

Sunday, September 22, 2019

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To the *Procedural By-law Review Committee*,

My name is Sabrina Hill. I am a resident of the Regional Municipality of Niagara. My educational background is in Political Science, specifically, Public Administration, Public Policy, and Public Law.

Earlier this year, I attended a council meeting with a sign displaying my frustration with a current issue before the Council. Upon entering the Region's main campus building, a private security guard contracted by the Region approached me and indicated that, *'while I have the right to display the signs in the foyer, I will not be able to bring the signage into the main Council Chambers at the commencement of the meeting.'* I asked the guard to state which policy or bylaw placed such limitations on a resident from bringing in a sign to Council and he could not. I asked to speak with his supervisor. Approximately ten minutes later, the Region's Sergeant-at-Arms said that he would have to seek the advice of legal council. A few moments later, I was approached by the Region's legal council who said that it was *"a matter of practice that signs were not allowed in the Chambers"* as they might *"limit or prevent the recording and/or broadcast of the meeting."*

I again asked him to state a specific policy so that I may review it to find ways as to both, comply with the bylaw, and still be able to freely, *and respectfully*, engage in my right of free speech and protest. No policy or bylaw could be quoted.

Knowing that anything *'not explicitly deemed illegal is thereby legal,'* a maxim in law, I was able to bring in one of my foamboard signs into the Chambers. I had no intention of disrupting the Council meeting nor to block the broadcast of said meeting. So, I volunteered to sit at the side of the gallery with my sign by my feet facing towards my elected officials.

I am concerned, as I am sure you all are, that there is little clarity among staff on what *is* and *is not* allowed in the Council Chambers during meetings that are otherwise open to the public.

I have drafted what I know to be a reasonable compromise. One that allows for our Charter rights of free speech and protest, with mindful considerations for the safety of Council and guests.

Finally, I am requesting that with the adoption or passage of this policy or bylaw that all appropriate Niagara Region staff receive a memo outlining the new Signage Policy to ensure the rights and responsibilities of the residents are respected.

# The Regional Municipality of Niagara Signage Regulations

The Regional Municipality of Niagara recognizes the right of residents to express themselves in accordance with the Charter of Rights and Freedoms and encourages residents to participate in their local government in a positive, productive, and meaningful way.

The regulation of the display of signage as it pertains to residents or visitors of the Region in Council Chambers is as follows:

Signs of protest or support will be allowed within Council Chambers unless they otherwise;

1. interfere with the normal business of Council or a committee meeting open to the public by containing threats, acts of violence, or personally harass or otherwise reasonably defame a Member of the Region, an invited speaker, or an employee of the Region,
2. the resident's actions intentionally interfere with the observation, recording, or broadcast of the Council or committee meeting,
3. the signage contains depictions of sexual acts, or
4. the signage or the act of displaying the sign because of its size interferes with the normal observation by other guests in the gallery including the broadcast and transmission of Council or meetings.

The Sergeant-at-Arms or an agent acting on their behalf will only remove a resident or member of the gallery, or their sign, if the sign contains one or more of the above, or;

- A. if the member of the gallery becomes obstructive, harassing, threatening, or their actions or words rise to the level of disturbing the peace as set out by the Criminal Code of Canada, or
- B. if the sign or parts of the sign may be of reasonable risk of harm to any member within the Council Chambers or committee meeting room.

Residents wishing to display signs in accordance with the established rules will be asked to sit in an area of the gallery whereas to minimize the obstruction of normal observation by other residents in the gallery. As such, this may mean asking residents with signs to sit in the rear or at the sides of the gallery.