

The Corporation of the Municipality of Brockton



By-Law 2023-054

Being a By-Law to Adopt an RZone Respect and Responsibility Policy for the Municipality of Brockton

Whereas The Council for The Corporation of the Municipality of Brockton deems it expedient to establish policies;

And Whereas the *Municipal Act 2001, S.O. 2001, c 25, Section 5(3)*, as amended provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9, shall be exercised by by-law;

And Whereas the "RZone" program was developed by the Town of Oakville in 2007 and is viewed by the Parks and Recreation industry as an effective policy and best practice throughout Ontario municipalities;

And Whereas the Municipality of Brockton wishes to adopt an RZone Respect and Responsibility Policy to establish guidelines to enforce proper steps to be taken by staff, volunteers and users in order to address inappropriate behaviour or violence in Municipal owned facilities and properties; and promote a positive, safe, and supportive environment for all members of the public and staff, while encouraging respect, commitment and considerate relationships between the Municipality and members of the public;

Now Therefore the Council of The Corporation of the Municipality of Brockton enacts as follows:

- 1.0 That the Corporation of the Municipality of Brockton Council hereby adopts an RZone Respect and Responsibility Policy as contained in the attached Schedule "A" to this By-Law.
- 2.0 This By-Law shall come into full force and effect upon final passage.
- 3.0 This By-Law may be cited as the "Adopt RZone Policy By-Law".

Read, Enacted, Signed and Sealed this 9th day of May, 2023.

Mayor – Chris Peabody

Director of Legislative and Legal Services (Clerk) –
Fiona Hamilton

Policy R00-1100-23

RZone – Respect and Responsibility Policy

Department:	Parks and Recreation	Policy Number:	R00-1100-23
Section:	Community Protection Programs	Effective Date:	May 9, 2023
Subject:	RZone – Respect and Responsibility	Revised Date:	
Authority:	By-Law 2023-054		

1. Purpose

The purpose of the RZone policy is to establish guidelines to enforce proper steps to be taken by staff, volunteers and users in order to address inappropriate behaviour or violence in Municipal owned facilities and properties. 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 Municipality and the members of the public.

2. Policy Statement

The Municipality of Brockton (the Municipality) is committed to fostering an environment where there is respect for yourself; respect for others; and responsibility for your actions. The Municipality discourages any form of inappropriate behaviour at all municipal facilities, properties, municipal sponsored events, programs, in written or verbal communications (including email or phone), in municipal vehicles, or at any other location where municipal staff are present.

The Municipality's programs, facilities and properties are places that promote learning and leisure 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 at risk the safety of others.

This policy does not affect the application of any other Municipalities policies (including the Workplace Violence and Harassment Policy) or any other Municipal By-laws

3. Scope

- 3.1 This policy applies to all members of the public and staff at all Municipal facilities, properties, Municipal sponsored events, programs, in written or verbal communications (including email or phone), in Municipal vehicles, or at any other location where Municipal staff are present.
- 3.2 Staff 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 feels threatened, they are to call the Ontario Provincial Police (police) for assistance.
- 3.3 Inappropriate behaviour or actions for the purpose of this policy includes, but is not limited to, the following behaviours:
 - a) Aggressive or intimidating approaches to another individual (including verbal assault threats)
 - b) Attempts to goad or incite anger in others

- c) Throwing of articles in a deliberate or aggressive manner
- d) Physical striking of another individual
- e) Theft of property
- f) Possession of weapons
- g) Illegal consumption of alcohol or drugs
- h) Contravention of Municipal by-laws, policies, or procedures
- i) Vandalism: the deliberate destruction, damage or defacing of property owned or leased through the Municipality
- j) Harassment: “engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome” as defined by the Ontario Human Rights Code and covered by the Municipality of Brockton Workplace Violence and Harassment Policy.

3.4 If the nature of an issue is known in advance to be contentious (at a meeting, event, or any other location where Municipal staff is present) staff is to alert the police. Depending on the nature of the issue, staff may request the attendance of the police.

