

# Municipal Governance

## During the COVID-19 Pandemic

Frequently Asked Questions – November 27, 2020

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On November 24, 2020, the Government of Alberta declared a State of Public Health Emergency in response to the ever-evolving COVID-19 pandemic. Several new mandatory public health measures were announced for communities across Alberta to protect the health system and slow the spread of COVID-19, based on recommendations from the Chief Medical Officer of Health. You are encouraged to review them on [Alberta.ca](http://Alberta.ca).

While we continue down the road to recovery together, Municipal Affairs remains committed to issuing regular updates to address frequently asked questions, as well as provide new information or resources as they become available.

If you would like a specific question answered in an upcoming update, please email your request to: [ma.lgsmail@gov.ab.ca](mailto:ma.lgsmail@gov.ab.ca).

### Municipal Affairs Updates

Previous COVID-19 updates are available at: [www.alberta.ca/municipal-government-resources.aspx](http://www.alberta.ca/municipal-government-resources.aspx)

### Public Libraries Resources

Resources are available at: <https://www.alberta.ca/public-library-services.aspx>

### Council Meetings

**Can municipal councils still meet in person if they meet the Chief Medical Officer of Health's recommendations for physical/social distancing?**

**YES.** The [Public Meeting Procedures \(COVID-19 Suppression\) Regulation](#) enables municipalities to follow the Chief Medical Officer of Health's recommendations for physical/social distancing by conducting meetings electronically. While Municipal Affairs encourages councils to consider electronic meetings as a way to ensure compliance with the public health orders regarding public gatherings, the decision on how to conduct meetings remains at the discretion of the council, committee or commission.

**Can meetings be held entirely by electronic means?**

**YES.** During the COVID-19 pandemic, when the *Municipal Government Act (MGA)* requires a council, board or commission to hold a meeting, an electronic meeting (e.g., live-stream, teleconference, etc.) meets that requirement as long as:

- notice of the electronic meeting is provided and states the electronic means being used and gives the information necessary for the public to access the meeting;
- the public is able to hear the meeting as it is occurring;
- eligible parties can send submissions before and during the meeting by email or any other method that the council, board or commission considers appropriate; and

- the following people attend by electronic means:
  - CAO or designated officer;
  - For a commission, growth management board or subdivision and development appeal board, the chair or vice-chair;
  - For a composite or a local assessment review board, the presiding officer.

### **Can a member of the public be required to wear a mask in order to attend a council meeting?**

Masks are only mandatory for municipalities included in the “enhanced areas” or in any other municipalities excluded from “enhanced areas” if there is a municipal face covering bylaw that requires masks to be worn within public buildings.

## Enhanced Restrictions

### **What restrictions on activities apply for all of Alberta?**

Throughout all of Alberta, no indoor social gatherings are permitted, and outdoor social gatherings are restricted to 10 people. Wedding and funeral services are restricted to 10 people, and no receptions are permitted. Festivals and other events are prohibited, and working from home arrangements should be considered whenever possible.

### **What additional restrictions apply only to municipalities that fall within an “enhanced” status area?**

Places of worship are restricted to a maximum of 1/3 of attendance capacity and masks must be worn while inside places of worship.

Banquet halls, conference centres, trade shows, auditoria, concert venues, non-approved/licensed markets, community centres, children’s play places or indoor playgrounds, and all levels of sport must be closed (exemptions may be considered for sport activities). This would mean that council meetings cannot be relocated into local banquet halls.

Museums, galleries, libraries, indoor entertainment centres and indoor fitness facilities are restricted to 25 per cent of the occupancy set by the Alberta Fire Code. Further information on business restrictions can be found on [Alberta.ca](http://Alberta.ca).

### **Which municipalities do the provincial mandatory masking requirements apply to?**

Mandatory masking applies in the following communities:

- Calgary, Airdrie, Chestermere, Cochrane, Foothills County, High River, Okotoks, Rockyview County, and surrounding villages and businesses
- Edmonton, Beaumont, Devon, Evansburg, Fort Saskatchewan, Gibbons, Leduc, Leduc County, Morinville, Parkland County, St. Albert, Spruce Grove, Stony Plain, Strathcona County, Sturgeon County, Thorsby, and surrounding villages and businesses

A complete list of all municipalities falling within the enhanced areas can be found on [Alberta.ca](http://Alberta.ca).

## Enforcement of Health Orders

### **Is the province working on standardizing what is subject to penalties to ensure there is clarity and consistency between enforcement bodies for enforcement under the *Public Health Act*?**

**YES.** Alberta Justice and Solicitor General, in collaboration with Alberta Health and Alberta Health Services, have been in constant contact with Alberta’s police services through the Alberta Association of Chiefs of Police, and directly with authorized employers of community peace officers (municipalities) regarding enforcement of Alberta’s Chief Medical Officer of Health’s orders to ensure a clear and constant message around the enforcement of these orders is being provided.

**Can community peace officers enforce the recommendations of the Chief Medical Officer of Health?**

**YES.** Community Peace Officer Level 1s have been provided authority to enforce the Chief Medical Officer of Health's Orders issued under the *Public Health Act*. This authority was granted through a Ministerial Order in accordance with section 13 of the *Peace Officer Act*.

**Can municipal bylaw enforcement officers who are not designated as community peace officers enforce the recommendations of the Chief Medical Officer of Health?**

**NO.** Municipal bylaw officers can only enforce municipal bylaws.

**Municipal Advisory Services**

If you have further questions, please call: 780-427-2225 (or toll-free by first dialing 310-0000) or email [ma.lgsmail@gov.ab.ca](mailto:ma.lgsmail@gov.ab.ca)

**General Information**

**Can municipalities choose to keep certain municipally controlled properties closed even if they are allowed to be open under the provincial approach?**

**YES.** The decision to open facilities remains a local council decision. Municipalities and the public must continue to put safety first, while gradually reopening businesses, resuming activities and getting people back to work.

**Should municipalities be encouraging employees to work from home?**

**YES.** If there is a concern about exposure to COVID-19, staff should be encouraged and supported in remote work arrangements where

possible and feasible.

**Can a municipality declare a pandemic State of Local Emergency (SOLE), create local enforceable restrictions and provide for the staged opening of businesses and facilities?**

**YES.** If a municipality determines that an emergency exists in the municipal boundaries that requires coordination or action to protect the safety, health and welfare of people, a pandemic SOLE can be declared and municipalities can then restrict travel into, out of, and within the municipality, and close municipal properties. They can also make plans for repurposing public and private facilities such as community centres or hotels to house people with COVID-19 symptoms to self-isolate. The *Emergency Management Act* does not include powers to close a business, or reduce the capacity of businesses operating in the municipality.

**Can a municipality maintain physical gathering restrictions by declaring a local pandemic SOLE under the recent amendments to the *Emergency Management Act (EMA)*?**

**NO.** If a municipality determines an emergency exists in their boundaries that requires action to protect the safety, health and welfare of people, a SOLE can be declared; however, municipal powers are specifically identified in the *EMA* and restrictions on gatherings and social distancing are not included within those municipal powers.

**Additional Resources**

The Alberta Urban Municipalities Association (AUMA) and Rural Municipalities of Alberta (RMA) continue to be a valuable resource for municipalities. A COVID-19 response hub is available at: <https://rmalberta.com/about/covid-19-response-hub/>.

The Federation of Canadian Municipalities also has a list of links and resources for municipalities: <https://fcm.ca/en/resources/covid-19-resources-municipalities>.