

**KING TOWNSHIP  
CORPORATE POLICY  
PUBLIC CONDUCT**



**POLICY NO.:**  
COR-POL-158

---

Corporate Services Department	Issue Date:	2024-12-09
	Reviewed Date:	2024-12-09
	Issue No.:	1
	Next Review:	2029-12-10

---

**1 Purpose Statement**

1.1 The Township of King aims to provide exemplary services to all members of the public and to address service requests and complaints equitably, comprehensively, and in a timely manner, while promoting a respectful, tolerant, and harassment-free workplace between Members of Council, staff, and the public. To achieve these objectives, Unreasonable behaviour and/or Frivolous and Vexatious complaints or requests from some members of the public who require services or who access Township Premises may need to be limited in a manner that is clear, consistent, reasonable, and proportional to the individual’s action(s).

**2 Policy Objective**

- 2.1 This policy contributes to the Township’s objective of dealing with all members of the public in ways that is consistent and fair while acknowledging that there may be a need to protect staff, Members of Council, and residents of the Township of King from Unreasonable behaviour and Frivolous and/or Vexatious actions.
- 2.2 Some situations arising from Unreasonable behaviour may cause concern for the reasonable safety of other individuals on Township Premises. Other situations may compromise the enjoyment of Township facilities for all users. Vexatious, Frivolous and/or Unreasonable persistent requests may consume a disproportionate amount of Council Member and/or staff time and resources and can compromise their ability to provide assistance or deliver good customer service efficiently and effectively. Such requests may also impede staff from attending to other essential matters. These situations and requests may require the Township to put restrictions on the contact that some individuals have with the Township.
- 2.3 This policy is not intended to deal with generally difficult customers and individuals. It applies to members of the public whose behaviours and actions are Unreasonable, Frivolous, and/or Vexatious. Determining whether particular behaviours or actions are Unreasonable, Frivolous, or Vexatious can be a flexible balancing exercise that requires all circumstances of a particular case to be taken into account. In many cases, the key question is whether the behaviours or actions are likely to cause distress, disruption, or irritation, without proper or justified cause.

**KING TOWNSHIP  
CORPORATE POLICY  
PUBLIC CONDUCT**



**POLICY NO.:**  
COR-POL-158

---

Corporate Services Department	Issue Date:	2024-12-09
	Reviewed Date:	2024-12-09
	Issue No.:	1
	Next Review:	2029-12-10

---

- 2.4 This policy may be invoked due to a repeated pattern of conduct when, on one or more occasions, a person engages in one or more behaviours or actions identified as Unreasonable, Frivolous, and/or Vexatious or may be the result of a single significant incident. Invoking this policy could have serious consequences to the person, including restricting their access to Council Members, Township Staff, services and/or property.
- 2.5 The Township is committed to ensuring a safe and respectful environment for everyone. The Township owns or occupies a variety of different properties and buildings which members of the public or staff may access. These premises are accessed for a variety of purposes, including work, recreation and cultural activities, learning, and for accessing municipal and other programs and services, along with furthering public discourse and participating in democratic processes and values protected under the [Charter of Rights and Freedoms](#).
- 2.6 The Township has a general duty under the [Occupiers' Liability Act](#) to take such care of all the circumstances that are reasonable to see, that persons entering on Township Premises, and the property brought on Township Premises are reasonably safe. The Township has further duties under the [Occupational Health and Safety Act](#) and the [Criminal Code of Canada](#) to address workplace violence and harassment.
- 2.7 One of the enforcement mechanisms which the Township may use to further its statutory and common law duties as owner and occupier of premises as well as an employer of a workplace, is to exclude persons from the premises. This would be done through the use of a Trespass to Property Notice in accordance with the [Trespass to Property Act](#).

**3 Application/Scope**

- 3.1 This policy applies to public behaviours or requests which may take place in circumstances including, but to limited to, one or more of the following:
  - 3.1.1 Public meetings;
  - 3.1.2 Written communication;
  - 3.1.3 Telephone communication;

**KING TOWNSHIP  
CORPORATE POLICY  
PUBLIC CONDUCT**



**POLICY NO.:**  
COR-POL-158

---

Corporate Services Department	Issue Date: 2024-12-09
	Reviewed Date: 2024-12-09
	Issue No.: 1
	Next Review: 2029-12-10

---

- 3.1.4 In-person communication;
- 3.1.5 Electronic communication, including email and social media; and/or
- 3.1.6 Interactions on any Township Premises.

