

**RECREATION, CULTURE AND PARKS****Policy 9-009: RZone Policy**

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Approval Authority: Council, By-Law #####

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**Policy Statement:**

Tillsonburg's properties include facilities such as arenas, swimming pools, parks, skate parks, trails, community centre, sports fields and associated parking lots. These properties provide residents with opportunities to enjoy social and recreational activities in a safe and positive environment.

Tillsonburg operates programs and properties that encourage public participation and is committed to ensuring the safety of all participants, spectators, volunteers and staff in accordance with the Occupiers' Liability Act, the Ontario Human Rights Code, The Occupational Health and Safety Act, the Trespass to Property Act, the Criminal Code, municipal by-laws and policies and other provincial legislation.

Throughout Tillsonburg, many programs, services and facilities are operated and managed by community volunteers. Tillsonburg wants to ensure that they have the ability to volunteer in a safe and positive environment. The user groups or contract holders utilizing Tillsonburg's facilities and property must take PRIMARY responsibility for the behaviour of all individuals associated with their usage of the facility or property; this includes the athletes, coaches, officials, spectators, volunteers, renters and users.

**Purpose:**

The RZone Policy requires persons using a Town facility, park or program to respect others and take responsibility in helping the Town maintain a safe and comfortable environment for all participants, spectators, volunteers and staff. They have the right to expect that others will behave in a manner consistent with a safe and positive environment in public spaces. With this right comes the responsibility to be accountable for actions/behaviours that put the safety of others at risk. The RZone Policy helps to ensure that inappropriate behaviours are dealt with in an equitable and consistent manner.

The Town of Tillsonburg will have zero tolerance for inappropriate behavior, violence, indecency or vandalism within its programs or properties, and will take appropriate action where necessary to deal with these incidents.

**Scope:**

The policy applies to all Tillsonburg Properties (including indoor and outdoor facilities) and activities that are being conducted on all of the properties – both structured (permit issued) and unstructured (no permit issued) and to all patrons and guests.

The aim of this policy is to ensure that measures are in place so that incidents of inappropriate behaviour, violence, indecency, or vandalism do not occur on its properties. Circumstances not addressed in this policy or exceptions to this policy will be addressed on a “case by case” basis.

**Policy Goals:**

1. To provide a comfortable, respectful and safe environment for patrons and guests of the Towns programs and properties.
2. To provide a comfortable, respectful and safe work environment for Town of Tillsonburg staff and community volunteers. This policy will be applied in coordination with Tillsonburg’s respect in the workplace, workplace harassment and violence policies.
3. To recognize and meet the needs of all Tillsonburg programs and properties to implement zero tolerance when dealing with inappropriate public conduct on Tillsonburg property.
4. To reduce or eliminate violence on town properties, both indoor and outdoor.
5. To increase the level of awareness of users regarding appropriate behaviour and the importance of a positive and supportive environment.
6. To ensure that wireless internet connections in Town of Tillsonburg facilities are used in keeping with the respectful and decent tone of a public facility used by children and families.
7. To outline the process that will be implemented to address inappropriate behaviour, violence, vandalism and the inappropriate use of technology.

**Definitions:****Community Volunteer**

- a) A representative of a community hall group;
- b) A representative of a field management group; or
- c) A representative of a community group sponsoring a recognized Town of Tillsonburg special event.

**Contract Holder**

- a) An individual who assumes personal responsibility for the contract;
- b) Designated representative of a recognized minor or junior sports association; or
- c) Legal entity or corporation.

**Harassment**

For the purpose of this policy, harassment is defined as 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 Town of Tillsonburg’s Workplace Violence and Workplace Anti-Violence, Harassment and Sexual Harassment Policies.

