

## Part 2 Bylaws

### Division 1 General Jurisdiction

#### General jurisdiction to pass bylaws

7 Subject to section 7.1, a council may pass bylaws for municipal purposes respecting the following matters:

- (a) the safety, health and welfare of people and the protection of people and property;
- (b) people, activities and things in, on or near a public place or place that is open to the public;
- (c) nuisances, including unsightly property;
- (d) transport and transportation systems;
- (e) businesses, business activities and persons engaged in business;
- (f) services provided by or on behalf of the municipality;
- (g) public utilities;
- (h) wild and domestic animals and activities in relation to them;
- (i) the enforcement of bylaws made under this or any other enactment, including any or all of the following:
  - (i) the creation of offences;
  - (ii) for each offence, imposing a fine not exceeding \$10 000 or imprisonment for not more than one year, or both;
  - (iii) providing for the imposition of a penalty for an offence that is in addition to a fine or imprisonment so long as the penalty relates to a fee, cost, rate, toll or charge that is associated with the conduct that gives rise to the offence;
  - (iv) providing that a specified penalty prescribed under section 44 of the *Provincial Offences Procedure Act* is reduced by a specified amount if the penalty is paid within a specified time;
  - (v) providing for imprisonment for not more than one year for non-payment of a fine or penalty;

- (vi) providing that a person who contravenes a bylaw may pay an amount established by bylaw and if the amount is paid, the person will not be prosecuted for the contravention;
- (vii) providing for inspections to determine if bylaws are being complied with;
- (viii) remedying contraventions of bylaws.

RSA 2000 cM-26 s7;2022 c5 s2

**Face mask and proof of COVID-19 vaccination bylaws**

**7.1(1)** Subject to subsections (5) and (6), on the coming into force of this section, a council may not, unless approved by the Minister, bring into force a bylaw or an amendment to a bylaw that requires one or both of the following:

- (a) an individual to wear a face mask or other face covering for the primary purpose of preventing or limiting the spread of COVID-19 or any other communicable disease, as defined in the *Public Health Act*;
- (b) an individual to provide proof of vaccination against COVID-19 or proof of a negative COVID-19 test on entering a premises.

**(2)** The Minister shall consider the public interest and consult with the Chief Medical Officer of Health appointed under the *Public Health Act* in determining whether to approve a bylaw or an amendment to a bylaw referred to in subsection (1).

**(3)** A bylaw or any portion of a bylaw that requires an individual to wear a face mask or other face covering for the primary purpose of preventing or limiting the spread of COVID-19 or any other communicable disease, as defined in the *Public Health Act*, and that is in effect on the coming into force of this section is repealed on the coming into force of this section.

**(4)** A bylaw or any portion of a bylaw that requires an individual to provide proof of vaccination against COVID-19 or proof of a negative COVID-19 test on entering a premises and that is in effect on the coming into force of this section is repealed on the coming into force of this section.

**(5)** The repeal of a bylaw under subsection (3) or (4) does not invalidate any enforcement efforts made pursuant to the bylaw when the bylaw was in force.