

The Corporation of the Township of Huron-Kinloss



BY-LAW No.

2023 - 115

Being a By-Law to Adopt an Rzone – Respect and Responsibility Policy for
the
Township of Huron- Kinloss

WHEREAS Section 8(1) and 9 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provide that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues and has the capacity, rights, powers and privileges of a natural person for the purposes of exercising its authority under this or any other Act;

AND WHEREAS the Council of the Township of Huron-Kinloss desires to establish a policy to establish guidelines to enforce proper steps to be taken by Staff, volunteers, user groups and members of the public to address inappropriate behaviour or violence in Township owned facilities and properties, as per Report CLK-2023-11-64;

AND WHEREAS the Council of The Corporation of the Township of Huron-Kinloss deems it expedient to adopt the Policy by By-law;

NOW THEREFORE the Council of The Corporation of the Township of Huron-Kinloss **ENACTS** as follows;

1. That The Corporation of the Township of Huron-Kinloss Council hereby adopts the R-zone – Respect and Responsibility Policy as contained in Schedule "A" attached hereto and forming a part of the by-law.
2. That this by-law shall come into full force and effect upon its final passage.
3. That this by-law may be cited as the "Adopt Rzone – Respect and Responsibility Policy By-law".

READ a FIRST and SECOND TIME this 20th day of November, 2023

READ a THIRD TIME and FINALLY PASSED this 20th day of November, 2023

Original signed by Don Murray

Mayor

Original signed by Jennifer White

Clerk



Policy

Section: 5.0 General

Policy: RZone – Respect and Responsibility

By-Law: 2023-115

Date: 6 November 2023

Revision: [Click here to enter text.](#)

Coverage:

This policy applies to all members of the public and Township Staff at all Township facilities, properties, Township sponsored events, programs, in written or verbal communications. Township facilities and properties that are under a Lease may follow the Lessee's internal procedures and are not subject to this policy.

Policy Statement:

The purpose of the RZone policy is to establish guidelines to enforce proper steps to be taken by Staff, volunteers, user groups and members of the public in order to address inappropriate behaviour or violence in Township owned facilities and properties. This policy will also include written and verbal communications with the Township. The goal of this policy is to promote a positive, safe and supportive environment for all members of the public and Staff, while increasing the level of understanding and awareness of this policy.

This policy will encourage respect, commitment and considerate relationships between the Township and the members of the public.

Legislative Authority:

Trespass to Property Act R.S.O. 1990 C. T. 21

Contents:

The Township is committed to fostering an environment where there is respect for yourself; respect for others; and responsibility for your actions. The Township discourages any form of inappropriate behaviour at all Township facilities, properties, Township sponsored events, programs, and in written or verbal communications with the Township. The Township's programs, facilities and properties are places that promote learning and leisure and provide public services for residents. All users and Staff have the right to be safe and to feel safe while attending a program, facility or

property. With this right comes the responsibility to be accountable for actions or behaviours that put the safety of others at risk.

The Township has many community-based programs that are managed and operated by volunteers. These community-minded residents contribute greatly to the quality of life in Huron-Kinloss. The Township endeavours to ensure that they too are able to volunteer in a safe and positive environment.

The actions to be taken are listed below and will be used depending on the severity of the incident:

- a) A "Letter of Warning" may be issued to the identified individual for any behaviour that is in violation of this policy.
- b) For incidents where behaviour is grossly inappropriate or threatening to another member of the public or Staff or for repeated incidents, a "Letter of Trespass" may be issued to the identified individual. This letter will notify the individual that their presence is no longer welcome. A temporary or permanent ban is to be determined by the Senior Manager and/or CAO.

1. Definitions:

Ban – means the prohibition of an individual from entering or attending specific Township facilities and/or properties for a specific period of time.

Harassment – means engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.

Sexual Harassment – means engaging in a course of vexatious comment or conduct because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or out reasonably to be known to be unwelcome.

Complaint/Incident Report – is used to report a violation of this policy. A letter may be issued to the identified individual providing details of the specific behaviour that is not tolerated and any action to be taken.

RZone – means establishing an environment where there is respect for yourself, respect for others and responsibility for your actions.

Township – Township of Huron-Kinloss.

Staff – includes all job classifications as defined in the Hours of Work and Overtime Policy; Regular Full Time, Regular $\frac{3}{4}$ Time, Regular Part Time, Temporary or Contract, Casual, Student and Volunteer Firefighters.

Trespass Notice – is authorised and filed with the Ontario Provincial Police under the Trespass to Property Act R.S.O. 1990 C. T. 21 and is written notice prohibiting an individual from entering specific Township properties, facilities or programs for a specified duration and is issued to an individual for the purpose of imposing a ban.

Vandalism – means malicious, willful and deliberate destruction, damage or defacing of Township properties and/or facilities.

