

The Use of Non-Medical Face Masks and Public Access to City Services

ISSUE

The emergence of the SARS CoV-2 Novel Coronavirus (COVID-19) resulted in several adjustments to the way in which the City of Saskatoon (City) delivered its core services to protect the health and safety of residents and employees. Some non-essential services were temporarily ceased, including the closure of recreation facilities and restricted public access to civic buildings. Following the general guidelines laid out in the Government of Saskatchewan's Re-Open Saskatchewan plan, the City has opened up access to in-person services for residents, despite the existence of COVID-19. As restrictions are gradually lifted and more public access to services grows, what approaches could the City of Saskatoon implement to protect the health and safety of residents and employees?

BACKGROUND

2.1 History

On March 18, 2020, the Government of Saskatchewan officially declared a provincial State of Emergency as a response to contain the COVID-19 pandemic. On the following day, the City of Saskatoon responded by closing public access to City Hall and all City buildings, including leisure facilities. The City also suspended the City's public engagement activities to comply with provincial orders. Subsequently, several community restrictions have been enacted and many other adjustments have been made to ensure the City safely deliver services to residents while practicing safe physical distancing protocols.

On April 23, 2020, the Government of Saskatchewan released its Re-Open Saskatchewan Plan, which introduced a five-phased approach "to methodically, gradually and cautiously re-open businesses and services across Saskatchewan, beginning May 4, 2020." Phase 4 of the provincial plan permitted the re-opening of indoor and outdoor recreation facilities.

At its June 11, 2020 Special Meeting, City Council considered and approved the recommendations in an Administrative report titled, "City of Saskatoon: Roadmap to Recovery". That report ([link here item 4.1](#)) described the City's overall approach to re-opening facilities and services. At the same meeting, City Council considered a related report ([link here item 4.2](#)) on the reopening of recreation and sport facilities.

2.2 Current Status

The City of Saskatoon's response to COVID-19 has been aligned with the direction coming from the Government of Canada and the Government of Saskatchewan. Throughout the course of the COVID-19 response the Provincial Government has implemented measures necessary through the Provincial State of Emergency. If at any point in the future the Province provides directives related to mask use by the public the City would be required to follow that directive.

2.3 Public Engagement

The Administration consulted with the Saskatchewan Public Safety Agency, Saskatchewan Health Authority, Saskatoon Region Medical Health Officers, Saskatoon Police Service and members of the Saskatoon Inter-Agency Response to COVID-19 in preparing this report. It did not conduct independent surveys or opinion polls on the potential use of non-medical face masks to mitigate the risk of COVID-19 transmission.

2.4 City of Saskatoon's Current Approach

Since March 2020, when the first reported case of COVID 19 emerged in Saskatoon, the City has implemented various measures to prioritize the health and safety of residents and employees while continuing to provide civic services. In doing so, the City had to adapt quickly to find innovative ways to deliver core services during the COVID-19 pandemic. As required by the Provincial Public Health Orders, the appropriate municipal facilities were closed and programs and events were suspended and/or cancelled.

According to public health experts, COVID-19 is an ongoing public emergency. It will continue to impact how the City delivers services to the community for months to come or until a proven vaccine to fight the virus is approved and there is wide-spread vaccination. In the meantime, the City has adopted the "Roadmap to Recovery" to guide the process in determining how or when service restrictions are eased or lifted. The plan is dynamic and flexible, subject to regular revisions in response to public health orders, directions from the Provincial Government, and/or reported COVID-19 case activity.

The plan is based on eight foundational planning assumptions that guide the resumption of City services, namely:

1. A COVID-19 vaccine is not available to Canadians and no widespread vaccinations to limit those susceptible of contracting the virus.
2. Ensuring Public Health Orders are followed will reduce the degree of transmission of COVID-19.