### **Inappropriate Behaviours and/or Violence**

For the purposes of this policy, the definitions of inappropriate behaviour and/or violence, inappropriate use of technology and vandalism include but are not limited to:

- Refusal to abide by specific program or facility rules and any contravention of Town by-laws, policies or procedures
- Verbal assaults (profanity and/or loud verbal assaults including racial or ethnic slurs, directed at participants, spectators, referees, staff and volunteers)
- Threats or attempts to intimidate
- Throwing of articles in a deliberate or aggressive manner
- Aggressive approaches to another individual
- Attempts to goad or incite violence in others
- Physical striking of another individual
- Theft of property
- Vandalism
- Harassment
- Possession of weapons
- Participation in any illegal act on Town of Tillsonburg Property (i.e. drugs, drinking, use of tobacco products in areas designated tobacco free, etc.)

### **Inappropriate Use of Technology**

For the purposes of this policy, inappropriate use of technology includes but is not limited to:

- Using technology devices to photograph images of participants, spectators, Town of Tillsonburg staff or volunteers without their express written consent using technology device(s) for illegal or criminal purposes.
- Invading or attempting to invade another person’s privacy
- Sending or receiving documents, websites or pages that contain lewd, illegal or offensive materials via internet.
- Viewing, producing or exhibiting lewd, illegal or offensive materials, either hard copy or using technology devices.
- Sending or creating viruses, worms and other invasive computer programs
- Hacking or other unauthorized access or attempts thereof
- Illegal downloading or copying software or data.

### **Regular User Sport Group**

Resident or non-resident sport organizations, that rent facilities on a weekly basis for the applicable sport season.

### **Rzone**

Respect for yourself; Respect for others; and Responsibility for your actions.

**Staff**

Incident Review and follow-up staff shall mean the Director of Recreation Culture and Parks and the Recreation, Programs and Services Manager.

**RZone Appeals Committee**

Senior Leadership Team except the Director of Recreation Culture and Parks

**Vandalism**

For the purpose of this policy, vandalism is defined as the deliberate act of destruction or damage to Town of Tillsonburg owned property, buildings, or equipment. Examples of vandalism include but are not limited to:

- Glass breakage
- Graffiti
- Theft
- Arson

**Enforcement Procedures:**

In accordance with the Occupiers' Liability Act, the Occupational Health and Safety Act, the Trespass to Property Act, the Criminal Code, municipal by-laws and policies and other provincial legislation, contract holders and community volunteers are authorized to initiate enforcement options at Town of Tillsonburg programs and properties.

In the event that the contract holder or community volunteer cannot control the situation:

1. When possible, Town of Tillsonburg facility staff will be asked for assistance; or
2. In the event that Town of Tillsonburg facility staff are not available, the contract holder and/or community volunteer will contact the Ontario Provincial Police (OPP) for assistance.

**When inappropriate behaviour, violence, vandalism or inappropriate use of technology is witnessed:**

1. Assess situation to determine if policy should be enacted.
2. Request that the identified party, without jeopardizing one's safety, cease the inappropriate behaviour and/or violence immediately.
3. Advise the identified party that failure to cease the inappropriate behaviour, violence, vandalism or inappropriate use of technology that jeopardizes the safety of others or themselves, will result in police being called and advise they will be considered to be trespassing.
4. If the individual refuses to cease inappropriate activity, do not engage in argument or physical confrontation, call the police (911) and report the individual(s) immediately.
5. Advise authorized staff of the situation, if applicable.
6. Complete all aspects of the RZone Incident Form and submit to **the Director of Recreation, Culture and Parks within three (3) business days of the incident.**

7. Incident will be reviewed by Recreation, Culture & Parks staff.
8. Follow up action will be taken and documented.

**Incident Review and Follow-up:**

This process will be administered by the Recreation, Culture and Parks department upon receipt of an RZone Incident Report.

