



## COVID-19 INFORMATION

# FACE COVERINGS BYLAW 32/2020

## An Information Toolkit for Businesses

Updated: Oct. 20, 2020

*Note: Updated information is highlighted*

### What are the Voluntary Public Health Measures?

The Alberta Government is implementing new voluntary public health measures to help prevent the spread of COVID-19 in Edmonton Zone and protect the health of Albertans living in the area. **St. Albert is included in the Edmonton Zone.**

Edmonton Zone has recently seen a sharp increase in cases, and taking action now limits the risk of cases growing exponentially.

Effective immediately, anyone living in or visiting Edmonton Zone should:

- Limit their social and family gatherings to no more than 15 people
- **Wear non-medical masks in all indoor work settings, except when alone in workspaces such as offices or cubicles where you can be safely distanced from others or an appropriate barrier is in place**
- Limit their number of cohorts to no more than three (a core/household cohort, a school/work cohort, and one additional sport, social or other cohort).

For further information, visit the [Alberta Government's Edmonton Zone Public Health Measures](#).

### When will these measures be lifted?

That decision will be up to the Alberta Government, as they will be closely monitoring the spread of the virus in the Edmonton Zone. If they see sustained decrease in spread over multiple weeks, they will explore lifting these voluntary public health measures.

### What is the Face Covering Bylaw?

Effective August 8, 2020, face coverings are required to be worn in all indoor public places within St. Albert and in vehicles for hire.

As of August 1, face coverings are required inside all civic facilities and on St. Albert Transit.

Indoor public places are any indoor property, publicly or privately owned, accessible by the public. This includes retail locations, restaurants, entertainment venues and more. The bylaw is in effect until December 31, 2020.

To review the Face Coverings Bylaw, visit [stalbert.ca/facecovers](http://stalbert.ca/facecovers).

### UPDATED: What is a face covering?

A face covering, which includes any medical or non-medical mask, covers the mouth, nose and chin, and can include a cloth face covering like a homemade mask, scarf or a bandana. As per the City of St. Albert Face Covering Bylaw amendment passed by Council on October 19, 2020, a face covering **includes** a face shield.

### NEW: What changes were made to the Face Covering Bylaw?

At the October 19, 2020 St. Albert City Council Meeting, Council amended the Face Coverings Bylaw to provide further clarity for residents.

The changes include a revision to the Face Coverings definition, which states that a Face Shield **is included** as a face covering under the Bylaw.

- New definition: Face Covering means a medical or non-medical mask or other face covering that fully covers the nose, mouth and chin, and includes a face shield.
- An additional definition of a Face Shield was also included in the bylaw: “Face Shield” means a device made wholly or primarily from rigid plastic or other inflexible material that creates a barrier over the face of the person wearing the device but does not make close contact with the wearer’s skin upon or around the nose and mouth.

### Why do we have a Face Covering Bylaw?

This measure is being introduced after careful consideration by Council based on various factors including: the public health recommendations from the Province, continuing Alberta’s relaunch strategy and regional considerations.

### Where are people required to wear a face covering?

An indoor public place is any enclosed space that the public can access including:

- Retail locations
- City facilities (e.g. St. Albert Place, Servus Credit Union Place, Fountain Park Recreation Centre, Jarome Iginla/Kinex arenas, St. Albert Public Library)
- Restaurants
- Entertainment venues
- Transit stations and enclosed and semi-enclosed transit shelters
- Places of worship
- Hotels

Face coverings are also required on St. Albert Transit and within Vehicles for Hire. Please remember the legislation also applies to you and your employees when in the publicly accessible areas of your business, unless you or your employees fall under one of the exceptions. Please also take into account the [Alberta Government’s voluntary public health measures](#) announced on October 8, 2020.

### Where does the bylaw NOT apply?

The bylaw does not apply to a school or other educational institution, a hospital or other health care facility, or a child care facility.

Also, the bylaw does not cover parts of a generally publicly accessible place designated as “staff only” areas; however, the owner or occupier can choose to require their employees to wear coverings in the “staff only” places if they so desire.