2. Guidelines

Staff and volunteers are not expected to put themselves at risk or jeopardize anyone's safety when dealing with any real or perceived situation. If at any time Staff or volunteers feel threatened, they are to call the Ontario Provincial Police for assistance.

OPP Emergency Contact: 9-1-1

Inappropriate behaviours or actions for the purpose of this policy include, but are not limited to:

- Aggressive or intimidating approaches to another individual; including verbal assault.
- Attempts to goad or incite anger in others.
- Throwing of articles in a deliberate or aggressive manner.
- Physical striking of another individual.
- Theft of property.
- Possession of weapons.
- Illegal consumption of alcohol or drugs.
- Contravention of Township by-laws, policies or procedures.
- Vandalism.
- Harassment.

If the nature of an issue is known in advance to be contentious (at a meeting, event, or any other location where Township staff are present) Staff is to alert the police.

Depending on the nature of the issue, Staff may request the attendance of the police.

This policy is designed to provide members of the public and Staff with a positive approach to promoting appropriate behaviour and actions.

3. Roles and Responsibilities

- a) Staff, volunteers, user groups and members of the public are responsible for behaving and acting in a manner that respects the rights of others in order to promote an environment that can be enjoyed by all.
- b) The Township shall work in partnership with the community to ensure that everyone has the opportunity to enjoy a respectful and positive environment.

- c) Training and education by departments will be provided to Staff to support this policy. Training will be provided to Staff as part of the Human Resource on boarding.
- d) In cases where Staff feel there is harassment or violence involved, Staff are to follow the Workplace Violence and Harassment Policy and procedure.
- e) The Human Resources department is responsible for monitoring violations of this policy and following up with appropriate Staff members as necessary.
- f) Members of the public are to report acts of inappropriate behaviour to a Township staff member within 24 hours of the incident.

4. Consequences of Non-Compliance

The actions taken for non-compliance will be used depending on the severity of the incident.

- a) Individuals who engage in any inappropriate behaviour as defined in this policy may, depending on the severity be removed immediately from the premises. A letter of warning may be sent to an individual advising them of the inappropriate behaviour. If necessary, an individual may be banned from the Township premises for a specific period of time. Length of the ban will be determined by the appropriate Senior Manager and/or CAO and will depend on the severity of the situation. Enforcement guidelines are referenced in Appendix A.
- b) In addition to any other measure taken, where any damage to Township property has occurred the individual responsible will be required to reimburse the Township for all costs associated with any repairs, an administration fee, as well as any lost revenues or where appropriate be required to repair the damage.

Notwithstanding any other parts of this policy, the Manager of Legislative Services/Clerk is authorized to make administrative changes and other legislatively required changes to this policy and associated forms, as necessary.

Appendix A – Enforcement Guidelines

Appendix A

Township of Huron-Kinloss
Rzone - Enforcement Guidelines

The following chart represents guidelines and outlines the consequences for acts of inappropriate behaviour at all Township facilities, properties, Township sponsored events, programs, in written or verbal communication (including email, social media posts or phone), in Township vehicles or any other location where Township staff are present. It is understood that these guidelines do not include all types of behaviour that each incident will be reviewed individually based on information available and that consequences outlined are guidelines that may be adjusted to reflect conduct or actions. Consequences may be more severe or escalated depending on the circumstances of the inappropriate conduct.

Time banned is from all Township facilities, properties, Township sponsored events, programs, in Township vehicles or any other location where Township staff are present.

Where Staff receive inappropriate written or verbal communication, including via Social Media the CAO or designate has the authority to take immediate action; which may include the enforcement guidelines here, blocking their Social Media account etc.

INCIDENT	FIRST OCCURRENCE	SECOND OCCURRENCE	ANY SUBSEQUENT OCCURENCES
Aggressive or intimidating approaches to another individual (verbal assault)	Letter of warning	Minimum 3 month ban and review to determine if further consequences are warranted.	Minimum 1 year ban and review to determine if further consequences are warranted.
Attempts to goad or incite anger in others			
Threats	Minimum 3 month ban	Minimum 6 month ban and review to determine if further consequences are warranted.	Minimum 3 year ban and review to determine if further consequences are warranted.
Harassment			
Throwing of articles in a deliberate/aggressive manner.	Minimum 6 month ban	Minimum 1 year ban and review to determine if further consequences are warranted	Minimum 3 year ban and review to determine if further consequences are warranted.
Physical striking of another individual.			
Illegal consumption of alcohol or drugs			
Possession of weapons.			
Vandalism to building or property	Minimum 1 month ban plus payment of repair costs and 20% administration fee	Minimum 6 month ban plus payment of repair costs and 20% administration fee and review to determine if further consequences are warranted.	Minimum 3 year ban plus payment of repair costs and 20% administration fee and review to determine if further consequences are warranted.
Theft			