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

4. Definitions

Action to be taken - means what actions will be used depending on the severity of the incident:

- A “Letter of Warning” (Appendix C) may be issued to the identified individual for any behaviour that is in violation of this policy.
- 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 (Appendix D) may be issued to the identified individual indicating that further participation is no longer welcome. A temporary or permanent ban is to be determined by the appropriate Director or CAO.

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

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

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 ought reasonably to be known to be unwelcome.

Notice - means there has been 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.

Municipality - means the Corporation of the Municipality of Brockton.

Trespass Notice - is authorized under the Trespass to Property Act R.S.O. 1990 C. T. 21, and is written notice

prohibiting an individual from entering specific Municipal properties, facilities, or programs for a specific 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 municipal properties and or facilities.

5. Policy Procedures:

5.1 Reporting an incident – where staff has witnessed an incident

When instances of inappropriate behaviour or actions occur, staff shall act in the following manner:

- a) Report acts of inappropriate behaviour to the most senior staff person present at the incident
- b) Without jeopardizing anyone's safety, advise the identified individual(s) to stop the activity immediately or they will be asked to leave ("verbal warning")
- c) If the individual(s) does not co-operate, inform the individual(s) that they are now trespassing and the police will be called
- d) If the individual(s) refuses to leave, do not engage in an argument or physical confrontation, call the police, and wait for them to arrive while ensuring that you and any others in jeopardy, are in a safe location
- e) Prepare a RZone Incident Report (Appendix A) on all incidents addressed in this policy.

5.2 Reporting an incident – where staff is receiving inappropriate written or verbal communication

When instances of inappropriate behaviour or actions occur, staff shall act in the following manner:

- a) Report acts of inappropriate behaviour to the most senior staff person of the appropriate department within 24 hours of inappropriate written or verbal communication
- b) Advise the individual to stop the inappropriate activity immediately or you will end the communication
- c) If the individual does not co-operate, inform the individual that you are ending the communication, and do not reply to any further attempts made by the individual to contact you
- d) Prepare a RZone Incident Report (Appendix A) on all incidents addressed in this policy.

5.3 Reporting an incident – where staff has not witnessed an incident being reported

When instances of inappropriate behaviour or actions are reported to staff, staff shall act in the following manner:

- a) Report any act(s) of inappropriate behaviour to the most senior staff person of the appropriate department within 24 hours of the incident being reported
- b) Prepare a RZone Incident Report (Appendix A) on all incidents addressed in this policy.
- c) Members of the public are to report acts of inappropriate behaviour to a Municipal staff member

within 24 hours of the incident.

- d) The Municipality's primary concern is the safety of members of the public and staff. If at any time members of the public or staff feel personally threatened, they are to call the police immediately. It is NOT the expectation that members of the public or staff put themselves at risk or jeopardize anyone's safety when dealing with any perceived or real situation.

South Bruce O.P.P.

Reporting Non-Emergency Contact: 1-888-310-1122

Emergency Contact: 911

5.4 Reporting process and who will be notified

- a) Staff shall fill out a RZone Incident Report (Appendix A) and forward it to the appropriate Director within 24 hours of the incident.
- b) The appropriate Director should forward the Report to the CAO within 48 hours of the incident.
- c) The CAO or designate should provide Notice to the identified individual of Action to Be Taken, within 14 days of the incident.
- d) Appropriate staff will be notified of any individual(s) who has been subject to remedial action under this policy as well as the action taken.
- e) The original RZone Incident Report shall be kept in the Central Filing Room and retained as required by the Municipality's Retention By-law.

5.5 Consequences of Non-Compliance

- 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 appropriate behaviour (Appendix C). If necessary, an individual may be banned from Municipal premises for a period of time. Length of the ban will be determined by the appropriate Director and will depend on the severity of the situation (Appendix D). Enforcement guidelines are referenced in Appendix B.
- b) In addition to any other measures taken, where any damage to Municipal Property has occurred, the individual(s) responsible will be required to reimburse the Municipality 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.

5.6 Appeal Process

- a) If an individual wish to appeal any action taken by the Municipality, the individual may present their case in writing to the Council of the Municipality of Brockton, within 14 days of the decision.
- b) The appeal will be reviewed by the Council of the Municipality of Brockton, and any decision made is final.