### Who doesn't have to wear a face covering?

As per the bylaw, the City understands there may be reasons why people are unable to wear a face covering. The exceptions outlined in the bylaw are:

- Children under 10 years of age;
- People who cannot put on, use or remove a face covering without assistance;
- People who are unable to wear a face covering due to a mental or physical condition, disability or limitations or because of one of the grounds on which discrimination is prohibited under the *Alberta Human Rights Act*;
- People who are eating or drinking while seated in a designated food and drink seating area, or as part of a religious or spiritual ceremony;
- Those engaged in swimming or other water activities, or engaged in physical exercise or other physical activities, within designated areas;
- People providing or receiving care or assistance for a mental or physical condition, disability or limitation and a face covering would hinder providing or receiving that caregiving or assistance;
- People 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 at all times maintain physical separation of at least 2 metres from each other.
- A participant in a dance, theatrical or musical public performance, if all participants in the performance maintain at least 2 metres physical distance from each other and do not enter the area where the public is viewing the performance; or
- A transit operator, if barriers are in place to create physical distancing between the transit operator and passengers in the transit vehicle.

### Do the other public health measures still need to be followed?

Yes, all other public health measures still need to be followed. The City is doing everything possible to help prevent the spread of COVID-19 within our community. Wearing a face covering is one of the many important elements in keeping each other safe. Other ways include:

- Staying home if you are experiencing symptoms
- Maintaining two metres from others not in your household or cohort
- Washing or sanitizing your hands and coughing/sneezing into your elbow or tissue

Please also take into account the [Alberta Government's voluntary public health measures](#) announced on October 8, 2020.

## **Why does St. Albert need mandatory masks if there are almost no COVID-19 cases?**

The number of COVID-19 cases have remained low due to proactive, preventative measures such as physical distancing and many residents working from home where possible. Face coverings are an additional tool to current practices of washing and sanitizing hands, not touching your face and maintaining physical distancing.

## **Why mandate masks now if the pandemic has been here for months?**

The decision to make masks mandatory has been delegated to local authorities by the Province. The City is doing everything possible to help prevent the spread of COVID-19 within our community. Wearing a face covering is one of the many important elements in keeping each other safe. The Government of Alberta's Chief Medical Officer of Health has encouraged Albertans to wear non-medical masks and face coverings in public places to reduce the spread of COVID-19.

## **Where can I find sources of personal protective equipment (PPE) for my business?**

A [list of suppliers that provide equipment or preventive health materials](#) are available on the City website.

## **I have a business in an office building. Do I need to wear a mask when entering my building? And do I need to wear a mask in my office?**

Yes, you must wear a face covering when entering any publicly accessible building and when in common areas (lobby, hallway, elevator, stairwell).

If your office is publicly accessible, you must wear a face covering within those areas. However, if your office is for staff only and is not publicly accessible, a mask is not required based under the bylaw but may be required by your employer. However, please also take into account the [Alberta Government's voluntary public health measures](#) announced on October 8, 2020.

## **If my staff are working behind a plexiglass shield, do they still need to wear a mask?**

If your employees are working behind a plexiglass shield (or other physical barrier) and are in a "staff only" area, they are not required under the bylaw but may be required by you as an employer.

## **Is the City going to provide masks for businesses to hand out to patrons?**

The City does not plan to provide masks to businesses.

We ask that people frequenting businesses provide their own face coverings and put them on prior to entering a business. Masks can be purchased at most grocery and retail stores.

### **Do masks need to be worn in a loading dock in front of an open bay door, as well as outside but on a business's property?**

St. Albert's Face Coverings Bylaw does not require face coverings outdoors, but it is recommended you wear one if you are not able to physically distance. Business owners are able to set their own rules on their own property and have the option to require face coverings if they wish.

### **If I have physical barriers up (i.e. plexiglass shields) in between chairs in my boardroom, can my employees be within 2 metres of each other and not wear masks?**

The Face Coverings Bylaw reads that a "Public Place" means an indoor space open to the public by right or by express or implied invitation regardless of who owns or occupies the indoor space ..."

If the space is not open to all members of the public to enter, it would not fall within the definition of a Public Place under the bylaw and your employees would not have to wear a face covering. Physical distancing and hand sanitization remain the two primary means of limiting the spread of COVID-19. Masking is another step that is recommended when you cannot physical distance from individuals outside your cohort in private indoor spaces. Physical barriers (i.e. plexiglass shield) are an engineered control that aid with separation and control mitigating risk from COVID-19.

