

Guidelines for Notice of Prohibiting Entry

Definitions

In addition to the definitions contained in the Trespass Policy, the following definitions apply to the Corporate Policy – Notice of Prohibiting Entry.

“Affiliates” means organizations that have received affiliate status through the Town’s Community Group Affiliation policy, 2016;

“Discrimination” includes, but is not limited to, prejudice, inequity, bigotry, unfairness;

“Harassment” includes, but is not limited to, pestering, nuisance, irritation, aggravation, stalking;

“Harm” includes, but is not limited to, damage, injury, destruction, maltreatment, mischief; and

“Joint-use Partners” means third-party organizations the Town is in a legally-binding agreement with.

Considerations for Issuing Notices Prohibiting Entry

Determining whether behavior(s) or action(s) is Unreasonable Behaviour is a flexible, balancing exercise that requires all circumstances of a particular case to be taken into account. Authorized Persons, including the CAO on appeal, should have regard for each of the following considerations when issuing a Notice Prohibiting Entry following an occurrence(s) of Unreasonable Behaviour:

1. **Consequences on the Person:** The decision to classify someone's behavior as Unreasonable Behaviour and issue a Notice Prohibiting Entry could have serious consequences for the Person including restricting access to Town services.
2. **Scope:** The scope and duration of a Notice Prohibiting Entry should be proportional to the objective in prohibiting entry. Scope includes the geographical scope and the any conditions forming the parametres of the Notice Prohibiting Entry. The objective in prohibiting entry may increase in its importance if a pattern of Unreasonable Behaviour occurs or is ongoing. Long term Notices of Prohibiting Entry shall be the exception rather than the rule.
3. **Public Meetings and Peaceful Demonstration/Expression:** If necessary, conditions may be placed on Notices Prohibiting Entry to allow Persons the ability to attend meetings open to the public or to demonstrate and express themselves peacefully. Examples of such conditions are:
 - a. notice by the Person 24 hours in advance that they intend on attending a public meeting;
 - b. requiring the Person comply with all directions given by the Mayor or meeting chairperson respecting conduct at the meeting; and,
 - c. parameters on how far in advance and how long after the commencement and conclusion of a meeting that the Person can remain at the meeting place.

Applicability and Duration of Trespass Policy

The chart below are guidelines that should be considered when issuing a Notice Prohibiting Entry.

| Behaviour | Occurrence | Length of Prohibition | Applied Procedure or Policy |
|--|------------|-----------------------|-----------------------------|
| Yelling, abusive language towards staff and/or patrons | First | n/a | Public Code of Conduct |
| | Second | 7 days | Notice of Trespass |
| | Third | 30 days | Notice of Trespass |

Schedule B to Staff Report 2020-0103

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|--|--------|-----------|------------------------|
| Verbal harassment and/or discriminative behaviour towards staff and/or patrons | First | n/a | Public Code of Conduct |
| | Second | 7 days | Notice of Trespass |
| | Third | 30 days | Notice of Trespass |
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| Physical harm to Town property including vandalism and theft | First | n/a | Public Code of Conduct |
| | Second | 7 days | Notice of Trespass |
| | Third | 30 days | Notice of Trespass |
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| Physical harm to a person or animal on Town property | First | 30 days | Notice of Trespass |
| | Second | 6 months | Notice of Trespass |
| | Third | 12 months | Notice of Trespass |
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| Indecent exposure | First | 30 days | Notice of Trespass |
| | Second | 6 months | Notice of Trespass |
| | Third | 12 months | Notice of Trespass |
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| Inebriated in a public facility | First | n/a | Public Code of Conduct |
| | Second | 7 days | Notice of Trespass |
| | Third | 30 days | Notice of Trespass |
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| Possession of an illegal weapon | First | 30 days | Notice of Trespass |
| | Second | 6 months | Notice of Trespass |
| | Third | 12 months | Notice of Trespass |