6. Staff Roles and Responsibilities

- a) Staff and participants 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 Municipality shall work in partnership with the community to ensure everyone has the opportunity to enjoy a respectful and positive environment.
- c) Training and education by departments will be provided to staff (e.g. RZone orientation) to support the policy. Training will be provided to staff as part of Customer Relationship Management and Service Delivery.
- d) The Human Resources Department is responsible for monitoring violations of this policy and following up with appropriate staff members as necessary.

7. Policy Review

Brockton shall periodically review the Respect and Responsibility Policy pending the outcome of the annual audit and evaluation.

8. Appendices

Appendix "A" - RZone Charts
Appendix "B" - RZone Forms
Appendix "C" – RZone Letters

Appendix “A”

Respect and Responsibility Enforcement Guidelines Municipality of Brockton, Parks and Community Centres

The following chart represents guidelines, and outlines the consequences for acts of inappropriate behaviour at all Municipal facilities, properties, Municipal sponsored events, programs, in written or verbal communication (including email or phone), in Municipal vehicles, or any other location where Municipal staff are present.

It is understood that these guidelines do not include all types of behaviour, that each incident will be reviewed based on information available, and that consequences outlined below are guidelines that may be adjusted to reflect conduct/actions.

Consequences may be more severe or escalated depending on the circumstances of the inappropriate conduct.

Time banned is from all Municipal facilities, properties, Municipal sponsored events, programs, in Municipal vehicles, or any other location where Municipal staff are present. Inappropriate written or verbal communication will not be tolerated. Action will be taken as necessary.

Incident	1st Occurrence	2nd Occurrence	Any Subsequent Occurrence
<ul style="list-style-type: none"> Aggressive or intimidating approaches to another individual (verbal assault) Attempts to goad or incite anger in others 	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.
<ul style="list-style-type: none"> Threats Harassment 	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.
<ul style="list-style-type: none"> Throwing of articles in a deliberate or aggressive manner Physical striking of another individual Illegal consumption of alcohol or drugs Possession of weapons 	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.
<ul style="list-style-type: none"> Vandalism to building or property/theft 	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.

Respect and Responsibility Enforcement Guidelines Municipality of Brockton Centennial Park Pool and Camp

The following chart represents guidelines, and outlines the consequences for acts of inappropriate behaviour at all Municipal facilities, properties, Municipal sponsored events, programs, in written or verbal communication (including email or phone), in Municipal vehicles, or any other location where Municipal staff are present.

It is understood that these guidelines do not include all types of behaviour, that each incident will be reviewed based on information available, and that consequences outlined below are guidelines that may be adjusted to reflect conduct/actions.

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Time banned is from all Municipal facilities, properties, Municipal sponsored events, programs, in Municipal vehicles, or any other location where Municipal staff are present. Inappropriate written or verbal communication will not be tolerated. Action will be taken as necessary.

Incident	1st Occurrence	2nd Occurrence	Any Subsequent Occurrence
<ul style="list-style-type: none"> Aggressive or intimidating approaches to another individual (verbal assault) Attempts to goad or incite anger in others 	Letter of warning	Minimum 1-month ban and review to determine if further consequences are warranted.	Minimum 1-year ban and review to determine if further consequences are warranted.
<ul style="list-style-type: none"> Threats Harassment 	Minimum of 15 days ban	Minimum 30-day ban and review to determine if further consequences are warranted.	Seasonal ban for the duration of the summer and review to determine if further consequences are warranted.
<ul style="list-style-type: none"> Throwing of articles in a deliberate or aggressive manner Physical striking of another individual Illegal consumption of alcohol or drugs Possession of weapons 	Seasonal ban for the duration of the summer and review to determine if further consequences are warranted.	Minimum 1-year ban and review to determine if further consequences are warranted.	Trespass notice issued, authorities notified.
<ul style="list-style-type: none"> Vandalism to building or property/theft 	Minimum 1 month ban plus payment of repair costs and 20% administration fee.	Minimum 2-month ban plus payment of repair costs and 20% administration fee and review to determine if further consequences are warranted.	Seasonal ban plus payment of repair costs and 20% administration fee and review to determine if further consequences are warranted.