- 3.2 For situations involving Unreasonable behaviour that does not require immediate action by way of a Trespass Notice, as well as those circumstances that involve Frivolous and Vexatious requests, this policy should be applied.
- 3.3 For non-violent incidents, issuance of a Trespass to Property Notice may be considered to prevent future reoccurrences.
- 3.4 For any incidents where acts of violence have been committed or are imminent, or for incidents of a crime in progress, York Regional Police shall be contacted immediately at 9-1-1.

**4 Definitions**

- 4.1 **Authorized Staff Member** means the Chief Administrative Officer, the Township Clerk, Directors, and any member of Township Staff authorized to impose restrictions and issue Trespass Notices in accordance with Section 5 of this Policy.
- 4.2 **Frivolous** means a complaint or inquiry that has no serious purpose or value or is about a matter so trivial or so meritless on its face that investigation would be disproportionate in terms of time and cost.
- 4.3 **Township Premises** means any buildings or lands owned or occupied by the Township, and all adjacent municipal property which is attached to the building or land, including but not limited to playgrounds, parking lots, all parks, and their surrounding grounds and appurtenances, and includes facilities operated by King Township Public Library Board.
- 4.4 **Township Staff** means any individual employed by the Corporation of the Township of King but does not include members of the Township's Council or Committees.
- 4.5 **Trespass Notice** means a notice issued by the Township pursuant to

**KING TOWNSHIP  
CORPORATE POLICY  
PUBLIC CONDUCT**



**POLICY NO.:**  
COR-POL-158

---

Corporate Services Department	Issue Date:	2024-12-09
	Reviewed Date:	2024-12-09
	Issue No.:	1
	Next Review:	2029-12-10

---

subsection 3(1) of the *Trespass to Property Act* prohibiting a person from entering a Township Premises.

4.6 **Trespassing or Trespass** means the the same definition as used in the [\*Trespass to Property Act\*](#).

4.7 **Unreasonable** means behaviour involving conduct that is unacceptable in all circumstances – regardless of how stressed, angry, or frustrated the individual is, because it unacceptably comprises the health, safety, or security of staff, other service users, or the individual themselves. Further, requests or complaints that are incomprehensible, inflammatory, or based on mere conjecture are also considered Unreasonable.

4.8 **Verbal Notice** means a Trespass Notice issued verbally and effective for a duration of 72 hours or less.

4.9 **Vexatious** means a series of complaints or requests for service which are likely to embarrass or annoy the recipient, or which demonstrate a pattern of conduct by the complaint or requestor that amounts to an abuse of the complaint process or request for service.

4.10 **Written Notice** means a Trespass Notice issued in writing and effective for periods of more than 72 hours.

**5 Authority**

5.1 The Chief Administrative Officer (CAO), Township Clerk and Directors are authorized by this policy to impose restrictions and issue Written Notices.

5.2 Township Staff are authorized by this policy to issue Verbal Notices.

5.3 The CAO, Township Clerk and Directors may delegate their authority to impose restrictions and/or issue Written Notices to a member of Township Staff.

5.4 The delegation of authority shall be in writing and a copy of the delegation shall be kept on record with the Clerk.

5.5 Any delegation made under Section 5.3 is upheld until such time as it is withdrawn by the CAO, Township Clerk or Director in writing; or, the

Corporate Services Department	Issue Date:	2024-12-09
	Reviewed Date:	2024-12-09
	Issue No.:	1
	Next Review:	2029-12-10

delegate is no longer employed by the Township.

- 5.6 For greater certainty, any Authorized Staff Member making such a delegation may continue to exercise the delegated powers and duties, despite the delegation.
- 5.7 The Chief Executive Officer of the King Township Public Library Board shall have the same powers and duties under this policy as an Authorized Staff Member but only in respect of Township Premises which are occupied by the King Township Public Library Board, and the requirements of this policy shall apply, with necessary modifications, except that sections 5.3 to 5.6, inclusive, shall not apply to the Chief Executive Officer.

