The Corporation of the Town of South Bruce Peninsula

By-Law Number 39-2014

Being a By-Law to Amend By-Law Number 44-2009 Being a By-Law to Adopt the Manual Governing the Policies and Procedures for the Corporation of the Town of South Bruce Peninsula (Professional Conduct Policy)

Whereas Section 8 of the Municipal Act, 2001, c.25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

And whereas Section 11 of the Municipal Act, 2001, c.25, as amended, authorizes municipalities to pass by-laws regarding the accountability and transparency of the municipality and its operations;

And whereas Section 270 (1) 5 of the Municipal Act, 2011, c.25, as amended authorizes the municipality to adopt and maintain policies with respect to the manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public;

And whereas the Council of the Corporation of the Town of South Bruce Peninsula adopted a Municipal Policy Manual and desires to amend said by-law by adding a policy with regard to Professional Conduct.

Now therefore the Council of the Corporation of the Town of South Bruce Peninsula enacts as follows:

1) That a policy with regard to Professional Conduct be numbered appropriately and added to the Municipal Policy Manual.

2) That all by-laws and policies inconsistent with this by-law are hereby repealed and replaced with this by-law.

3) That this by-law shall come into full force and effect upon the final passing thereof.

Read a first and second time this 6th day of May, 2014.

Mayor

Clerk
Read a third time and finally passed this 6th day of May, 2014.

[Signatures]
Mayor
Clerk
Professional Conduct

Purpose:

To provide guidelines for the conduct, activities and behaviours of those persons using Town facilities and properties so as to conform to Part III.0.1 of the Occupational Health & Safety Act for a workplace free of violence and harassment.

Policy Statement:

The Town of South Bruce Peninsula is committed to customer service and to the provision of a safe and inviting atmosphere for all users of Town facilities and property. To protect the health and safety of employees and members of the public who attend at Town facilities, the Town promotes responsibility, respect, civility and professional behavior.

Policy Procedures:

1.0 Note:

1.1 The definition of a “permitted activity or use” is a use or activity which is sanctioned by the Town

1.2 Reference to the Administrator and the Mayor shall include any designate appointed to act in these respective positions

1.3 Any provisions in the Procedural By-Law supersedes this policy.

2.0 Unacceptable Conduct at Town Facilities

The following behaviors and activities are prohibited but are not meant to be all inclusive:

2.1 Conversing, laughing or otherwise talking or shouting in a loud and disruptive manner (unless considered appropriate for the permitted use).

2.2 Using Town facilities for other than their intended purpose including but not being limited to loitering, sleeping or cooking (unless considered appropriate for the permitted activity).
2.3 Failing to provide proper supervision of those under an individual's care and control.

2.4 Blocking aisles, exits or entrances.

2.5 Shoving, pushing or rough-housing.

2.6 Use of utilities including hydro outlets, telephone and internet connections without the express permission of the Town (unless considered appropriate for the permitted activity).

2.7 Use of obscene or vulgar language.

2.8 Entering into staff work areas which are not open to the public (unless expressly permitted by the Town).

2.9 Taunting of any individual or group by means of baiting, ridiculing, threatening gestures, abusive or demeaning language.

2.10 Throwing of any object, directed in any manner as to create a safety hazard.

3.0 Prohibition of Wheeled Devices and Picketing

The following actions are not permitted at Town facilities:

3.1 Using wheeled recreational devices such as skateboards, roller skates, roller blades, bicycles and scooters inside Town facilities except in areas designated by the Town.

3.2 Using the above wheeled recreational devices in the parking lot of Town facilities.

3.3 Picketing inside Town facilities.

4.0 Unacceptable Behavior

The following behaviors are not permitted while attending at any Town facility to visit, conduct business and/or attend meetings:

4.1 Wearing, carrying or displaying in any manner, statements which may be found to be derogatory or to contain language which is obscene, abusive, threatening or which content has religious, sexual or racist connotations.
4.2 Moving, altering, rearranging or using furniture or equipment, including electronic
devices without the express permission of the Town.

4.3 Sounds from electronic or computer devices or any other instruments or
amplification devices (unless considered appropriate for the permitted use).

4.4 Approaching a Council, Committee or Local Board table while a meeting is being
conducted (includes while the meeting is in recess or on break) unless so invited
by Town staff or Council.

4.5 Signs which block or impede visual sightlines unless they are to be presented as
part of a delegation to Council, a Committee, a Local Board or to a member of
staff inside Town facilities

5.0 Cautions and Corrective Actions:

5.1 First Notice: Any person or persons found to be demonstrating a prohibited
activity or behavior listed above will be warned verbally by Town staff or by the
Chair that the activity or behavior must cease immediately. This will be
considered to be the “First Notice” served.

5.2 Second Notice: If the person or persons continues to demonstrate a prohibited
activity or behavior or if a second violation is observed at a separate time, the
person or persons in violation will again be verbally warned by Town staff or by
the Chair that the activity or behavior must cease immediately. A written warning
may also be forwarded to the person. The verbal and/or written notice will be
considered to be the “Second Notice” served.

5.3 Corrective Measures After 2nd Notice: If the person continues to demonstrate
a prohibited activity or behavior or if a third violation is observed at a separate
time, the person or persons in violation will be verbally notified that the activity or
behavior is unacceptable and the person or persons in violation will be removed
from the Town facility or property.

5.4 Corrective Measures Without Notice: Pending the nature and seriousness of
the violation or behavior, the person or persons in violation may be removed from
the Town facility or property without first or second notice being given.
5.5 **Extended Ban:** At the discretion of the Administrator and the Mayor, and upon being removed from the facility or property, the offending person or persons may be banned from entrance to the property or facility for a time period to be determined by the Administrator and the Mayor.

5.6 **Documentation:** It shall be noted that all violations and subsequent warnings and removals or other actions taken must be documented and provided to the Administrator as soon after the occurrence as possible.

5.7 **Provincial Offence:** In accordance with Provincial Offences legislations (as amended from time to time), the Town reserves the right to lay charges against any offending person or persons.

6.0 **Interpretation:**

6.1 The interpretation of this policy shall be determined by the Administrator or designate.