

# **THE CORPORATION OF THE MUNICIPALITY OF CALVIN**

## **BYLAW NUMBER 2025-48**

### **BEING A BYLAW TO ADOPT AN EXPECTED CONDUCT POLICY**

#### **Legal Authority**

#### **Scope of Powers**

Section 8(1) of the Municipal Act, 2001, S.O. 2001, c.25, ("Municipal Act") as amended, provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues.

#### **Powers of a Natural Person**

Section 9 of the Municipal Act provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act.

#### **Powers Exercised by Council**

Section 5 (1) of the Municipal Act provides that the powers of a municipality shall be exercised by its Council

#### **Powers Exercised by By-law**

Section 5(3) of the Municipal Act provides that a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by bylaw unless the municipality is specifically authorized to do otherwise.

#### **Preamble**

Council for the Corporation of the Municipality of Calvin ("Council") acknowledges that a Municipality as a level of government from time to time receives feedback and requests from individuals about Township services or in other ways interact with the Township.

Council further acknowledges that it is necessary to promote a respectful, tolerant and harassment free workplace between Members of Council, Officers and Employees of the Township, and the public.

#### **Decision**

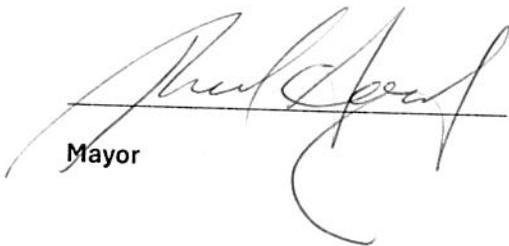
Council of the Corporation of the Municipality of Calvin decides it in the best interest of the Corporation to adopt a policy that clearly explains expected conduct of individuals interacting with the Township.

**Direction**

**NOW THEREFORE the Council of the Corporation of the Municipality of Calvin directs as follows:**

- 1. Schedule "1" -Expected Conduct Policy attached hereto forms part of this bylaw.**
- 2. Any changes to Schedule "1" may be adopted by resolution.**
- 3. This Bylaw supersedes any Bylaw previously passed that is contrary to this Bylaw.**
- 4. This Bylaw takes effect upon its passing.**

**Read and adopted by Resolution #2025-365 this 16th Day of December 2025.**



Handwritten signature of the Mayor, consisting of a stylized cursive script above a horizontal line.

**Mayor**



Handwritten signature of the CAO/Treasurer/Clerk, consisting of a stylized cursive script above a horizontal line.

**CAO/Treasurer/Clerk**



**MUNICIPALITY OF CALVIN**

**EXPECTED CODE OF CONDUCT FOR THE PUBLIC**

**DECEMBER 16, 2025**

## **Table of Contents**

- Policy Statement
- Purpose
- Scope and Application
- Definitions
- Examples of Conduct Covered
- Responsibilities
- Procedures
- Appeals

## EXPECTED CODE OF CONDUCT FOR THE PUBLIC

### **Preamble**

The Municipality of Calvin is committed to maintaining a safe, respectful, and professional environment for all staff, Council members, and members of the public. This Code of Conduct for the Public sets out expectations for the conduct of members of the public toward municipal staff, Council members, and municipal facilities, and outlines procedures for addressing unreasonable, frivolous, or vexatious conduct.

This policy does not address complaints made by staff or Council against other staff or Council members, nor does it govern internal workplace or employment disputes. Matters between staff, Council, or other employees are addressed under separate internal policies, collective agreements, or applicable employment legislation.

This policy is also not the Public Complaints Policy. Complaints from the public about municipal services, staff performance, or Council conduct are handled under the Municipality's separate complaints policy.

### **Legal Context and Statutory Protections**

This Code is intended to complement, and not replace or override, existing statutory protections under Ontario law, including but not limited to:

The Occupational Health and Safety Act (OHSA), which requires a safe and harassment-free workplace.

The Ontario Human Rights Code, which prohibits discrimination and harassment based on protected grounds.

Federal and provincial criminal and civil laws that prohibit assault, threats, trespass, defamation, or other illegal conduct.

Nothing in this Code shall limit, override, or reduce the rights or protections afforded to staff, Council members, or members of the public under these laws. All actions taken under this policy must comply with applicable legislation, and statutory rights and obligations will always take precedence over this Code.

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## **1. Policy Statement**

The Municipality of Calvin (the “Municipality”) is committed to providing high-quality services to all members of the public in a fair, timely, and professional manner. At the same time, the Municipality seeks to maintain a safe, respectful, and harassment-free environment for staff, Council members, and the public.

This Code sets expectations for public behaviour when interacting with Municipality staff, Council members, and facilities. It also addresses situations where conduct or requests are unreasonable, frivolous, or vexatious, outlining measures to protect staff, Council members, and residents.