**6 Reporting Public Conduct**

- 6.1 For situations involving Unreasonable behaviour that does not require immediate action by way of a Trespass Notice, as well as those circumstances that involve Frivolous and Vexatious requests, Township Staff should report the incident as follows:
  - 6.1.1 If a Township Staff member experiences or witnesses any incident or behaviour that makes the staff member feel uncomfortable or unsafe, the staff member should report the matter to their Supervisor, Manager, or Director, providing any supporting material or information in as much detail as possible.
  - 6.1.2 If a Township Staff member believes that a request or a complaint is Unreasonable, Frivolous, or Vexatious, the staff member should consult with their Supervisor, Manager, or Director, providing any supporting material.
  - 6.1.3 If a Member of Council experiences any incident or behaviour that makes the member feel uncomfortable or unsafe; or, believes that a request or a complaint is Unreasonable, Frivolous, or Vexatious, the member should report the matter to the Township Clerk providing any supporting material or information in as much detail as possible.
  - 6.1.4 Prior to reporting a matter under Section 6.1.3, Members of Council are encouraged to consult with the Township’s Integrity

---

Corporate Services Department	Issue Date:	2024-12-09
	Reviewed Date:	2024-12-09
	Issue No.:	1
	Next Review:	2029-12-10

---

Commissioner.

- 6.2 Situations involving Unreasonable behaviour on Township property, parks, and facilities may require immediate action by way of a Trespass Notice, after considering whether reasonable alternative measures are appropriate in the circumstances. In such cases, reference should be made to Section 10 of this policy.

## **7 Review of Reported Public Conduct**

- 7.1 When a situation involving Unreasonable behaviour or a circumstance involving Frivolous and Vexatious requests or complaints is reported under Section 6, a review shall be conducted by an Authorized Staff Member in the same department as the Township Staff member who made the report; or, in the case of the report being made by a Member of Council, the Township Clerk, to determine:
  - 7.1.1 Whether an individual's behaviour is Unreasonable or Frivolous or Vexatious; and,
  - 7.1.2 If so, whether the behaviour warrants the application of a restriction.
- 7.2 This determination, or any restriction, shall consider the specific circumstance of the matter as well as the following:
  - 7.2.1 The individual's personal circumstances, level of competency, literary skills, disability, etc. that may be known to staff. This includes whether the individual has a known disability, within the meaning of the Ontario Human Rights Code (OHRC) and Accessibility for Ontarians with Disabilities Act (AODA).
  - 7.2.2 If applicable, whether the request or complaint has been dealt with properly by the Authorized Staff Member and in accordance with the relevant policies and/or applicable legislation.
  - 7.2.3 If applicable, whether staff have made reasonable efforts to satisfy or resolve the request or complaint.
  - 7.2.4 If applicable, whether the individual is presenting new material or information about the situation or making a new request or complaint.

---

Corporate Services Department	Issue Date:	2024-12-09
	Reviewed Date:	2024-12-09
	Issue No.:	1
	Next Review:	2029-12-10

---

7.3 Each case should be considered on an individual basis.

## **8 Notice of Restriction**

8.1 Upon determination that an individual’s behaviour is Unreasonable or a request or complaint is Frivolous or Vexatious, and depending on the severity of the incident, the Authorized Staff Member shall:

8.1.1 Send a letter of warning to the individual indicating that the behaviour/requests are a violation of this policy and that restrictions may be imposed should they continue; or

8.1.2 Send a letter of notification to the individual indicating that the matter has been reviewed and that restrictions will be imposed.

8.2 A letter of notification under Section 8.1.2 shall advise of:

8.2.1 Brief reasons for the decision;

8.2.2 The specific details of the restriction;

8.2.3 The period for which the restriction is to remain in place;

8.2.4 A date for review of the restriction under Section 11; and,

8.2.5 Any further information as prescribed by the Public Conduct Restrictions Procedure.

## **9 Potential Restrictions**

9.1 Restrictions should be tailored to deal with the individual circumstances. Actions available to the Authorized Staff Member to restrict the individual may include, but are not limited to, any one or a combination of the following:

9.1.1 Limiting the individual’s communications with Township Staff to a particular format, time, or duration.

9.1.2 Limiting the individual to communicating with the Township through a particular point of contact (i.e., a specific member of Township Staff).