3. Pandemics typically last 12 - 18 months and often have more than one wave of outbreak. Future waves may include pockets of epidemics rather than whole community pandemic.
4. The risk of transmission cannot be completely eliminated in our facilities and services, but risk mitigation strategies can be implemented to limit the number of contacts and contact intensity.
5. Transmission is expected to be relatively lower in spring and summer than in fall and winter and may overlap with the flu season.
6. There will be continuous updates required to the plan.
7. The Province's Phase 5, lifting of restrictions, may not occur until June 2021. Any processes, procedures and plans that are put in place during Phase 4, by the City, could be in place for over one year.
8. Monitor global, national and local COVID-19 case trends and act accordingly to minimize transmission. Local data is the most relevant information in determining measures necessary in our facilities and services.

Given these assumptions, the Administration is in the process of preparing for the reopening of the remaining indoor leisure centres and revising the programs that are delivered in those facilities. Specifically,

- Harry Bailey Aquatic Centre,
- Saskatoon Field House,
- Lawson Civic Centre,
- Shaw Centre; and
- Cosmo Civic Centre

Starting in September, the City will begin the regular scheduled opening of the remaining indoor arenas for fall/winter rentals and programming. In addition, Saskatoon Transit is anticipating an increase in ridership with the resumption of secondary schools in Saskatoon.

The City of Saskatoon does not currently have any formal requirements for the public to use non-medical face masks while accessing City services and facilities. As part of the reopening of facilities for public access, the City followed public health protocols, which include taking all steps required to ensure two metres of physical distancing for the public. As such, mask use by the public was not necessary in order to comply with provincial protocols.

The Government of Saskatchewan has not issued a province-wide face mask requirement for persons entering indoor public spaces where distancing cannot be maintained. The Chief Medical Health Officer of Saskatchewan has recommended that when physical distancing of two metres indoors cannot be maintained masks should be worn. Locally, the

Saskatoon Public Library has mandated that face masks are required for entry to the library for everyone over nine years old, once facilities expand for in person use on August 25th.

2.5 Approaches in Other Jurisdictions

There are varied approaches in Canada with respect to the required use of non-medical masks in enclosed public spaces. While mask or face covering bylaws are still relatively rare, there are cities that have implemented them. For example, Toronto, Waterloo, Hamilton, Ottawa, Calgary and Edmonton each have bylaws. Quebec has imposed a province wide requirement, as has Nova Scotia.

Generally, the bylaws are very similar. They regulate operators of establishments and individuals. Like typical municipal bylaws, they set out the general rules (ie. must wear a mask or face covering in “establishments” or “enclosed public spaces”) and then set out a series of exemptions to the general rule. The types of establishments to which the rules apply are also defined, as are the exempted facilities. In many cases, operators are required to post signage with prescribed messaging. Fines for non-compliance of the various bylaws appears to range from \$100 to \$10,000. Both Quebec and Nova Scotia’s province wide laws take an approach similar to the bylaws.

The City of Toronto’s approach is somewhat different in that it only mandates operators of establishments to implement a policy addressing the requirements for mandatory mask use. Establishment operators are then responsible to ensure the policies are properly enforced.

Regulation of face coverings has also been introduced in other arenas. For example, Transport Canada has implemented new regulations for the use of masks during travel in various transportation settings, including aviation, marine, rail and road. Given the different operational settings and environments, the rules vary according to the mode of transportation. The main theme, however, appears to be the requirement to wear non-medical masks or face coverings where two metres of physical distancing cannot be maintained. For air travellers, for example, face coverings over the nose and mouth are required at Canadian airport screening checkpoints, during flight when two metres of physical separation cannot be maintained and when otherwise directed by a public health order or official. Passengers on all flights departing and arriving at Canadian airports are required to demonstrate that they have the appropriate face covering to cover both their mouth and nose during the boarding process, otherwise entry may be denied.

Appendix 1 provides a more detailed summary of the bylaws implemented in other Canadian cities, including the City, relevant provisions of the bylaw, and the jurisdiction relied on to enact such bylaw.

OPTIONS

The City has many options it could implement going forward. This section of the report proposes three options for consideration. The options are focused on strategies that could be implemented for City services and facilities only. Discussion on mask use in non-municipal public spaces, such as private businesses open to the public, is addressed later in this report.

