



Village of Hay Lakes
BYLAW NUMBER 06-2020
FACE COVERINGS BYLAW

A BYLAW OF THE VILLAGE OF HAY LAKES IN THE PROVINCE OF ALBERTA TO TEMPORARILY MANDATE THE WEARING OF FACE COVERINGS IN INDOOR PUBLIC PLACES.

WHEREAS THE World Health Organization, the Chief Public Health for Canada and the Chief Medical Officer of Health for Alberta have identified face coverings as an important component of a public health strategy to reduce the risk of transmission of the COVID-19 virus;

AND WHEREAS pursuant to Section 7 of the *Municipal Government Act* a municipality may pass bylaws respecting:

The safety, health and welfare of people and the protection of people and property;
people, activities and things in, on or near a public place or place that is open to the public; and
businesses, business activities and persons engaged in business.

AND WHEREAS the Village of Hay Lakes wishes to mandate the wearing of face coverings in specified places open to the public, subject to exceptions set out in this bylaw;

THEREFORE the Council of the Village of Hay Lakes, duly assembled, enacts as follows:

1. TITLE:

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

2. DEFINITIONS:

- a) "ACT" means *Municipal Government Act*, R.S.A. 2000, Chapter M-26;
- b) "VILLAGE" means the municipality of Hay Lakes;

- c) "CIVIC FACILITY" means any indoor space open to the public, within a building that is owned or leased by the Village in which services or amenities to the public are provided by the Village in all or part of the building, regardless of whether the indoor space is occupied by the Village or another party;
- d) "FACE COVERINGS" means a medical or non-medical mask or other face covering that fully covers the nose, mouth, and chin;
- e) "ENFORCEMENT OFFICER" means a member of the Camrose R.C.M.P., Camrose County Peace Officer, or any other person appointed by Council or the Village Chief Administrative Officer to enforce provisions of this Bylaw;
- f) "PUBLIC PLACE" means all or part of a building, structure, or other enclosed area to which members of the public have access as a right or by express or implied invitation including public transit services within the Village (Camrose Connector), but does not include and indoor space located within:
 - i) a school or other educational institution; and
 - ii) a childcare facility.
- g) "VIOLATION TICKET" means a ticket issued pursuant to the *Provincial Offences Procedures Act*, RSA 2000, C.P34, as amended and regulation thereunder and which requires payment in the amount specified by this Bylaw.

3. FACE COVERING REQUIREMENTS AND EXCEPTIONS:

- a) A person must wear a Face Covering at all times while in a Civic Facility, or a public place;
- b) Parents/guardians are responsible for ensuring that children (over 10 years of age) in their care, comply with this bylaw.
- c) Section 3a) of this Bylaw does not apply to:
 - i. Children under the age of 10 years;
 - ii. Persons unable to place, use or remove a Face Covering without assistance;
 - iii. Persons unable to wear a Face Covering due to mental or physical condition, disability or limitation, or other grounds for protection from discrimination under the *Alberta Human Rights Act*;

- iv. Persons consuming food or drink while seated in a designated food and drinking area, or a part of a religious or spiritual ceremony;
 - v. Persons engaged in physical exercise or other physical activity, within an area designated for such activities;
 - vi. Persons providing or receiving care or assistance for a mental or physical condition, disability or limitation and a Face Covering would have hindered providing or receiving that caregiving or assistance;
 - vii. 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 have at all times maintained physical separation of at least two (2) meters from each other or there is a physical barrier to provide protection.
- d) No person shall in any manner harass or attempt to intimidate a person who is not guilty of an offence while not wearing a Face Covering as a result of any provision of Section 3.3 of this Bylaw.

4. ENFORCEMENT:

- a) A person who contravenes a provision of this Bylaw is guilty of an offence.
- b) Where an offence is of a continuing nature, a contravention of a provision of this Bylaw constitutes a separate offence with respect to each day, or part of a day, during which the contravention continues, and a person guilty of such an offence is liable to a fine in amount not less than that established by this Bylaw for each separate offence.

5. FINES AND PENALTIES:

- a) A person who is guilty of an offence under this Bylaw is liable to:
 - i. A fine in the amount of \$100.00; or
 - ii. Upon summary conviction, in the discretion of the court a fine not exceeding \$10,000 or a period of imprisonment of not more than one (1) year, or both.

6. VIOLATION TICKET:

- a) An Enforcement Officer may issue, with respect to an offence under this Bylaw, a violation ticket which shall state:
 - i. The nature of the offence;
 - ii. The penalty payable in connection with the offence; and
 - iii. The time period within which the penalty must be paid.
- b) In lieu of prosecution the person named in the Violation ticket may elect to voluntarily make payment to the Village of the penalty amount specified in the Violation Ticket.

7. COME INTO EFFECT:

- a) This Bylaw shall come into force upon the date of the final passing thereof.

8. REPEAL:

- a) This Bylaw is repealed January 1, 2021, but a Violation Ticket issued prior to the time of repeal remains valid and the person to whom the Violation Ticket was issued remains as fully liable to pay the specified penalty or to other legal processes as the case may be, as though this Bylaw had not been repealed.

Read a First Time in Council this 12th day of November, A.D., 2020.

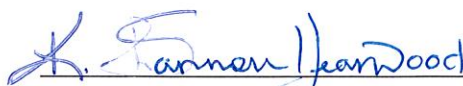
Read a Second Time this 12th day of November, A.D., 2020.

Read a Third Time by Unanimous Consent of Council and Finally Passed this 12th day of November, A.D., 2020.



Dave Vallee

Mayor of the Village of Hay Lakes



K. Shannon Yearwood

Chief Administrative Officer