**KING TOWNSHIP  
CORPORATE POLICY  
PUBLIC CONDUCT**



**POLICY NO.:**  
COR-POL-158

---

Corporate Services Department	Issue Date:	2024-12-09
	Reviewed Date:	2024-12-09
	Issue No.:	1
	Next Review:	2029-12-10

---

- 9.1.3 Requiring any face-to-face interactions between the individual and Township Staff to take place in the presence of another staff member.
- 9.1.4 Requiring the individual to make contact with the Township only through a third party, such as a solicitor.
- 9.1.5 Limiting or regulating the individual’s use of Township services.
- 9.1.6 Refusing the individual’s access to a Township facility except by appointment or specific permission.
- 9.1.7 Requiring that the individual produce full disclosure of documentation or information before Township Staff will further investigate a complaint.
- 9.1.8 Instructing Township Staff not to respond to further correspondence from the individual regarding the complaint or a substantially similar issue.
- 9.1.9 Informing the individual that further contact on the matter will not be acknowledged or replied to.
- 9.1.10 Closing the complaint or request for service.
- 9.1.11 Instructing Township Staff not to investigate any complaints regarding an issue that has already been investigated or which is substantially similar to an issue that has already been investigated.
- 9.1.12 Instructing Township Staff to severely reduce or completely cease responses to further complaints or requests and correspondence from the individual.
- 9.1.13 Pursuing legal action including issuance of a Trespass Notice. All staff who have the authority to issue notices in accordance with the policy are required to consider and/or implement all possible alternative measures before issuing a Trespass to Property Notice.



---

Corporate Services Department	Issue Date:	2024-12-09
	Reviewed Date:	2024-12-09
	Issue No.:	1
	Next Review:	2029-12-10

---

**10 Issuing a Trespass Notice**

- 10.1 Individuals who fail to abide by the Township’s policies, including the Public Conduct Policy, may be refused service, and asked to leave Township Premises immediately.
- 10.2 In such an instance, Township Staff may issue a Verbal Notice to the individual, advising they are Trespassing and required to leave Township Premises immediately.
- 10.3 Where Township Staff have issued a Verbal Notice or are otherwise aware of an incident that contravenes a Township policy or may give rise to enforcement of the *Trespass to Property Act*, they will document the incident within 48 hours of the incident occurring on the Trespass Incident Report Form as prescribed by the Corporate Trespass to Property Procedure.
- 10.4 The submitted Trespass Incident Report Form will be reviewed by an Authorized Staff Member in accordance with the Corporate Trespass to Property Procedure.
- 10.5 Where an Authorized Staff Member has determined a Trespass Notice is required for a period of more than 72 hours, the Authorized Staff Member will issue a Written Notice to the individual.
- 10.6 Written Notice shall be issued in the form as prescribed by the Corporate Trespass to Property Procedure.
- 10.7 Given the diverse range of services, resources, and programming available at the Township, a Trespass Notice in excess of two years may only be issued by the CAO.

**11 Restriction Review**

- 11.1 Any restrictions applied under this Policy should be reviewed not more than twelve months after the restriction was initially imposed or continued/upheld.
- 11.2 The affected individual will be invited to participate in the review process by providing a written submission or by way of another method as determined by the Authorized Staff member to be appropriate in the circumstances.

**KING TOWNSHIP  
CORPORATE POLICY  
PUBLIC CONDUCT**



**POLICY NO.:**  
COR-POL-158

---

Corporate Services Department	Issue Date: 2024-12-09
	Reviewed Date: 2024-12-09
	Issue No.: 1
	Next Review: 2029-12-10

---

- 11.3 The review shall be conducted by the Authorized Staff Member who issued the restriction.
- 11.4 The Authorized Staff Member shall give consideration to factors such as:
  - 11.4.1 Whether the individual has had any contact with the Township during the restriction period;
  - 11.4.2 The individual’s conduct during the restriction period, including compliance with any restrictions;
  - 11.4.3 Any information/arguments put forward by the individual for review,
  - 11.4.4 The effect that continuing the restriction may have on the individual; and,
  - 11.4.5 Any other information that may be relevant in the circumstances.
- 11.5 The Authorized Staff Member shall determine:
  - 11.5.1 Whether to alter, remove or retain any or all restrictions;
  - 11.5.2 Whether to impose new restrictions; and,
  - 11.5.3 When the next review will take place (if applicable).
- 11.6 The individual shall be informed of the outcome of the review by way of letter within 10 business days of completion of the review.
- 11.7 Results of a review under Section 11 are not subject to appeal unless new restrictions have been imposed, in which case Section 12.1 applies with necessary modifications.

