

Municipal Governance

During the COVID-19 Pandemic

Frequently Asked Questions – December 4, 2020

On November 24, 2020, the Government of Alberta declared a State of Public Health Emergency and announced several new mandatory public health measures to protect the health system and slow the spread of COVID-19, based on recommendations from the Chief Medical Officer of Health. These measures can be reviewed on Alberta.ca.

While all levels of government continue to navigate the ever-evolving COVID-19 pandemic together to bend the curve, 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.

Enhanced Status

Is the Provincial Relaunch Status Map revisited so municipalities can be moved on and off the enhanced status list as cases in the area increase or decrease?

YES. Communities can enter the enhanced category while the measures are in place and then must adhere to the more stringent public health measures to protect the health system and reduce the rising number of COVID-19 cases. Communities that are on the [enhanced status list](#) at any time on or after November 27 must keep all measures in effect until at least December 15. Municipalities should continue to monitor the status of their region [online](#) and can [sign up](#) to be notified if their region moves up to 'watch' or 'enhanced' status.

Municipal Affairs Updates

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

Council Meetings

Can councils in both areas with high case counts (Enhanced Areas) and in areas with lower cases (Open Areas) continue meeting in public?

YES. All 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 Public Meeting Procedures \(COVID-19 Suppression\) Regulation](#) also remains in effect and enables municipalities to conduct meetings electronically. While electronic meetings are encouraged 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 councils located outside enhanced areas hold their meetings in a community centre?

YES. To clarify information provided December 1, 2020 from Alberta Health Operations, councils **outside** of enhanced areas can still hold meetings in centres if they can adhere to social distancing guidelines. Holding council meetings in community centres within enhanced areas remains restricted at this time.

Can the public be required to wear masks in order to attend a council meeting?

YES. Masks are only required to be worn for indoor public meetings in areas specified in Part 4 of [CMOH Order 38-2020](#) or in any other municipality that has a municipal face covering bylaw that requires masks to be worn in public buildings. For communities specified in [Order 38-2020](#), masks should be worn at all times during a council meeting. Where councils have elected to make masks mandatory in public spaces, the requirements are at the discretion of council and should be outlined in each individual municipal face covering bylaw.

Can a face covering bylaw be passed so that it comes into effect upon a condition, instead of the date of passage?

YES. A bylaw comes into effect on the day it receives third and final reading and is signed by the chief elected official and a designated officer. A bylaw may specify a future date for the bylaw to come into effect, but it cannot apply retroactively. A bylaw may contain provisions that can "trigger" the bylaw's effective date, such as a specified number of COVID-19 cases within the municipality or the region being put into enhanced status. However, a bylaw cannot contain provisions allowing council to enact or repeal the bylaw by resolution, as this is contrary to section 191(2) of the *Municipal Government Act (MGA)*.

Alberta Biz Connect

Alberta Biz Connect provides workplace guidance and support to businesses and non-profits. The online tool also provides sector-specific guidelines to ensure businesses can reopen safely during the COVID-19 pandemic. Businesses with questions regarding the relaunch can [email the Biz Connect team](#). Common questions are also posted [online](#).

Public Libraries Resources

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

Travel Restrictions

Are there restrictions in place to prevent residents of communities in enhanced areas from travelling into other regions to use their municipal facilities?

NO. Travel within or outside of Alberta is not restricted 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.

Elections

With the restrictions for areas with enhanced measures and the 2021 election nomination period beginning January 1, 2021, are candidates able to submit their nominations while still adhering to the social distancing requirements?

YES. Section 28 of the *Local Authorities Election Act (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 can be met by having forms mailed or delivered by courier. This could pose a risk for delivery guarantee that the candidate should be aware of as it is the responsibility of the candidate to meet the requirements of the *LAEA* and have information submitted to the local jurisdiction office by the deadline on nomination day.

Municipal Operations

Can our municipal administrative offices and other public buildings where we provide public and essential services remain open?

YES. Unless they are explicitly listed in Appendix A of [Order 39](#), there are no restrictions in place. Municipalities must follow the [Guidance for Office Buildings](#) and [General Relaunch Guidance](#). Within the enhanced areas, workers must wear a mask unless working alone in an office or an appropriate barrier is in place. Closing municipal offices and public buildings to protect the health and welfare of employees and the public, or for staffing and financial reasons remains at the discretion of individual municipalities.

Many municipal facilities have recreation centres, fitness centres, libraries and meeting space all under one roof. Do the stronger health measures impact capacity in these multi-use facilities?

YES. In buildings (e.g., rec centres) that house multiple uses, the municipality must ensure a process to limit total occupancy to 25 per cent of the fire code limit for that location and ensure the number of attendees does not exceed this number. Individual venues within the larger facility must also follow the applicable restrictions. These guidelines also apply to local businesses operating within larger buildings such as business centres and malls. In communities under an enhanced status, some businesses will be restricted to appointment only and must follow all public health guidance in place. Individual operators should review [Order 39](#), Appendix A, and the [overview](#) of enhanced restrictions to determine the operating restrictions for each venue.

Is there guidance documentation available for municipalities and local businesses regarding reduced capacity and occupancy loads, as well as approximating restricted capacity?

YES. Information has been posted [online](#), including additional information on how to approximate restricted capacity if municipalities are unsure of current occupant loads, or have been unable to locate them.

Are municipal outdoor rinks permitted to remain open at this time?

YES. Skating is permitted with members from individual households if physical distancing is maintained at all times. If a group of people attend a rink together to skate, this is a social gathering, therefore, groups cannot be more than ten people unless from the same household. Games like shinny or pick up hockey should not occur.



Are there any uses for which community centres in enhanced areas can remain open?

YES. Community centres in enhanced areas can remain open to the public if they are being used to provide health care services or child care services, shelter vulnerable persons, for election purposes and related activities, to undertake jury selections, for indoor markets, or as a place of worship.

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>