If your boardroom is open to the public, then the Face Coverings Bylaw applies and a face mask must be worn. However, please also take into account the [Alberta Government's voluntary public health measures](#) announced on October 8, 2020.

### **Are participants at a private function in public facilities operated by leaseholders required to wear face coverings (i.e. weddings at St. Albert Kinsmen Club, private parties at St. Albert Curling Club or St. Albert Botanic park etc.)?**

If the space is closed to the public and remains a private function, the bylaw would see this as a private space and the mandatory face covering requirements identified in the bylaw would not apply. It would be recommended that provincial guidance is followed (e.g. wear a mask when you can't maintain physical distancing). If the space is open to the public, then mandatory masking from the bylaw would apply.

### **Are participants at a private function in a City-owned and operated facility required to wear face coverings (i.e. Servus Place, Community Clubhouses, St. Albert Place etc.)?**

If the space is closed to the public and remains a private function, the bylaw would see this as a private space and the mandatory face covering requirements identified in the bylaw would not apply. The City will allow privately rented meeting rooms and Clubhouses to be used as private spaces with appropriate signage. Please note: even in private spaces, it is still recommended that you wear a mask when you are unable to physical distance. When attendees leave the

rented designated private space and enter any indoor public space, the bylaw applies, and they must wear a face covering.

### **Does a business who has employees who have health issues and/or live with immunocompromised family, do we have the right to refuse service to someone refusing to wear a mask?**

The Face Coverings Bylaw does not address the issue of refusing service to a customer or client who is not wearing a mask.

There are two key sections of the Alberta Human Rights Act that business owners should be aware of – Section 4 and 11. Review the [Alberta Human Rights Act](#).

Section 4: No person shall:

- A) deny to any person or class of persons any goods, services, accommodation or facilities that are customarily available to the public, or
- B) discriminate against any person or class of persons with respect to any goods, services, accommodation or facilities that are customarily available to the public, Because of the race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation of that person or class of persons or of any other person or class of persons.

Section 11: A contravention of this Act shall be deemed not to have occurred if the person who is alleged to have contravened the Act shows that the alleged contravention was reasonable and justifiable in the circumstances.

Businesses should review the Alberta Human Rights Act and determine how this law applies to their situation.

### **Other questions your staff or customers may have**

#### ***What if a customer doesn't want to wear a mask?***

Business owners can choose to serve a customer who is not wearing a face covering. Businesses are encouraged to create awareness on the requirement of masks but are not required to enforce the bylaw.

Please remember that some people may be exempt from the bylaw and are not required to wear a face covering. Proof is not required if someone has an exception.

#### ***How do I ask a member of the public to wear a mask in our business?***

If your business has decided that you want patrons to wear a face covering within your establishment, please remember to be kind and considerate in your interaction. It is up to each business owner whether or not they want to serve a customer who is not wearing a mask.

Some people may be unaware there is a Face Coverings Bylaw, some may have exceptions, and some may outright refuse.

If you wish to ask a patron to wear a face covering:

- Approach the person with a friendly attitude and welcome them to your business.
- Let the person know that the City has a bylaw for wearing face coverings and confirm if they are aware.
  - If the person states they have an exception, say thank you for letting me know and enjoy your visit.
  - If they are unaware, let the person know where they can get a mask or provide one to them if desired.
  - If they outright refuse to wear a mask, it is up to your business to determine how you should handle such interactions.
- If you do have concerns regarding people not wearing face coverings in your business, please call Municipal Enforcement at 780-458-7700 and request your business to be placed on their proactive patrol list.

***Will the City be enforcing the bylaw?***

Creating awareness in the community about required face coverings in indoor public places is the City's primary focus and will play a key role in overall compliance.

***What do I do if I have concerns regarding people not wearing face coverings in my business?***

Please call Municipal Enforcement at 780-458-7700 if you have any concerns about public compliance and to request your business be placed on their proactive patrol list.

Call the RCMP at 780-458-7700 should you require assistance related to a criminal matter such as a customer causing a disturbance.

