LETHBRIDGE COUNTY
IN THE PROVINCE OF ALBERTA

BY-LAW NO. 20-024

Bylaw 20-024 of Lethbridge County being a By-law 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 a council may 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 in Lethbridge County, and it causes the disease COVID-19 that is readily communicable from person to person and carries a risk of serious health complications; and

WHEREAS, physical distancing may not be possible in indoor public premises and in public vehicles; and

NOW THEREFORE, the Council of Lethbridge County, in the Province of Alberta, duly assembled, enacts the following:

Purpose

1 The purpose of this bylaw is to temporarily mandate the wearing of face coverings in indoor public places and public vehicles.

Short Title

2 This Bylaw may be cited as the "Temporary Mandatory Face Coverings Bylaw".

Definitions

3 In this Bylaw:

(a) **"face covering"** means a medical or non-medical mask or other face covering that fully covers the nose, mouth, and chin;

(b) **"public place"** means any property or portion of a 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;

(c) **"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 typically referred to as buses, taxis, shuttles, transportation network vehicles, and limousines; and

(d) **"violation ticket"** has the same meaning as defined in the Provincial Offences Procedures Act, RSA 2000, C P34.

In Effect

4 Sections 5 to 9 of this bylaw come into effect when the total number of active COVID-19
cases within Lethbridge County is reported by Alberta Health Services to be 50 cases or more per 100,000 in population and remain in effect until the repeal of this bylaw.

Face Coverings Mandatory

5 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

6 **(1)** Section 5 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 a protected ground under the Albert human Rights Act, RSA 2000, c A25.5, as may be amended;

(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 public performance, if all participants in the performance are able to maintain at least 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 Plexiglas.

(2) Section 5 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.

Offence

7 A person who contravenes this bylaw is guilty of an offence.

Fines

8 A person found guilty of an offence under this bylaw is liable for a fine in an amount not less than $100.

Violation Ticket

9 **(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.

(2) A person who commits an offence may, if the 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.

In Force

10 This Bylaw shall come into force and effect when it has received third reading and has been duly signed.

GIVEN first reading this 3rd day of December 2020.

Reeve

Chief Administrative Officer

GIVEN second reading this 3rd day of December, 2020.

Reeve

Chief Administrative Officer

GIVEN third reading this 4th day of December, 2020.

Reeve

Chief Administrative Officer