The options provided range from no formal face covering requirements (status-quo) to mandatory face covering requirements for all persons using or accessing in-person City services. Again, the options apply specifically to members of the public who choose to access civic services. They do not apply to City of Saskatoon staff providing services to the public in City-owned facilities, as safety protocols for staff have already been developed following the Re-Open Saskatchewan plan, COVID-19 Safety protocols, OH&S regulations, and the hierarchy of controls.

Further, the application of these approaches apply to those services that are directly under the control of the City Manager, as defined in Bylaw 8174, the City Administration Bylaw, 2003¹. The options do not apply to services provided by the City's statutory boards or controlled corporations.²

Before explaining or elaborating on the options it is necessary to provide some important context with respect to public health protocols. It is important to keep in mind that while Saskatoon currently has a relatively low number of diagnosed COVID-19 cases, the City and community must stay prepared. In the absence of an approved vaccine, transmission of the virus remains high and a possible second wave or surge in cases could result in the fall.

The City can assess and mitigate the COVID-19 hazard from a safety perspective using recommendations from the Government of Canada, the Provincial Government of Saskatchewan, and the standard "Hierarchy of Controls." For example, the [Government of Canada](#) recommends the following measures for individuals to mitigate the spread of COVID-19:

"The best thing you can do to prevent spreading COVID-19 is to wash your hands frequently with warm water and soap for at least 20 seconds. If none is available, use hand sanitizer containing at least 60% alcohol.

To protect others, you should also:

- *stay at home if you are ill;*

¹ <https://www.saskatoon.ca/sites/default/files/documents/city-clerk/bylaws/8174.pdf>

² Statutory Boards refer to the Saskatoon Public Library Board and the Saskatoon Board of Police Commissioners. Controlled Corporations refer to the Remai Modern Art Gallery of Saskatchewan, SaskTel Centre, and TCU Place.

- *maintain a 2-metre physical distance from others*
 - *when physical distancing cannot be maintained, consider wearing a non-medical face mask or homemade face covering; and*
- *avoid touching your face, mouth, nose or eyes”.*

The Hierarchy of Controls, shown in Appendix 2 is a ‘best practice’ approach to minimizing risk. The Administration, for example, utilized a Hierarchy of Controls when re-opening all Saskatoon City-owned facilities and services. These are based on guidelines issued by the Province for employee safety and wellbeing to mitigate the risk of transmission of COVID.

The Hierarchy of Controls is also useful to help evaluate potential policy responses to minimize virus transmission in the absence of an approved vaccine. This hierarchy is as follows:

- The most effective method of protection from COVID-19 transmission is eliminating the risk of exposure by staying home;
- The second most effective method of protection is always substituting elimination by achieving physical distancing (2m);
- The next strategy for protection would be installing physical barriers between employees when physical distancing cannot be achieved;
- The next strategy for protection would be changing the way we deliver services, through Administrative Procedures, such as pre-booking services and enhancing cleaning protocols
- The final method of protection when the above strategies cannot be achieved is to have everyone wear a non-medical mask, and train everyone in the practice of use of masks. It is important to note that a non-medical mask is not personal protective equipment. Rather, it is a barrier to reduce the risk of COVID-19 transmission recommended by the Canadian Chief Medical Officer.

Option 1

Maintain the Status Quo

This option proposes that the City largely continue with the status quo and make no formal resolution to require the public to wear non-medical face masks to access city services. This would leave it to individuals to use their own discretion to determine whether or not to wear a face mask or face protection of their choosing. There are no additional implementation requirements for this option as the current approach would continue.

IMPLICATIONS

This option does not generate any additional financial, environmental or legal implications. However, it does generate some social, or more appropriately, public health and safety implications in that it does not minimize the risk of COVID-19 transmission, especially in situations where distancing requirements cannot be safely met or in situations where a service level increase will not allow for the other hierarchy of controls (particular physical distancing).

Advantages:

- No further implementation requirements;
- No new financial costs;

Disadvantages:

- Sub-optimal in terms of minimizing transmission risk;
- Not able to increase to full-load capacity on Saskatoon Transit unless provincial recommendation to maintain physical distancing without mask use is disregarded.

