
MEMORANDUM

PBLRC-C 10-2019

Subject: Councillor Information Request respecting Definitions for “Disruptive Behaviour and “Improper Conduct”

Date: October 1, 2019

To: Procedural By-law Review Committee

From: Ann-Marie Norio, Regional Clerk

At the July 30, 2019 Procedural By-law Review Committee meeting, the following Councillor Information Request was made:

Provide definitions for "disruptive behaviour" and "improper conduct" as described in corporate policies: C-RC-007 - Management of Personal Items, Equipment and Disruptive Behaviour Prior to a Closed Session of Committee or Council; and C-A-025 - Managing Public Spaces in a Safe and Welcoming Environment. Councillor Ip.

Recommendation 4 of the Ontario Ombudsman Report “Press Pause” suggested that the Region of Waterloo’s *Respectful Behaviour Policy* provides both a definition of inappropriate behavior and lists specific examples. The excerpt from that policy is as follows:

6.1 Inappropriate Behaviours

6.1.1 Behaviours that obstruct or hinder the ability of others to use and enjoy city facilities, or participate in City services programs or events, or compromise the safety and health of others, including staff, are unacceptable and prohibited.

6.1.2 Inappropriate behaviour for the purpose of this policy includes, but is not limited to, the following:

- a) Refusal to follow rental agreement and all other related City Policies/Procedures/By-Laws; Regional, Provincial or Federal Statutes;
- b) Blocking thoroughfares/corridors/stairways/exits;
- c) Engaging in horseplay, including running in throughways, corridors and stairwells;
- d) Causing unsanitary conditions (i.e. chewing tobacco, expulsion of bodily fluids etc.);
- e) Use of profanity or obscene language;
- f) Engaging in sexual activity;
- g) Theft of property;

- h) Vandalism of any kind;
- i) Illegal consumption of alcohol, drugs or other substances;
- j) The use of all cell phones, cameras, video recording devices, personal digital devices, or any other equipment with video or photographic abilities in change rooms and public washrooms;
- k) Display of lewd, illegal or offensive material including pornography or material that includes violent acts, indecency, hate, illegal gambling or profanity, as well as material with text or imagery that has explicit or malicious intent;
- l) Violence of any kind including:
 - Aggressive or intimidating verbal assaults;
 - Threats and/or attempts to intimidate;
 - Harassment which may include the wearing of attire, the displaying of material or the use of language that is intolerant of human rights;
 - Deliberate throwing of articles in an aggressive or disruptive manner;
 - Actual or attempted physical assaults of another person;
 - Sexual violence;
 - Attempts to goad or incite violence in others;
 - Possession of weapons.

m) Any criminal behaviour.

A copy of the policy has been attached as Appendix 1 for Committee's reference.

During the process to provide definitions, staff noted that policies C-RC-007 - Management of Personal Items, Equipment and Disruptive Behaviour Prior to a Closed Session of Committee or Council; and C-A-025 - Managing Public Spaces in a Safe and Welcoming Environment have overlapping concepts and are lacking in certain areas. Staff are recommending a review of those policies in order to amalgamate them into one cohesive policy. This new policy will include consideration for the security initiatives currently worked on.

If Committee is agreeable to the language used in the Region of Waterloo policy, a motion to include that language in an updated policy is required.

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk