Will children and staff that attend daycares and school be mandated to wear face coverings?

- People will be expected to wear a face covering in any part of an enclosed space to which the public can readily access. The bylaw excludes premises for which there is an enrolment or membership requirement such as schools and daycares. Because daycares and schools are available to members of the public, it would be considered private and therefore the bylaw would not apply.

Who will be responsible for enforcement?

- The focus of this bylaw is on education first with enforcement as a last resort option to be deployed only as needed. The approach is largely around communication and education for the public to better understand that wearing face coverings is the right thing to do. The bylaw will be passively enforced.
- Shared enforcement responsibilities are between Community Peace Officers, the Calgary Police Service, Livery Inspectors and Calgary Transit Peace Officers

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Web url: [Calgary.ca/covid19](https://calgary.ca/covid19)

Communications is currently creating a new bylaw section and a section through the [Calgary.ca/covid19](https://calgary.ca/covid19) landing page what will direct citizens and business owners and operators to key information in advance of the bylaw. The page is being populated and will be published on July 23. Important tools for business owners or operators will be published to the section once final (signage, a tool kit, Q&A).