

 <p>PORT HOPE</p> <p>POLICIES AND PROCEDURES</p>	POLICY: Parks, Recreation and Culture, Behaviour Management Policy	
	PROCEDURE(S):	
	APPLICATIONS(S): EXCLUSIONS(S):	
	SUPERCEDES:	
	APPROVED DATE: December 18, 2012 EFFECTIVE DATE: December 18, 2012	REFERENCE #: RESOLUTION # 163/2012

Mandate

The mandate of the Department of Parks, Recreation, and Culture is to enhance the quality of life for Port Hope residents through a wide range of innovative, inclusive, and accessible programming, providing opportunities for physical activity, social interaction and community engagements.

Purpose

The Municipality of Port Hope, Parks, Recreation and Culture Department (PRC) endeavours to create a positive and enjoyable environment for all persons participating in recreation programs, services and at facilities and parks. The Municipality recognizes that the majority of individuals use Municipal facilities in a responsible manner and behave appropriately when visiting Municipal property and facilities and when attending programs. There are, however, certain instances where individuals engage in activities while using or participating in Municipal facilities, parks and programs that are not appropriate or acceptable. The Municipality has established this Behaviour Management Policy to ensure that recreational opportunities are provided in a non-threatening and positive environment and will strive to provide services and facilities in a safe manner in order that the public can participate in rewarding experiences. Responses to inappropriate and/or illegal behaviour are outlined herein. It is noted that this Policy will be made available upon request and a Parks and Recreation Behaviour Management Policy will be posted at all Municipal Recreation facilities.

Overview and Definitions

The intent of this policy is to set a consistent, fair and objective procedure for staff to administer corrective action for users of facilities, parks and program participants who fail to comply with facility/park rental agreement terms and conditions, By-laws,

regulations, policies and/or Bill 168 regarding use of indoor or outdoor recreation facilities and parks.

- a) **“Park”** means and includes all public parks, approved parks, trails including, without limiting the foregoing, pedestrian walkways, pedestrian bridges, pathways, recreational trails, waterfront lands, beaches, woodlots, outdoor ice rinks, playground equipment, sport fields, tennis courts, climbing apparatus, open space, water features, buildings, structures, gardens, marinas, skatepark and recreation areas and all portions thereof owned or under the control of the Municipality, including that of any Board or Commission.
- b) **“Facility”** means and includes all PRC facilities and equipment and associated lands under the control of the Municipality.
- c) **“Program”** means recreation activities organized and provided by the Municipality of Port Hope including Park, Recreation and Culture or its partners.
- d) **“Ban”** means the prohibition of an individual from entering specific Municipal properties or facilities for a specific duration.
- e) **“Incident”** Means any occurrence involving inappropriate conduct on behalf of an individual, which includes, but is not limited to, any of the following:
 - vandalism of Municipal property and facilities as defined by the malicious, willful, and/or deliberate destruction, damage or defacing of property, including the materials, park amenities, actual building structure or building facility, furniture, electronic equipment, or personal property located on Municipal property etc.
 - violence or harassment, including but not limited to, the following behaviours:- verbal assaults, including the use of inappropriate, profane or abusive language and racial or ethnic slurs:
 - threats and/or attempts to intimidate;
 - throwing of articles or objects in a deliberate or aggressive manner that endangers or causes injury or damage to any persons or property;
 - physically aggressive behaviour toward other individuals or groups, including striking or pushing;
 - attempts to goad or incite violence;
 - creating a nuisance by loitering or partaking in loud or boisterous horseplay that interferes with the use and enjoyment of Municipal property and/or facilities by other persons;
 - bullying is behaviour by a person or group which intimidates or demeans another person, and includes, but is not limited to:
 - abuse of power;
 - humiliation or embarrassment;
 - persistent and unjustified criticism;
 - exclusion and/or isolation;
 - threats; or
 - rumor’s/gossip
 - any illegal activity including but not limited to public intoxication or the possession or use of narcotics;

- exhibiting inappropriate personal hygiene, i.e., an individual whose bodily hygiene is offensive as to constitute a nuisance to other individuals
 - engaging in unauthorized canvassing, selling, soliciting or distributing any material in PRC facilities and or Parks;
 - Advocate positions or political activities that cause discomfort or disruption to the approved facility/park use. Behaviour should not be intrusive or cause disturbance to patrons.
 - contravention of Municipal By-laws related to property and/or facilities and/or equipment and/or posted rules and/or equipment use;
 - possession of a weapon;
 - any activity that warrants a formal report to or request for assistance from Police by Municipal staff or a patron;
- f) **“Notice to Trespass”**, as authorized under the *Trespass to Property Act*, is a written notice prohibiting an individual from entering specific Municipal properties or facilities for a specific duration and is issued to an individual by staff for the purpose of imposing a Ban

No individual shall engage in inappropriate conduct on, at, or in recreation facilities, parks, or program services; or disruptive, offensive, harassing, threatening or injurious behaviour to municipal employees, its partners and other users.

