



Claresholm

**TOWN OF CLARESHOLM
PROVINCE OF ALBERTA
SPECIAL COUNCIL MEETING
NOVEMBER 2, 2020
AGENDA**

**Time: 5:30 P.M.
Place: Council Chambers
Town of Claresholm Administration Office
221 – 45 Avenue West**

NOTICE OF RECORDING

CALL TO ORDER

AGENDA: ADOPTION OF AGENDA

DELEGATION: DR. JEFF JONES

ACTION ITEMS:

- 1. COVID-19 PANDEMIC RESPONSE**
 - a. Mandatory Mask Bylaw**
- 2. COUNCIL MEETINGS VIA ELECTRONIC MEANS**

ADJOURNMENT



**TOWN OF CLARESHOLM
PROVINCE OF ALBERTA
BYLAW #1712**

A Bylaw of the Town of Claresholm to impose temporary regulations requiring the wearing of masks or other face coverings within public spaces and public vehicles.

WHEREAS, the Municipal Government Act, R.S.A. 2000 Chapter M-26 as amended authorizes municipalities to pass bylaws for municipal purposes 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**, Novel Coronavirus is present within the Town of Claresholm, and it causes the disease COVID-19 that is readily communicable from person to person and carries a risk of serious complications such as pneumonia or respiratory failure, and may result in death; 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 premises and in public vehicles; and

WHEREAS it is believed that the existence of an enforceable temporary bylaw requirement will help to educate the public on the importance of a properly worn mask or face covering and encourage voluntary compliance.

NOW THEREFORE, the Council of the Town of Claresholm, in the Province of Alberta, duly assembled hereby enacts the following:

Title

1. This Bylaw may be cited as the Face Coverings Bylaw.

Definitions

2. In this Bylaw:
 - a. “CAO” means the Chief Administrative Officer appointed by the Council of the Town of Claresholm.
 - b. “Council” means the Council of the Town of Claresholm.
 - c. “Face Covering” means a medical or non-medical mask or other face covering that fully covers the nose, mouth and chin.
 - d. “Municipal Tag” means a ticket alleging an offence, issued pursuant to the authority of a bylaw of the Town of Claresholm.
 - e. “Public Places” 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 a fee or not.
 - f. “Public Vehicle” means a bus, van, taxi or other vehicle that is used to transport members of the public for a fee.
 - g. “Safe Distancing” means the practice of maintaining a greater than 2-meter distance from other people.
 - h. “Violation Ticket” has the same meaning as in the Provincial Offences Procedure Act R.S.A. 2000, c34 as amended.

Requirements

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.
4. A person accompanying a child of at least two (2) years of age shall ensure that the child wears a face covering while in a public place or a public vehicle.
5. A person who owns, occupies or is in control of an indoor, enclosed, or substantially enclosed public place shall post signage prominently, in the form and containing the content set out in Schedule A, in a location that is visible to a person immediately upon entering the public place.

Exemptions

6. Section 3 does not apply to a person who is:
 - a. A person under the age of 2;
 - b. Persons unable to place, use, or remove a face covering without assistance;
 - c. Persons unable to wear a face covering by reason of an underlying medical condition or disability or other protected grounds under the Alberta Human Rights Act;
 - d. Persons consuming food or drink in designated areas;
 - e. Persons engaged in aquatic activities or physical exercise;
 - 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. An individual leading in worship, provided safe distancing of at least 2 meters is possible.
7. Sections 3 and 4 do not apply to the following:
 - 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, provided that physical barriers or safe distancing practices are implemented between any person not required to wear a face covering by operation of this exception and any other person.

Fine and Penalty

8. A person who contravenes this bylaw is guilty of an offence.
9. Where the CAO or designate believes on reasonable and probable grounds that an offence has been committed under this bylaw, they may serve upon such persons a Municipal Tag.
10. The specified penalty for any contravention of this bylaw shall be a fine in the amount of ONE HUNDRED (\$100.00) DOLLARS.

General

11. The CAO or designate may carry out any inspection necessary to determine compliance with this bylaw.
12. Each separate provision of this bylaw shall be deemed independent of all other provisions herein and if any provisions of this bylaw be declared invalid all other provisions shall remain valid and enforceable.
13. Nothing in this bylaw relieves a person from complying with any provision of any federal, provincial or municipal law or regulation or any requirement of any lawful permit, order or license.
14. This bylaw shall come into full force and effect on the date of final passing thereof.
15. This bylaw is deemed to no longer be in effect and shall be revoked after **December 31, 2020**.

Read a first time in Council this day of 2020 A.D.

Read a second time in Council this day of 2020 A.D.

Read a third time in Council and finally passed in Council this day of 2020 A.D.

Doug MacPherson, Mayor

Marian Carlson, Chief Administrative Officer

DRAFT

BYLAW# 1712
SCHEDULE "A"



Face Covering Required

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.

Town of Claresholm Bylaw #1712



Claresholm

Where **Community** Takes Root

Exceptions include children under 2-years of age, or persons with an underlying medical condition or disability which inhibits their ability to wear a face covering.

Visit claresholm.ca/residents/health-and-wellness/public-health for more information.