Option 2

Require the Use of Non-Medical Face Masks for Saskatoon Transit Users

This option would mandate that all users of Saskatoon Transit services wear a non-medical face mask while accessing its services. Specifically, this means non-medical face masks that cover the nose, mouth and chin are required when travelling in any Saskatoon Transit vehicle.

The implementation of this option aims to help Saskatoon Transit to safely operate full-seated loads on all fixed route and Access Transit buses, substantially increasing capacity and effectively minimizing any full bus concerns. To assist users in adapting to this requirement, the City could provide at no charge disposable non-medical face masks for two weeks starting on the date of implementation. This option proposes that implementation occur on September 1, 2020 and the masks would be distributed until September 14, 2020.

Moreover, this option proposes to continue to recommend, but not require, the use of non-medical face masks for those persons who access civic facilities that are covered in the scope of this report. Currently, plans for physical distancing (remaining two metres apart) are in place for these facilities.

Because non-medical face masks may not work in all situations, there are exceptions to this requirement:

- Anyone with an underlying medical condition or disability which inhibits the ability to wear a face covering or anyone providing assistance to a person with an underlying medical condition or disability where the use of a non-medical face mask would hinder the provision of assistance;
- Person unable to place or remove a mask or face covering without assistance;
- Children under the age of 2 years of age; and
- First responders in an emergency situation

IMPLICATIONS

The Administration estimates the cost of implementing this option is approximately \$19,250. The assumptions underlying this estimate are as follows: \$0.50/mask with a ridership of 5,500 individuals a day for 14 days with an estimate of 50% of the individuals having their own face mask.

This option does not generate any social or public health implications as it aligns with the hierarchy of controls. It also includes exclusions to those persons who may not be able to safely wear a non-medical face mask.

Advantages:

- Minimizes the risk of COVID-19 transmission for Transit customers;
- Relatively minimal costs to implement to support public safety;
- Does not require additional staff or administrative processes to implement;
- Consistent with the City's approach to date, which follows provincial recommendations.

Disadvantages:

- May be difficult to enforce as some may refuse to comply, but require access to the service.
- May lead to confusion for those accessing indoor facilities in that the approach is inconsistent with Transit.

Option 3

Require the Use of Non-Medical Face Masks in all City Facilities

This option proposes to mandate the use of non-medical face masks for public access to all civic facilities with the scope of this report. Like option 2, this option would include mandatory mask use for public transit. Unlike option 2, it will also make non-medical face masks mandatory in all civic facilities covered by the scope of this report. The exceptions listed in option 2 would also apply with this option.

The implementation date for this option could also occur on September 1, 2020. Like option 2, the City could provide at no charge disposable non-medical face masks for two weeks starting on the date of implementation. Long term mask provision may not be feasible due to supply issues, but could be pursued if Council were interested in this option.

IMPLICATIONS

If masks were provided for the first two weeks, the estimated cost of implementing this option is approximately \$22,565. It includes the estimates explained in option 2 (\$19,250) for transit, and is expanded to include the City Hall lobby, ACT arena, Shaw, Lawson, Cosmo and Lakewood Civic Centres, Harry Bailey Aquatic Centre, and Saskatoon Field House, adding an additional \$3,315.

The Administration estimates that, with COVID 19 restrictions, approximately 947 individuals per day take part in programs or services in these locations. It is estimated that 50% of individuals would have their own masks, and thus, the projected cost of masks would be \$0.50 cents/mask (total \$3,315).

This option does not generate any social or public health implications as it aligns with the hierarchy of controls, although mandating masks in all civic facilities would be going past the provincial recommendations as they currently are at the time of writing this report. It also includes exclusions to those persons who may not be able to safely wear a non-medical face mask.

RECOMMENDATION

That the Governance and Priorities Committee recommend to City Council:

That option 2 be implemented such that:

Effective September 1, 2020, the City requires all users of Saskatoon Transit services wear a non-medical face mask; and

Effective September 1, 2020, the City recommends that all persons accessing all City operated facilities and indoor City of Saskatoon services wear a non-medical face mask.