BEHAVIOUR MANAGEMENT POLICY

The Parks, Recreation and Culture Department expects all user groups and participants at Municipally operated facilities and parks to treat users and Municipal staff with respect and to conduct themselves in such a way as to promote safe and positive experiences.

Each facility and park user and participant is expected to:

- Demonstrate courtesy to other person(s) at all times;
- Act in a responsible manner, always exercising self-discipline;
- Respect the rights and privileges of other participants and Municipal staff;
- Respect the property of others, including Municipal property and facilities; and
- Cooperate with or assist the Municipal staff in maintaining safety, order and discipline
- Solicitation and / or lobbyist’s activity will not be permitted on municipal property or within municipal facilities.

DUTY TO REPORT INCIDENTS OF INAPPROPRIATE BEHAVIOUR

All Municipality of Port Hope staff has a duty to report incidents to their direct supervisor/manager. Any person in a Municipality of Port Hope facility or park has a duty to report incidents to Municipal staff.

The incident may, depending on its severity, be reported to the Police. Any incident involving a weapon must be reported immediately to the Police. In addition to these processes, with respect to workplace violence, any employee who is either the victim of, or a witness to, workplace violence should report the incident immediately to his or her supervisor.

ACTION TAKEN TO ADDRESS INCIDENTS OF INAPPROPRIATE BEHAVIOUR

When Municipal staff observes an incident or have reason to believe that an incident has occurred on Municipal property or facility, he or she will, where possible and/or appropriate, first explain to the individual that his or her behaviour is unacceptable, and ask that the behaviour cease.

If the behaviour continues, all staff members are authorized to ask the individual(s) to leave the facility or property for all or part of the day. If the individual agrees to leave, this is not considered a Ban and no further action may be required.

If requests to cease the unacceptable behaviour and leave the premises are not successful, then the Municipal staff member may request assistance from another staff member and/or their supervisor to assist in the communication of this request.

Where the behaviour continues and the individual has not vacated the premises as requested and if there is any threat or concern of violence towards the staff member, the Police should be called to assist in the matter.

ACTION TAKEN GUIDELINES

If requests to cease the unacceptable behaviour are not successful and a Ban is issued, the Municipality may take the following actions, depending on the severity of the Incident. The following options and enforcement, depending upon the severity remains at the discretion of the Department Manager and/or Director.

Option 1 – for minor and/or first incident:

- Verbal or Notice to Trespass outlining the reasons for the Ban from property/facility/program for 1 day to 1 month;
- If a Notice to Trespass is issued in writing it will be copied and forwarded to Department staff and the appropriate Police department;
- If damages are involved, invoice perpetrator for full cost recovery of repair of damages;
- Payment must be received within designated Ban. If payment is not received the Ban will be extended until invoice is paid in full.

Option 2 – for repeat minor disturbances or more serious incidents:

- Verbal or Notice to Trespass outlining the reasons for the Ban from one or all property/facilities/programs for 1 to 3 months;

- If a Notice to Trespass notice is issued in writing it will be copied and forwarded to Department staff and the appropriate Police department;
- If damages are involved, invoice perpetrator for full cost recovery of repair of damages;
- Payment must be received within designated Ban. If payment is not received the Ban will be extended until invoice is paid in full.

Option 3 – for major disturbances, first time incidents:

- Verbal or Notice to Trespass outlining the reasons for the Ban from one or all property/facilities/programs for 3 to 6 months;
- If a Notice to Trespass notice is issued in writing it will be copied and forwarded to Department staff and the appropriate Police Department;
- If damages are involved, invoice perpetrator for full cost recovery of repair of damages;
- Payment must be received within designated Ban. If payment is not received the Ban will be extended until invoice is paid in full.

Option 4- for major disturbances, repeat incidents:

- Verbal or Notice to Trespass outlining the reasons for the Ban from one or all property/facilities/programs for 6 to 12 months;
- If a Notice to Trespass notice is issued in writing it will be copied and forwarded to Department staff and the appropriate Police Department;
- If damages are involved, invoice perpetrator for full cost recovery of repair of damages;
- Payment must be received within designated Ban. If payment is not received the Ban will be extended until invoice is paid in full.

Option 5 – for any incidents involving weapons or any object that is used as a weapon, or any actions that cause grievous risks to personal safety of staff and/or patrons:

- Verbal or Notice to Trespass outlining the reasons for the Ban from one or all property/facilities for 1 year and up to 10 ten years;
- If a Notice to Trespass notice is issued in writing it will be copied and forwarded to Department staff and the appropriate Police Department;
- If damages are involved, invoice perpetrator for full cost recovery of repair of damages;
- Payment must be received within designated Ban. If payment is not received the Ban will be extended until invoice is paid in full.

Where a Ban has been issued against an individual and the individual fails to comply with the Ban, the local Police Department may be notified. In the case of a youth, their parents or legal guardian will be contacted.

Notwithstanding these guidelines contained within this policy, the Municipality retains the right to invoke a Notice to Trespass order under the *Trespass to Property Act* at any time and as deemed appropriate.