

BYLAW 1060/GEN/2020

A BYLAW OF THE TOWN OF FAIRVIEW TO REQUIRE WEARING OF FACE COVERINGS TO REDUCE THE RISK OF SPREADING COVID-19

WHEREAS on March 11, 2020, the World Health Organization declared a global pandemic related to the spread of the COVID-19 virus and the COVID-19 pandemic remains a health risk; 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

WHEREAS according to section 7 of the *Municipal Government Act*, R.S.A. 2000, c. M-16 a council of 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

WHEREAS Council considers it expedient and desirable for the health, safety, and welfare of the residents of and visitors to Fairview to require the wearing of face coverings in indoor public premises and public vehicles;

NOW THEREFORE under the authority of the Municipal Government Act, Council of the Town of Fairview, in the Province of Alberta, enacts as follows:

1. This bylaw may be cited as the “Mandatory Face Covering” bylaw of the Town of Fairview.

2. **Definitions**

2.1. In this Bylaw:

2.1.1. “Employer” includes any person who as the owner, proprietor, manager, superintendent or overseer of any activity, business, work, trade, occupation or profession, has control over or direction of, or is directly or indirectly responsible for the employment of a person therein;

- 2.1.2. "Face Covering" means a mask or other face covering that covers the mouth, nose and chin ensuring a barrier that limits the transmission of infectious respiratory droplets;
- 2.1.3. "Public Premises" means all or any part of a building, structure or other enclosed areas to which members of the public have access as of right or by express or implied invitation, but excludes any premises for which there is an enrolment or membership requirement to access it;
- 2.1.4. "Public Vehicle" means a bus, taxi or any other vehicle that is used to transport members of the public.

3. When this bylaw is activated by provisions set in Section 5, every person must wear a face covering in public premises or public vehicles, unless the person is separated from other persons by an installed screen, shield, or other barriers.

4. Exceptions

4.1. Section 3 does not apply to:

- 4.1.1. Children under 9 years of age,
- 4.1.2. Persons with an underlying medical condition or disability which inhibits their ability to wear a face covering,
- 4.1.3. Persons who are unable to place, use or remove a face covering safely without assistance,
- 4.1.4. Persons who are eating or drinking at public premises that offer food or beverage services, while in a designated section set aside for eating or drinking,
- 4.1.5. Persons engaging in an athletic or fitness activity,
- 4.1.6. Persons who are accompanying a person with a disability where wearing a face covering would hinder the accommodation of the person's disability, OR
- 4.1.7. Persons who have temporarily removed their face cover where doing so is necessary to provide or receive a service.

4.2. Public premises do not include the following locations:

- 4.2.1. School,
- 4.2.2. Hospital,
- 4.2.3. Childcare facility, or
- 4.2.4. Areas exclusively accessed by the public place's employees provided that physical barriers or physical distancing measures are implemented between any person not required to wear a face covering and any other person.

Unless such location is being used for a gathering or meeting of public persons rather than its typical day-to-day use.

5. Activation

- 5.1. The provisions of Section 3 of this bylaw may be activated by the Director of Emergency Management or Deputy Director of Emergency Management if the number of active cases of the COVID-19 virus in the Municipal District of Fairview No. 136 is reported by Alberta Public Health to be 25 or more.
- 5.2. Council may by resolution, activate the provisions of this bylaw at any time.
- 5.3. When this bylaw has been activated, employers must prominently display a sign with substantially the same content as the one set out in Schedule A, that is visible to persons immediately upon entering the public premises or public vehicle.

6. Reversal

- 6.1. If the provisions of this bylaw have been enacted they may be reversed if the number of active cases of the COVID-19 in the Municipal District of Fairview No. 136 is reported by Alberta Public Health to be less than 25 for 14 consecutive days.
- 6.2. Council may by resolution reverse the enactment of this bylaw at any time.
7. Any person who contravenes any provision of this Bylaw by doing any act or thing which the person is prohibited from doing, or by failing to do anything the person is required to do, is guilty of an offence under this Bylaw.
8. If any clause in this bylaw is found to be invalid by a competent court of law, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.
9. This bylaw shall take effect upon the date of the third and final reading.

Read a first time in Council assembled this 1st day of September 2020

Gordon MacLeod, Mayor

Daryl Greenhill, Chief Administrative Officer

Read a second time in Council assembled this 15th day of September 2020
Read a third time in Council assembled this 15th day of September 2020

Gordon MacLeod, Mayor

Daryl Greenhill, Chief Administrative Officer

BYLAW No. 1060/GEN/2020

Schedule A
Face Covering Notification



Face Covering REQUIRED

In compliance with Town of Fairview
Bylaw # 1060/GEN/2020

**All persons must wear a
face covering in indoor public
premises and in public vehicles.**



**Exceptions include children under nine (9) years of age, or
persons with an underlying medical condition or disability
which inhibits their ability to wear a face covering.**

Visit www.fairview.ca/covid-19-information for more information