

Municipal Governance

During the COVID-19 Pandemic

Frequently Asked Questions – December 11, 2020

On December 8, 2020, the Government of Alberta announced additional public health orders to protect the health system and slow the spread of COVID-19, based on recommendations from the Chief Medical Officer of Health. Active public health orders can be reviewed on [Alberta.ca](https://www.alberta.ca).

The new measures announced on December 8 apply province-wide and will be in place until at least January 12, 2021. Restrictions on businesses and facilities come into effect December 13, at 12:01 am.

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 issue addressed in an upcoming update, please email your request to ma.lgsmail@gov.ab.ca.

Municipal Affairs Updates

Previous COVID-19 updates are available online at: www.alberta.ca/municipal-government-resources.aspx

Mandatory Masks

Is the use of masks mandatory province-wide now?

YES. Mask use is now mandatory across the province (with some exceptions for farming or ranching operations when not interacting with the public, as well as for certain individuals and activities).

Provincial Relaunch Status Map

The [Provincial Relaunch Status Map](#) has been updated to move every region in the province to the purple 'Enhanced Status'. Are the orders put in place on November 27 now in effect for all areas?

NO. Order 39 only applies to communities that previously met the case rate thresholds (active case rate of 50 cases per 100,000 people, and a minimum of 10 active cases) and were listed as "Enhanced Status".

Should your area reach the case rate threshold prior to Sunday, December 13, 2020, then the measures found in [Order 39](#) will become applicable.

Municipalities should monitor active cases and active case rates that are found on the relaunch map, which updates around 4:00 p.m. daily. Prior to Sunday, December 13, Alberta Health will provide a notification email to municipalities where cases trigger the Order 39 measures.

Public Libraries Resources

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

Public Meetings

Can municipal councils still meet in person within council chambers?

YES. Business meetings remain excluded from social gatherings so municipal councils may continue to meet in public if they can adhere to social distancing guidelines and ensure measures are in place to prevent the transmission of COVID-19.

The new orders prohibit the use of community centres for council meetings in all areas within Alberta. Are there alternatives available if our municipality cannot adhere to social distancing guidelines?

YES. The [Public Meeting Procedures \(COVID-19 Suppression\) Regulation](#) remains in effect until it has been repealed. The regulation enables municipalities to follow the Chief Medical Officer of Health's orders 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, while ensuring the process used complies with current public health orders.

Can our municipality still proceed with an in-person public hearing at a community centre if the meetings was scheduled before the restrictions came into place?

NO. All community halls must remain closed to the public unless the hall is being used for a permitted use including providing health care services, child care services, shelter for vulnerable persons or being used for elections purposes and related activities, to undertake jury selections, as a place of worship or indoor market.

Our municipality can no longer hold a property tax recovery public auction given the new province-wide restrictions on community centres. Can we adjourn the auction until these restrictions have been lifted?

YES. Section 422 of the *MGA* authorizes municipalities to adjourn an advertised public auction for up to two months if it cannot be conducted in accordance with the current public health orders. If there are legitimate reasons to postpone a public auction past the two-month adjournment period, a municipality can request a Ministerial Order from the Minister of Municipal Affairs to extend the period of time in which an auction may be adjourned. This request can be made by sending an email or a letter from the CAO to ma.lgsmail@gov.ab.ca stating the request and the reason(s) and a proposed date for the extension.

Municipal Operations

Is our municipality expected to follow the same four-week mandatory work at home rule?

YES. The new orders include a mandatory province wide work from home requirement where operationally possible, effective December 13. Municipalities should support staff work from home arrangements unless their role requires a physical presence for operational effectiveness.

Are we able to have a small number of staff remain in the office to accept nomination papers, utility payments, etc.?

YES. It is up to each municipality to determine what is operationally required and put in place measures that adhere to the active public health orders and protect the health and safety of the public and employees that are deemed critical to operational effectiveness.

Elections

Is there a contingency plan for the 2021 municipal elections if the pandemic is still ongoing?

YES. Municipal Affairs has met with key municipal stakeholders to discuss potential risks relating to the 2021 municipal general election, and have identified a number of temporary modifications that could be made, if needed, to specific requirements under the Local Authorities Elections Act (LAEA). These modifications, if needed, will provide municipalities with additional flexibility and greater ability to align election operations with public health orders or recommendations.

As the 2021 election nomination period begins January 1, 2021, are candidates able to submit their nominations while still adhering to the social distancing requirements?

YES. Section 28 of the LAEA states that “nominations shall be submitted at the local jurisdiction office at any time during the nomination period”. Ultimately, it is the responsibility of the candidate to ensure their nomination requirements are complete in all aspects, including the inclusion of a deposit, if a municipality has a bylaw requiring deposits.

In addition to being delivered in person, the specific requirement of section 28 to submit nomination forms to the local jurisdiction office can be met by having forms mailed or delivered by courier. However, this could pose a risk for candidates if the information is not submitted to the local jurisdiction office by the deadline on nomination day.



We have candidates that are eager to start incurring campaign expenses and raise funds so they want to submit nomination forms as soon as possible in January. Given that candidates can mail or send by courier, and the forms must be signed by a returning officer, are there alternative options available if the returning officer is unavailable or working from home?

YES. The order states employees should work from home “where operationally feasible”, so nomination forms can be accepted at specific times set by the returning officer, by appointment, or at a secure drop box. Municipalities have the authority to determine options that safely enable the submission of nomination forms.

Travel Restrictions

Are there any new restrictions on travel within or outside the province at this time?

NO. Travel within or outside of Alberta remains unrestricted at this time; however, non-essential travel is not recommended. The Chief Medical Officer of Health encourages municipalities to take measures to limit access to municipal facilities by teams and groups from outside their areas.

Additional Resources

The Alberta Urban Municipalities Association (AUMA) and Rural Municipalities of Alberta (RMA) continue to be a valuable resource for municipalities.

RMA’s COVID-19 response hub is available at: <https://rmalberta.com/about/covid-19-response-hub/>

AUMA’s updated guide is available at: <https://auma.ca/covid19>

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