1. Staff will review the RZone Incident Form. As well, staff may view available video of the occurrence and follow up with interviews if necessary.
2. Staff will contact the Ontario Provincial Police to determine if a report has been filed and obtain any further information or details related to the incident.
3. Should the incident be associated with a contract holder or community volunteer at the time of occurrence, staff will work with the contract holder or community volunteer to determine the details of the incident.
4. Staff (and the contract holder or community volunteer, if applicable) will meet with the individual(s) responsible for the inappropriate behaviour, violence, vandalism or inappropriate use of technology to review the suspension and issue the letter of suspension. Facility staff, contract holder and/or community volunteer and the police will be notified when applicable and copied regarding outcome of the investigation.
5. Should the individual(s) choose not to meet, a letter of suspension will be sent by staff utilizing registered mail (if address is known).
6. Should the incident involve damages to a Town of Tillsonburg facility or result in increased maintenance, an invoice for recover of repair of damages, including materials and labour and an administrative fee will be charged.
7. There will be no reconsideration by the Town of Tillsonburg with respect to the length of the suspension time given, unless new information becomes available.
8. Following the fifth (5<sup>th</sup>) anniversary of a reported incident, with no further contraventions of this policy, the individual's record will be expunged.

**Appeal Process:**

Individuals may appeal an RZone suspension by using the following process:

1. Individual(s) wishing to appeal any disciplinary measure may present their case in writing, accompanied with a mandatory \$100 fee to the RZone Appeals Committee within 14 days of the decision. The fee will be refunded if the appeal is successful.
2. The RZone Appeals Committee will review the in consultation with the appropriate staff or organization, appeal and any decision made is final.

**Education & Awareness:**

Town of Tillsonburg Recreation, Culture and Parks staff, along with community volunteers, will undertake a promotional and educational campaign aimed at raising awareness among parents, volunteers, spectators and general public of the RZone Policy and in particular, the importance of their role in creating a positive atmosphere when on Town of Tillsonburg properties.

Initiatives will include:

- Circulation of the policy to all facility rental contract holders and community having management agreements with the Town of Tillsonburg;
- Signage/posters to be displayed on all Town of Tillsonburg properties;
- The policy will be referenced in the Terms & Conditions section on all facility contracts and permits.
- Regular user groups will be asked to update and amend their club's constitutions and/or code of conduct to reflect this policy.
- Regular user groups will be asked to designate a person responsible for the implementation and administration of the Public Conduct on Town of Tillsonburg Policy at each event;
- Community volunteers will be asked to reference the policy in their organization newsletters/booklets/websites and will be provided with tools to help communicate to participants, parents and patrons.
- Where possible, announcements will be made prior to all games regarding the policy and reporting of incidents
- On an ongoing basis, staff will follow-up with representatives of organizations that have had incidents or been affected by this policy, to review the process and resulting consequences to ensure the policy is addressing inappropriate behavior in an effective manner; and
- Staff will review the education and promotional campaign on an annual basis with community groups to ensure the policy remains effective.

### **Prevention of Incidents**

In an effort to prevent inappropriate behaviour, violence, vandalism or inappropriate use of technology, community groups shall be requested to:

- Ensure all participants, coaches and parents sign a **Code of Conduct contract**.
- Ensure all spectators are aware of the RZone Policy.
- Have a representative for each group or team on site who understands the terms of the policy.
- In the event of an incident, advise without jeopardizing one's safety, identified party that there is a zero tolerance for inappropriate behaviour and they are contravening the RZone Policy.

Recreation, Culture and Parks front-line staff will receive training on their roles and responsibilities as set out in the RZone Policy, and will be re-trained on an annual basis. Facility user groups and community volunteers will be notified of the updated policy. Recreation, Culture and Parks staff will provide orientation sessions to ensure they are aware of and informed about the updated policy and their role to ensure that all participants, spectators, volunteers and staff have the right to be safe and feel safe while attending a program or facility on Town of Tillsonburg property.