**12 Appeals**

- 12.1 Individuals who have had a restriction imposed upon them pursuant to this policy may appeal the decision by contacting the Township Clerk in writing and paying the applicable appeal fee in accordance with the Township’s Fees and Charges By-law within 10 business days from the date the restriction was issued under Section 8.

**KING TOWNSHIP  
CORPORATE POLICY  
PUBLIC CONDUCT**



**POLICY NO.:**  
COR-POL-158

---

Corporate Services Department	Issue Date:	2024-12-09
	Reviewed Date:	2024-12-09
	Issue No.:	1
	Next Review:	2029-12-10

---

- 12.2 Individuals who have received a Written Notice may appeal the issuance of the notice by contacting the Township Clerk in writing and paying the applicable appeal fee in accordance with the Township’s Fees and Charges By-law within 10 business days from the date the Written Notice was issued.
- 12.3 Verbal Notices are not subject to appeal.
- 12.4 Any appeal received does not stay the operation of the Restriction or the Trespass Notice as applicable.

**13 Appeal Process**

- 13.1 All appeals received within the prescribed period shall be evaluated by the Township Clerk, or such authorized delegates as may be delegated in writing by the Township Clerk.
- 13.2 When evaluating the appeal, the Township Clerk shall consider whether this policy and the procedures further enabled by this policy were followed correctly.
- 13.3 When evaluating the appeal, the Township Clerk shall also give consideration to the relevant factors to each case and determine whether the restriction or Written Notice is appropriate.
- 13.4 When evaluating the appeal, the Township Clerk shall, in addition to relevant factors to each case, consider all appropriate alternative measures that could be utilized to minimize negative impacts that may result from limitations to Township services/programs/facilities.
- 13.5 The Township Clerk shall receive all relevant information relating to the matter from the Authorized Staff Member as required.
- 13.6 The Township Clerk shall review all relevant information along with the appeal within 30 business days from the date the appeal was received and may confirm, rescind, or amend the restrictions or Written Notice.
- 13.7 The Township Clerk's decision is final.
- 13.8 In the event that the Township Clerk has made the decision to impose restrictions or issue a Written Notice or has been involved in the decision of

**KING TOWNSHIP  
CORPORATE POLICY  
PUBLIC CONDUCT**



**POLICY NO.:**  
COR-POL-158

Corporate Services Department	Issue Date: 2024-12-09
	Reviewed Date: 2024-12-09
	Issue No.: 1
	Next Review: 2029-12-10

an Authorized Staff Member, other than the CAO, to impose restrictions or issue a Written Notice, the CAO shall conduct the appeal in accordance with the Section 13 and has the same powers and responsibilities as the Township Clerk for the purpose of the appeal.

**14 RELATED DOCUMENTATION**

- 14.1 ADM-POL-150 - Customer Service Standards
- 14.2 [COR-POL-102 - Accountability and Transparency](#)
- 14.3 [COR-POL-113 - Code of Conduct for Members of Council](#)
- 14.4 [COR-POL-128 - Formal Complaint](#)
- 14.5 [COR-POL-140 - By-law Enforcement Services](#)
- 14.6 Public Conduct Restrictions Procedure
- 14.7 Corporate Trespass to Property Procedure
- 14.8 Trespass Incident Report Form
- 14.9 Trespass to Property Notice
- 14.10 Code of Conduct for a Respectful Environment
- 14.11 Guidelines for Issuing a Trespass to Property Notice
- 14.12 [Office of the Ombudsman – Reference Tip Cards](#)

**15 APPROVAL AUTHORITY**

Council	2024-105	Denny Timm	2024-12-09
<b>Authority</b>	<b>By-law</b>	<b>Township Clerk</b>	<b>Date</b>