

Update on Temporary COVID-19 Face Coverings Bylaw

RECOMMENDATION:

That Council endorse that the Temporary COVID-19 Face Coverings Bylaw remain in force with no amendments at this time and direct Administration to report to the Combined Council Meeting on 2020 December 14 with another status update and any resulting recommended amendments to the bylaw or a repeal if necessary, followed by future quarterly updates for as long as the bylaw remains in force.

HIGHLIGHTS

- Continued monitoring and regular quarterly reporting on the implementation of the Temporary COVID-19 Face Coverings Bylaw aids in communicating the effectiveness of this bylaw and provides assurance that steps are being taken to ensure the appropriateness of the bylaw. Monitoring allows Administration to address any unforeseen consequences and enables Administration to adjust as needed based on new information.
- What does this mean to Calgarians? The bylaw will remain in effect at this time and Calgarians will be provided regular updates on the bylaw's implementation including Calgary's COVID-19 metrics. Calgarians will continue to be assured that the bylaw will be repealed when appropriate.
- Why does it matter? The Temporary COVID-19 Face Coverings Bylaw is an important tool to support limiting the spread of COVID-19 and keeping Calgary's economy open. Continued monitoring will ensure that it is effective in achieving this goal and that it is amended or repealed in response to potential changes to the state of the pandemic in Calgary.
- The most recent Citizen Perspective COVID-19 Snapshot survey of 500 Calgarians indicates 88 per cent support the Temporary COVID-19 Face Coverings Bylaw.
- On 2020 July 21, Council directed Administration to report back to Council no later than 2020 September 14 with any recommended amendments to Bylaw 26M2020 or a repeal if necessary.
- Strategic Alignment to Council's Citizen Priorities: A prosperous city
- Background and Previous Council Direction is included as Attachment 1.

DISCUSSION

On 2020 July 21, Council passed the Temporary COVID-19 Face Coverings Bylaw, based on recommendations from the Chief Medical Officer of Health for Alberta, Chief Public Health Officer for Canada and the World Health Organization, to wear face coverings to limit the spread of COVID-19, where physical distancing cannot be maintained. Additionally, on 2020 August 24, Administration provided members of

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Council with an update on the implementation of the temporary face coverings bylaw and the potential for schools to also be regulated under the bylaw. The update memo is included as Attachment 2.

Early Indicators

The objectives of the bylaw mandating face coverings in public indoor spaces are to increase usage of face coverings to help lower transmissions of the virus and to support keeping Calgary's economy open. Early indications are that the Temporary COVID-19 Face Coverings Bylaw is contributing to those intended objectives.

Face Coverings Usage

Since the bylaw went into effect on 2020 August 1, there has been a significant increase in usage of face coverings in public premises and public vehicles. In a Citizen Perspectives COVID-19 Snapshot survey of 500 Calgarians conducted between 2020 August 18-25, 89 per cent of respondents reported wearing a face covering in public and confined spaces such as grocery stores, shopping malls and public transit, a marked improvement of 34 per cent prior to the temporary bylaw coming into effect. Since the bylaw took effect, Calgary Transit has a customer face coverings compliance rate of 95 per cent, where in mid-July it was 45 per cent.

Transmission Rates

The data points informing the necessity of the Temporary COVID-19 Face Coverings Bylaw include Calgary's new and active COVID cases, reproductive value, and regional indicators. Shortly after the bylaw was passed, there was a marked decrease in Calgary's cases but an upward trend has persisted from late August to early September which highlights the reality that the pandemic is highly dynamic and ongoing vigilance is required. Calgary's current COVID-19 metrics are detailed in Attachment 3.

Keeping Calgary Open

The Temporary COVID-19 Face Coverings Bylaw is one of our most important tools to help keep Calgary open. Attendance at Calgary libraries increased approximately 45 per cent between 2020 July and August. The total number of employees in the Calgary Economic Region increased by 23,600 between 2020 July and August, with the retail trade and accommodation and food services industries seeing month-over-month employment growth of 6.6 per cent and 19.2 per cent respectively. This is providing an economic benefit to local establishments and a mental health benefit to citizens.

