

---

<b>POLICY TITLE:</b>	Restricted Activities
<b>POLICY #:</b>	PLCY-2024-00X
<b>CATEGORY:</b>	Community Services - Facility Division
<b>AUTHORITY:</b>	N/A
<b>POLICY APPROVED BY:</b>	CSE-2024-013
<b>EFFECTIVE DATE:</b>	December 9, 2024
<b>APPLICABLE TO:</b>	Facility Staff

---

## **1. Policy Statement**

The Town of Halton Hills aims to provide exemplary Recreation, Leisure and Administrative Facilities to all members of the public. All facilities are available for easy access and enjoyment for any person attending.

It is the Town's objective to ensure the experience of all patrons and visitors is positive. As well as to ensure that the negative behaviour, activities or actions of others does not impinge on this experience.

To achieve this objective, unreasonable, or unacceptable activities, behaviours or actions deemed inappropriate will not be tolerated and such actions may result in a Town response intended to eliminate such actions - up to and including limiting the offending patrons access to Town facilities.

## **2. Purpose**

The purpose of this policy is to help provide safe and welcoming Town facilities, and to advise on what activities, actions or behaviours that impact on this experience may be restricted.

The decision to classify an activity as inappropriate, unacceptable or restricted, could have serious consequences for the individual(s) participating in these actions, including restricting their access to Town facilities.

As such, this policy provides clear examples of activities, actions and behaviours. Any restrictions made under this policy are dependent on circumstances, and there is an opportunity for the affected individual(s) to have any restrictions reviewed and/or appealed as outlined in the associated procedures.

### **3. Scope**

The Restricted Activity Policy serves to provide notice of what constitutes unacceptable activity, behaviours or an inappropriate action that impacts on the facility experience of other patrons.

This policy applies to inappropriate and unacceptable activities, behaviour or actions by members of the public deemed to negatively impact the enjoyment of others or that is contrary to expected facility decorum.

The location covered by this policy includes all Town-owned or Town-leased municipal facilities.

This policy is meant to compliment other policies and codes of conduct and will often be used simultaneously with such documents.

### **4. Definitions**

Member of the Public, Customer: Includes but is not limited to, residents, individuals, businesses, not-for-profit organizations, stakeholders, and community or corporate organizations that interact with the Town and its employees and utilize Town facilities.

Restricted Activity: An activity, action or behaviour that by its nature or frequency negatively impacts the facility enjoyment of other members of the public and, at times, may constitute a health and safety concern.

### **5. Procedure**

For the purposes of the procedure, an inappropriate activity is any activity, action or behaviour by a member of the public, which because of its nature or frequency, has a negative and unreasonable impact on facility or amenity enjoyment by Town staff, other customers, and/or user groups.

### **6. Examples of Unwanted Activities**

Examples of what might be considered restricted, unacceptable or activities, actions and/or behaviours that may impact negatively upon other facility users are listed below. The list is not exhaustive:

- Profane language, inappropriate comments or loud and unacceptable communications, regardless of if this is not directed at any one person, that may impact the enjoyment of other patrons or the decorum of the facility or specific event.

- Open, visible or exposure to others, particularly children and youth, of intoxicating substances or associated paraphernalia (for example cannabis) in areas that are not licensed or permitted for such activities.
- Sleeping or congregating in main thoroughfares not designed for such activities that may cause accessibility restrictions for others or a health and safety risk in the form of blocking entrance or egress to certain areas.
- Repeated behaviours intended to cause disruption or irritation to other patrons.
- Activities that are not suitable for the area being used as they may cause injury to the participant or others or may cause damage to the facility. Such as, riding bicycles or playing sports in an unpermitted and unsuitable area.

## **7. Enforcement**

If a Town staff member experiences or witnesses any activity, action or behaviour that may negatively impact on the facility enjoyment of others or if the activity or behaviour falls under any of the examples noted above, the following procedures apply:

### **7.1. General Guidelines:**

Town Staff are expected to only use non-physical, verbal, intervention methods to enforce this policy. Appropriate actions may include the following:

- A) Requesting that the identified party, without jeopardizing one's safety, cease the inappropriate activity or behaviour immediately.
- B) Asking that the identified party leaves the premises.
- C) Informing the individual(s) of the existence of the restricted activity policy and that they may be subject to consequences.
- D) Advising the identified party that failure to cease the inappropriate activity or behaviour will result in police being called and, also, advise that they will be trespassing.
- E) Removing themselves from the situation entirely or seeking the presence of additional personnel for support.
- F) Advising the appropriate supervisor, manager, director or commissioner about the incident during or following an interaction, and compiling all documentation, information and evidence related to the incident; and
- G) If the individual refuses to cease the inappropriate activity or behaviour, Town staff shall avoid engaging in a verbal or physical confrontation and shall call the police (911) to report the situation immediately.