Appendix "B"

RZone Incident Report

**Individual Reporting Details:**

Name of Person Reporting
Department
Position Phone No.
Date incident was reported

Incident Information:

Date Time

Incident Information:

Location of Incident

Participant(s) Involved:

(a) Complainant Name

Address

Postal Code Phone

(b) Respondent Name

Address

Postal Code Phone

If there are more participants involved, please attach extra pages.

Category (please check all that apply)

☐ Verbal assault

☐ Threats

☐ Physical assault/harm

☐ Use of alcohol or drugs

☐ Vandalism

☐ Theft of property

☐ Harassment

☐ Possession of Weapons

Other (please specify in detail)

Describe in detail what happened:**Other relevant information:****Who else was made aware of the incident?**

Name			
Address			
Postal Code		Phone	

If there are more individuals involved, please attach extra pages.

If another individual was made aware of the incident, how were they informed? Please circle

In-person	Phone	Email
Other (please specify in detail) <input type="text"/>		
Date the individual was informed: <input type="text"/>		

Please identify if another individual witnessed the incident.

Name			
Address			
Postal Code		Phone	

If there are more individuals who witnessed the incident, please attach extra pages.

For Office Use Only: s**Action Taken (please check):**

- ☐ Verbal Warning
☐ Letter of Warning
☐ Letter of Trespass

Date:	<input type="text"/>
Date:	<input type="text"/>
Date:	<input type="text"/>
Date:	<input type="text"/>

Appeal: ☐ No ☐ Yes

Outcome:

File Closed: ☐ Yes ☐ No ☐ Pending

Date:

Name:

Position:

Signature:

Personal information on this form is collected under the authority of the Municipal Act, 2001, S.O. 2001, c. 25 and will be used for the purpose of aggregate statistical reporting, and allocation of staff and resources. This information will also be used for the promotion of programs or activities so that we can provide good customer service.



Appendix "C"

Date:

Individual's Name

Address

Town/Postal Code

Delivered by Registered Mail

Re: Inappropriate Behaviour Incident at the Municipality of Brockton

Dear _____,

The Municipality of Brockton has implemented a RZone policy to promote a positive, safe, and supportive environment for all members of the public and staff. The "R" in RZone stands for Respect and Responsibility - **Respect** for yourself; **Respect** for others; and **Responsibility** for your actions. The RZone enforces zero tolerance of inappropriate behaviour and action, violence and vandalism at all Municipal facilities, properties, Municipal sponsored events, programs, in written or verbal communications (including email or phone), in Municipal vehicles, or any other location where Municipal staff are present.

This is to advise you that your behaviour of _____
at _____ -on Date
_____ is in violation of our RZone policy that occurred at
_____ and in particular, your conduct in

Description of incident

Any future incidents of this nature will not be tolerated.

For your reference, a copy of the Municipality of Brockton RZone brochure is enclosed. If you have any questions or require any additional information, please feel free to contact me at the phone number or email listed below.

Yours truly,

CAO – Department

Municipality of Brockton

Phone number

Email

cc: Appropriate Staff Member(s)



Appendix "D"

Date:
Individual's Name
Address
Town/Postal Code

Delivered by Registered Mail

Re: Inappropriate Behaviour Incident at the Municipality of Brockton

Dear _____,

The Municipality of Brockton has implemented a RZone policy to promote a positive, safe, and supportive environment for all members of the public and staff in our Public facilities.

This letter is to inform you that we have reviewed an incident which you were involved in at (location) on (Date); involving (Description of incident)

Based on our review of the incident, you are hereby given notice pursuant to the Trespass to Property Act, R.S.O. 1990, C. T.21, that we are issuing you a (Duration) month ban, effective this day (Date) from all Municipal facilities, properties, Municipal sponsored events, programs, in Municipal vehicles, or any other location where Municipal staff are present.

If you do enter onto any of these premises it will be considered trespassing and we will notify the OPP to enforce this trespass notice.

I have attached a copy of the Municipality of Brockton RZone brochure for your information. You have 14 days to appeal this suspension in writing to the CAO. Your appeal will be reviewed and the decision will be final.

Yours truly,

CAO – Department
Municipality of Brockton
Phone number
Email
cc: Appropriate Staff Member(s)