## **2. Purpose**

- Promote consistent, respectful, and safe interactions between the public, staff, and Council members.
- Ensure that individuals’ actions or requests do not:
- Compromise safety or enjoyment of Municipality facilities;
- Overconsume staff resources or impede service delivery; or
- Cause unnecessary distress or disruption.
- Establish procedures for identifying and managing unreasonable, frivolous, or vexatious conduct, while ensuring fairness and opportunity for review or appeal.

## **3. Scope and Application**

This Code applies when an individual’s conduct or requests meet the criteria for being unreasonable, frivolous, or vexatious, including interactions via public meetings, written communication, telephone calls, in-person interactions, electronic communications, or visits to Municipality property, parks, or facilities.

This Code also applies when a member of the public repeatedly raises the same issue to different staff members or Council members, and/or communicates in an inappropriate, disrespectful, or abusive manner about a staff member or Council member, including spreading negative, disparaging, or offensive statements. Such conduct is considered disruptive and may warrant action under this policy.

This policy governs only the conduct of members of the public toward staff, Council, and municipal facilities. It does not address internal disputes, complaints by staff or Council against each other, or issues handled under the Public Complaints Policy.

#### 4. Definitions

- **Unreasonable Behaviour** – Conduct that is unacceptable in all circumstances because it jeopardizes the safety, security, or well-being of staff, Council members, other service users, or the individual.
- Examples include refusing to specify grounds for a complaint, changing the basis of a complaint as it progresses, denying or altering prior statements, covertly recording meetings, aggressive, disrespectful, or intimidating behaviour, loitering, disturbances, or attending under the influence of drugs or alcohol.
- **Frivolous Requests** – Requests or complaints with no serious purpose or value, trivial or meritless, for which investigation would be disproportionate to the matter’s significance.
- **Vexatious Requests** – Requests or complaints intended to harass, annoy, or disrupt staff or Council, or part of a repeated pattern that abuses the complaint or service process.

#### 5. Examples of Conduct Covered

**Unreasonable Behaviour** may include excessive demands on staff time, persistently raising previously addressed issues without new information, hostile or offensive language directed at staff or Council, making unfounded complaints against staff, or threats of legal action requiring cessation of direct communication with staff or Council and engagement of the municipal solicitor.

**Frivolous or Vexatious Requests** may include repetitive or obsessive requests for information, attempts to reopen resolved issues, requests designed to cause disruption or maximum inconvenience, or harassment through frequent, baseless correspondence.

#### 6. Responsibilities

##### Employees

Document interactions in detail.

Report unsafe or uncomfortable situations to supervisors.

Notify supervisors of potentially unreasonable, frivolous, or vexatious requests.

## **Supervisors**

- Review incidents and determine if restrictions are warranted.
- Work with staff to apply appropriate measures.
- Bring matters forward to the CAO.
- Ensure compliance with legal and trespass protocols.

## **CAO**

- Where relevant, in consultation with the Supervisor, make determinations regarding unreasonable, frivolous, or vexatious conduct.
- Consult with the municipal solicitor as required.
- Communicate restrictions (or delegate communication to the solicitor).
- Conduct regular reviews of imposed restrictions.
- Conflict of Interest Clause
- Any staff has the right to ask an offender to leave the premises

Where the CAO is directly involved in the matter under review, is the subject of the public code of conduct complaint, or has a real or perceived conflict of interest, all responsibilities assigned to the CAO under this policy shall be carried out by the Mayor or a Council-designated substitute.

The substitute must not have any involvement in the matter.

## **Council Members**

- Support the application of this policy.
- Be aware through a report by the CAO, at the next council meeting, in open session of any enforcement of this policy, including identifiable information.

## **7. Procedures**

- **Monitoring and Review**

All cases are reviewed individually by the CAO.

If the CAO has a conflict of interest, this review is conducted by the Mayor or Council-designated substitute.

Reviews consider:

Personal circumstances;

The nature and impact of the conduct or requests;

Prior attempts at resolution.

Notices of restriction include rationale and are reviewed regularly (every 3–6 months, not exceeding 12 months).

Potential Restrictions

Restrictions may include:

Limiting communication formats or points of contact;

Requiring supervised interactions;

Restricting or regulating access to services or facilities;

Referral to the municipal solicitor;

Issuance of trespass notices where warranted.

## **8. Appeals**

- Individuals subject to restrictions under this policy may submit a written appeal within 10 business days of receiving the notice of restriction.
- Individuals will be notified by Registered Letter

### **Appeal Review Panel**

Appeals will be reviewed by a panel consisting of the CAO and the Mayor, or, if either has a conflict of interest, their respective Councillor / Staff designated substitute.

#### **The panel will consider:**

- The individual's personal circumstances;
- The nature, frequency, and impact of the conduct or requests;
- Prior attempts at resolution;
- Compliance with applicable statutory obligations.

### **Panel Decisions**

The panel may:

- Confirm the restriction;
- Amend the restriction; or
- Rescind the restriction.