**7.2. Documentation of incidents by staff may include:**

- Nature, date and (approximate) time of the incident, individual involved in the identified activity or behaviour.

**7.3. Notice of Provisions and Actions**

The Supervisor/Director/Commissioner will determine what restrictions will be put in place. Before deciding to apply any restrictions, the Town will:

- Review the incident(s) and any available documentation and information.
- After review, if deemed appropriate, the Town will inform the person(s) through written or verbal notice that the activity or behavior is inappropriate and contrary to the Restricted Activity Policy.
- Limit or regulate the use of Town services or facilities which may include refusing or limiting access to Town facility(ies); or
- Issue a no trespass letter which may include notification to local police services.

**7.4. Written Notice**

Upon review and determination of what actions will be taken, including but not limited to measures as described above, the appropriate Director/Commissioner may proceed by providing written notice of the action(s) to be taken. Written notice shall be delivered within fifteen (15) business days of the determination in question by e-mail, letter mail or hand-delivery, and will outline the following:

- A brief description of the observed unacceptable activity or behaviour;
- The date of issuance;
- Any restrictions that apply, and the duration of the restrictions;
- The Town staff or representative that the individual may contact during the restriction period (if any), and the form of communication to be used; and
- Instructions, if applicable, for submitting a request for review.

**7.5. Trespass**

When an individual is prohibited from entering one or more specific Town facilities for a period of time, the Town may issue a Notice of Trespass to the individual. Halton Region Police Services may be requested to assist where a Notice of Trespass to Property is contravened by an individual.

## **8. Disputing or Requesting Review of Restrictions**

Individuals who have had restrictions applied may request a review at any time during the restriction period. The request must be made in writing and submitted via e-mail or letter mail to the Issuer, including at minimum:

- Identification of the incident in question.
- An explanation of why the individual is requesting the review; and
- The resolution sought from the Town.

A request for review shall be limited to one time within a 365-day period.

Individuals may request an in-person meeting to review the restrictions applied. However, Town staff may refuse to meet in person if, in the opinion of Town staff, it is unsafe to do so.

Following a review of the restrictions applied, which will include consultation with Town Council, the Issuer may uphold, amend, or rescind the Town's previous decision, and shall notify the individual of the Town's decision through e-mail or letter mail.

Individuals who believe that the provisions of this policy have been applied unfairly or are unsatisfied with the outcome of the review process may file a complaint with the Ontario Ombudsman. Town of Halton Hills staff shall supply contact information for the Ontario Ombudsman upon request.

## **9. Responsibilities**

A Member of the Public or Customer is responsible for:

- Complying with this policy.

Employees are responsible for:

- Complying with this policy and any site or program specific conduct and procedures; and
- Documenting interactions, especially where there is a pattern of behaviour.

Coordinator/Manager/Supervisor/Commissioner are responsible for:

- Complying with this policy and any site or program specific conduct and procedures;
- Train and educate staff on the policy and any associated procedures;

- Document, react and respond to any reported violation of the criteria in this policy; and
- Providing information to other departments, where appropriate, to make staff aware of any restrictions that have been put in place.

## **10. Privacy**

### Personal Information Collected, Used & Disclosed

- Personal Information collected and used under this policy may include an individual's general description, photographic image or likeness, and shall not be used or disclosed for an inconsistent purpose.
- To enforce any restrictions applied to an individual under this policy, Town staff may disclose to other Town staff or agents of the Town the individual's personal information, a summary of the restricted activity or behaviour, any restrictions applied to the individual, and any other relevant information pertaining to the incident.
- All Town staff shall have regard for the individual's privacy and shall not use or disclose their personal information in any way that may reveal to the public the individual's personal information, the unacceptable activity or behaviour that occurred, or the nature of any restrictions applied to them.

## **11. Exceptions**

Nothing within this policy restricts or otherwise limits:

- The Town's authority to engage in litigation or seek legal redress for actions taken by individuals, regardless of whether those actions may fall within the scope of this policy;
- The Town's ability or obligation to comply with any requirements established by provincial or federal legislation; or
- Town staff's right to refuse unsafe work under the Occupational Health and Safety Act.

## **12. References**

As mentioned above, this policy is meant to complement, not replace, the policies, codes of conduct and other documents noted in the reference section of this Policy. The documents named below remain in force and shall also be complied with in the circumstances set out in those policies.

- Public Conduct Policy
- Parks By-Law No. 2013-0062

- Building By-law 2016-0030 Code of Conduct
- Trespass to Property Act
- Public Engagement Charter
- Hillsview Code of Conduct (posted publicly onsite)
- Youth Code of Conduct (posted publicly onsite)

### **13. Review and Revision**

This is a new policy that will be reviewed in five (5) years, or earlier if warranted.

DRAFT