RATIONALE

Public health guidelines suggest that in cases where appropriate physical distancing cannot be maintained, the use of face masks is recommended in reducing risk of virus transmission. Maximizing public transit use has many benefits and increasing ridership is an integral component of the City's Strategic Plan. The Administration believes that public transit use will be maximized in the current COVID-19 environment by requiring mask use. Considering all factors, the Administration recommends that masks be mandatory for customers using Saskatoon Transit.

Saskatoon Transit has implemented physical distancing measures to reduce the risk of spread of COVID-19. This has been accomplished by cordoning off seats on Fixed Route Transit and by actively managing passenger bookings on Access Transit. These measures have substantially decreased the available seating capacity, resulting in full buses on Fixed Route Transit and reduced availability at peak time on Access Transit. In Transit's current operating environment, as schools reopen, businesses bring employees back, day programs reopen, and citizens continue to move back to their pre-COVID-19 habits, passenger demand will not be met, and instances of full buses will increase under the current restrictions.

If the recommendations in this report are adopted, what approach will the City take with respect to enforcement, particularly on transit vehicles? The City will focus on educating and informing the public of COVID-19 safety precautions and on the use of non-medical

face masks. In reviewing other municipalities who have implemented required masks on public transit, there has been significant levels of compliance. On the occasion when an individual does not have a mask they will not be denied services by frontline City staff members.

Transit staff will monitor compliance and provide written documentation to supervisors. If there is a regular repetition of not having the required mask, supervisors and managers will determine the next steps. The goal of this measure is to educate and support the users of Saskatoon Transit services, not to penalize them for occasionally not having a mask.

In reopening City indoor services and City-owned facilities to the public, plans have been introduced to minimize the risk of transmission of COVID-19. These plans currently include various strategies and modifications to service delivery to support physical distancing. At this point, physical distancing is possible in all City indoor services and City-owned facilities. Further, indicators for transmission rates and prominence of COVID-19 in the Saskatoon area are relatively low.. Considering this, the Administration is not recommending the mandated use of non-medical face masks in these facilities at this time.

ADDITIONAL IMPLICATIONS/CONSIDERATIONS

The focus of this report and the options in it, pertain to the use of non-medical face masks for persons who need to or want to access in-person city services. In section 2.5, this report briefly addressed the approaches some other cities have taken with respect to community wide face mask mandates. Although not considered as part of the options analysis in this report, if City Council wanted to adopt such an approach, some additional implications and considerations are worth noting.

First, when developing plans for response in an emergency event, like a pandemic, it is important to have triggers for when to activate or deactivate the plan. Appendix 3 provides a summary of triggers that could be considered when determining when to require non-medical masks by the public.

Second, as seen in other jurisdictions, City Council would need to enact a bylaw to mandate the use of masks in public spaces. The bylaw is an instrument that would regulate the use of masks in public buildings and include enforcement mechanism for non-compliance.

COMMUNICATION ACTIVITIES

If the recommendation in this report, or alternatively option 3, is adopted by City Council, the Administration would develop a robust communication plan, focusing on education and awareness. Additionally, the Administration is developing city-wide communications to remind the public of the importance of safety precautions and information on the use of a non-medical face masks. A complimentary communications plan is being developed to directly target Saskatoon Transit riders.

Overall, the communications strategy will consist of traditional media channels (social media and print) as well as non-traditional media (internal and external bus announcements and handbills included in lunches/support kits for the vulnerable sector) setting expectations around the requirement for a mask while on transit vehicles along with the reasons why this is important.

An earned media campaign will run parallel to the paid campaign to reach people at the neighbourhood level. This includes sharing messages with community associations, transit stakeholder groups, and potentially influencers. The communications will kick off with a media event.

Finally, additional communications will be developed specific to City indoor services in City-operated facilities. This communication plan is estimated to cost \$35,500.

PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

APPENDICES

1. Mandatory Mask Bylaws – Canadian Jurisdictional Scan
2. Hierarchy of Controls
3. Triggers to Require Usage of Non-Medical Masks by the Public
4. Confidential – Solicitor/Client Privilege

Report Approval

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