Repeal Considerations

It is important for Calgarians to understand when and under what circumstances the Temporary COVID-19 Face Coverings Bylaw may be repealed. The decision requires a flexible approach to respond to local changing priorities, the evolving nature of the virus, or new evidence with regards to face coverings. An overview of Calgary's Four Level COVID-19 Plan is available in Attachment 4. This plan provides an outline of the response levels and reinforces the indicators monitored to escalate or deescalate

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between levels. Administration anticipates that the bylaw would most likely be repealed under one or more of the following three scenarios:

- Local metrics, including transmission rates (reproductive value), infections, hospitalizations, patients in intensive care, and deaths are at a sufficiently low level that medical experts agree that face coverings are no longer a recommended tool in mitigating the spread of the virus.
- A safe and effective vaccine has seen sufficient local levels of uptake, or a safe and effective treatment has been identified, such that medical experts agree that face coverings are no longer recommended in mitigating the spread of the virus.
- Medical experts, including Alberta Health Services, the Public Health Agency of Canada, and the World Health Organization retract their messaging on the use of face coverings, based on evidence, in mitigating the spread of COVID-19.

Administration will continue monitoring of COVID-19 metrics, consultation with medical experts including the local Medical Officer of Health, and scheduled reporting to Council on a quarterly basis as the best approach to address potential amendments or the repeal of the bylaw. In the event there is a sudden reversal in the medical advice regarding the use of face coverings, Administration would return to the next possible Council meeting, including the potential for a Special Meeting of Council, to have the bylaw repealed.

Ongoing monitoring and reporting to Council ensures transparency, the ability to address unforeseen circumstances, and ongoing effectiveness of the bylaw. Administration will provide recommendations to Council on amendments or a repeal of the bylaw when COVID-19 metrics and consultation with medical experts indicate it is appropriate to do so.

STAKEHOLDER ENGAGEMENT AND COMMUNICATION (EXTERNAL)

- Public Engagement was undertaken
- Public Communication or Engagement was not required
- Public/Stakeholders were informed
- Stakeholder dialogue/relations were undertaken

The most recent Citizen Perspectives COVID-19 Snapshot survey of 500 Calgarians was conducted between 2020 August 18-25 via phone using random digit numbers from both landlines and cellphones to obtain random and statistically representative samples. The survey results indicated that 89 per cent of respondents wear a face covering in public and confined spaces such as grocery stores, shopping malls and public transit, and 88 per cent of respondents support the Temporary COVID-19 Face Coverings Bylaw. Administration will continue to engage Calgarians for future updates.

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IMPLICATIONS

Social, Environmental, Economic

Regular reporting on the bylaw affords Administration the opportunity to monitor its social, environmental and economic implications by advancing the Social Wellbeing Principle of prevention, developing strategies to promote the appropriate discarding of single-use non-medical face coverings, and time to engage with Calgary's business community to better understand the economic impact of the bylaw.

Service and Financial Implications

No anticipated financial impact

There are no operating budget requests associated with this report. Administration's primary focus continues to be on educating Calgarians on the importance of wearing face coverings in indoor and public spaces and public vehicles, rather than enforcement. Enforcement activities are covered within the current operating budget.

RISK

Risks that are associated with evolving medical evidence, negative social implications, or concerns regarding a lack of certainty of a specific repeal date will be mitigated by continued monitoring, bylaw amendments and regular reporting to Council. Administration has accepted that there is potential for a legal challenge that, although mitigated by the prohibitions within the bylaw, cannot be fully avoided.

ATTACHMENT(S)

1. Background and Previous Council Direction
2. Memo – Temporary COVID-19 Face Coverings Bylaw 26M2020 Update
3. Calgary's Current COVID-19 Metrics
4. Calgary's Four Level COVID-19 Plan
5. Public Submissions

Department Circulation

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