**RZone Incident Report****Individual Reporting Details:**

Name of Person Reporting \_\_\_\_\_  
Department \_\_\_\_\_  
Position \_\_\_\_\_ extension \_\_\_\_\_  
Date incident was reported \_\_\_\_\_

**Incident Information:**

Date \_\_\_\_\_ Time \_\_\_\_\_  
Incident Information \_\_\_\_\_  
Location of Incident \_\_\_\_\_

**Participant(s) Involved:**

Complainant Name \_\_\_\_\_  
Address \_\_\_\_\_ Postal Code \_\_\_\_\_  
Phone \_\_\_\_\_

Respondent Name \_\_\_\_\_  
Address \_\_\_\_\_ Postal Code \_\_\_\_\_  
Phone \_\_\_\_\_

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

Category (please check all that apply)

- |  |  |
|--|--|
| <input type="checkbox"/> Verbal assault        | <input type="checkbox"/> Possession of Weapons   |
| <input type="checkbox"/> Threats               | <input type="checkbox"/> Use of alcohol or drugs |
| <input type="checkbox"/> Physical assault/harm | <input type="checkbox"/> Harassment              |
| <input type="checkbox"/> Vandalism             | <input type="checkbox"/> Theft of property       |

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?

☐ In-person

☐ Phone

☐ Email

Other (please specify in detail)

Date the individual was informed: \_\_\_\_\_

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:

Action Taken (please check):

☐ Verbal Warning

Date: \_\_\_\_\_

☐ Letter of Warning

Date: \_\_\_\_\_

☐ Letter of Trespass

Date: \_\_\_\_\_

Appeal:

☐ No

☐ Yes

Date: \_\_\_\_\_

Outcome: \_\_\_\_\_

Date File Closed: \_\_\_\_\_

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.



### RZone Enforcement Guidelines

The following chart represents guidelines and outlines the consequences for acts of inappropriate behaviour, violence, vandalism or inappropriate use of technology in Town of Tillsonburg programs and property. It is understood this does not include all types of inappropriate behaviour, violence, vandalism or inappropriate use of technology. Each incident will be reviewed based upon the information available at the time and that the consequences outlined below are guidelines and may be adjusted to reflect the severity of conduct and/or actions involved. Any restrictions/suspensions will apply to all Town of Tillsonburg programs and properties.

Subsequent acts of inappropriate behaviour, violence, vandalism or inappropriate use of the technology that will result in increased consequences and incidents may be reported to the Oxford OPP detachment, which may result in criminal charges.

| Behavior  | Description  | Consequence of 1st Occurrence                     | Consequence of 2 <sup>nd</sup> Occurrence | Consequence of 3 <sup>rd</sup> Occurrence | Consequence of 4 <sup>th</sup> Occurrence |
|---|--|---|---|---|---|
| <b>Inappropriate behaviour, non violent in nature:</b>      | <ul style="list-style-type: none"> <li>- refusal to abide by specific program or facility rules or the terms of a rental contract</li> <li>- inappropriate verbal language and non verbal signs</li> <li>- illegal acts such as use of tobacco products, alcohol</li> <li>- inappropriate use of technology</li> </ul> | Immediate ejection, followed by written warning   | 1 Month Suspension                        | 3 Month Suspension                        | 6 Month Suspension                        |
| <b>Inappropriate behaviour with the potential to incite</b> | <ul style="list-style-type: none"> <li>- threats and attempts to intimidate</li> <li>- verbal</li> </ul>   | Immediate ejection, police contacted, followed by | 6 Month Suspension                        | 3 Year Suspension                         |   |

|  |  |  |                   |                   |  |
|--|--|--|-------------------|-------------------|--|
| <b>violence:</b>                                       | assaults<br>- throwing of articles<br>- physical intimidation                                | written warning  |                   |                   |  |
| <b>Inappropriate behaviour with physical violence:</b> | - physical contact<br>- fighting (excluding on- ice, arena floor and sport field activities) | Immediate ejection, police called, 1 year suspension   | 3 Year Suspension | 5 Year Suspension |  |
| <b>Vandalism</b>                                       | - glass breakage<br>- graffiti<br>- theft<br>- arson<br>- spam                               | Immediate ejection. Those identified as perpetrating vandalism will be required to pay 100% cost of repairs (including but not limited to materials, equipment, labour and administrative costs). A suspension may be applied. In the event that the individual(s) can't be identified, the contract holder will be held responsible and invoiced accordingly. |                   |                   |  |