Call 911 for any emergency.

***What happens if Municipal Enforcement sees that patrons are not wearing face coverings in my business. Will I be charged?***

No, there are no provisions within the Face Coverings Bylaw that hold the business owner responsible for the actions of their patrons.

***Do face coverings need to be worn in places of worship? Also, are masks required for the speaker or singer if they are a minimum of 20 feet away from the congregation members?***

Places of worship are included in the bylaw as they are enclosed buildings that members of the public have access to. However, the bylaw also provides an exception in that those attending places of worship are permitted to temporarily remove their face covering to consume food or drink as part of a religious or spiritual ceremony.

Regarding the stage areas in places of worship, if this space is **only accessible** to the worship leader (deemed a non-public space) and physical barriers or distancing practices have been implemented between any other person, the worship leader would not require a face covering in that space. However, if these physical controls are not in place face coverings would be

required. Example: you could not increase the risk of virus transmission by having a worship leader deliver a sermon and then call upon a member of the congregation to come up to the non-public space to sing or speak. Only the worship leader would be allowed in that space.

***Do my patrons have to wear masks if we can physical distance?***

Yes, your patrons must wear a face covering even if they can physical distance. Wearing a face covering is one of the many important elements in keeping each other safe. Other ways include:

- Staying home if you are ill
- Maintaining two metres from others not in your household or cohort
- Washing or sanitizing your hands and coughing/sneezing into your elbow or a tissue.

***I live in an apartment building that only residents can access. Would the common areas past the locked doors i.e., without public access, be subject to the mask bylaw?***

If the public does not have access to it, it will be exempt under the bylaw. Apartment building indoor shared spaces are not considered accessible to the public, therefore they would be exempt.

***What happens if a Municipal Enforcement Services Officer sees I'm not wearing a mask?***

No Peace Officer can force you to show proof that you are within an exemption, however, if the Peace Officer for whatever reason does not believe you are within an exception and therefore lays a charge against you of not wearing a face covering in a place where one is required, and if you wish to contest the charge in Court, then you will have to show proof to the Judge or Justice of the Peace that you fall within one of the s. 4 exemption categories, if you expect to be found not guilty on that basis. Individuals who believe a Peace Officer's actions were inappropriate can make a complaint through [this process](#).

**Messages to use with your customers/patrons:**

***Why do I have to wear a face covering?***

Wearing a face covering is one of the many important elements in keeping each other safe. Other ways include:

- Staying home if you are ill
- Maintaining two metres from others not in your household or cohort
- Washing or sanitizing your hands and coughing/sneezing into your elbow or a tissue.

Wearing a face covering helps keep the community safe and is a quick, easy and effective way to protect each other.

***I would prefer not to wear a face covering.***

Although you may not prefer to wear a face covering in public, the Face Coverings Bylaw requires you to wear one to enter this business, unless you fall under one of the exceptions. Exceptions are listed at [stalbert.ca/facecovers](http://stalbert.ca/facecovers).



***I have an exception and am not required to wear a face covering.***

Thank you for letting me know. Enjoy your visit.

**UPDATED: What kind of face covering do you accept?**

We accept any type of medical or non-medical face covering such as a homemade mask, scarf or bandana, as long as it fully covers your mouth, nose and chin. A face shield can also be used as a type of face covering.

***Why isn't that person wearing a face covering?***

I cannot speak to that individual's circumstances but there are some exceptions to the bylaw. Exceptions are listed at [stalbert.ca/facecovers](http://stalbert.ca/facecovers).

***If you want me to wear a mask you should provide me one for free.***

*(Answer depends on the business):* Our business is not able to provide face coverings for every customer and we are not required to. We ask that customers provide their own face coverings and put them on prior to entering our premises.

**Signage**

The following signage is available for you to put up in your business if you are interested; however, it is not required within the bylaw. It is available at [stalbert.ca/facecovers](http://stalbert.ca/facecovers).

If you have any additional questions, please contact the City of St. Albert's Economic Development department at 780-459-1630 or email Nicole Pearson at [npearson@stalbert.ca](mailto:npearson@stalbert.ca).

**11 x 17 Signs**

**8.5 x 11 Signs**

