

Corporate Policy and Procedure



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TAB: PROPERTY AND FACILITIES
SECTION: USE OF PUBLIC PROPERTY
SUBJECT: VANDALISM, VIOLENCE AND BULLYING

POLICY STATEMENT The City of Mississauga will not tolerate vandalism, violence, or bullying in its facilities and will take appropriate action to deal with incidents of vandalism or violence, and/or bullying behaviour including recovery of costs.

PURPOSE Participation in recreational activities is an important element in the human development process. The City of Mississauga operates facilities and programs which encourage such participation, and is committed to ensuring the safety of patrons as well as staff.

The City of Mississauga recognizes that the majority of patrons use City facilities in a responsible manner. The costs of repairing facilities that have been vandalized or damaged through violence should not be borne by these patrons, or by the general public. Rather, the costs should be borne by the responsible party.

This policy outlines steps which will be taken to prevent violence, vandalism, or bullying from occurring in City facilities and, where such behaviour occurs, the disciplinary steps which will be taken, including the recovery of costs to repair damages.

LEGISLATIVE AUTHORITY The actions of the City which may be taken under this policy arise from the City's authority as owner of its property, pursuant to the Trespass to Property Act, the Occupier's Liability Act, and the Public Works Protection Act.

SCOPE This policy applies to all City of Mississauga recreational facilities (such as, but not limited to, community centres, arenas, parks, sports fields, marinas, libraries, museums) and the patrons of those facilities, as well as all facilities which have been leased by the City of Mississauga for the purpose of conducting programs, and the patrons of those programs.

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No form of vandalism, or of violence, or of bullying, is acceptable in City facilities or programs.

Definitions

For the purposes of this policy, “vandalism” is defined as the malicious, willful, and/or deliberate destruction, damage or defacing of property.

For the purposes of this policy “violence” includes, but is not limited to, the following behaviours:

- possession of a weapon
- loud verbal assaults;
- threats and/or attempts to intimidate;
- throwing of articles in a deliberate or aggressive manner;
- aggressive approaches to another individual or group;
- physical striking of another individual;
- attempts to goad or incite violence in others;
- racial or ethnic slurs;
- damage to property.

For the purposes of this policy “bullying” is defined as a repeated aggression, whether verbal, psychological, or physical, conducted by an individual or group against others.

“Commissioner” means the Commissioner of Community Services.

The Violence, Vandalism and Bullying Task Team (the Task Team) is comprised of Community Services staff who have been designated by the Commissioner, one City of Mississauga councillor, and representatives of various community sports groups.

The Violence, Vandalism and Bullying Review Committee (the Review Committee) is comprised of the Commissioner, one City of Mississauga councillor who is not a member of the Task Team, and at least one community representative who will be selected by the Commissioner and who is not a member of the Task Team.

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PREVENTION OF VIOLENCE, VANDALISM AND BULLYING

The City of Mississauga is committed to working with patrons and user groups (such as sports leagues, clubs, and community groups) to develop education and enforcement programs regarding violence, vandalism and bullying.

These programs will address:

- the impacts of violent and/or bullying behaviour;
- the impacts of vandalism to City facilities;
- the City of Mississauga's position of "zero tolerance" regarding violence, vandalism, and bullying;
- how everyone in the group can work together to prevent violence, vandalism, and bullying;
- procedures which will be followed to report incidents of violence, vandalism, or bullying;
- sanctions which will be imposed should violence, vandalism, or bullying occur; and
- recovery of any costs as a result of violence, vandalism, or bullying.

Major user groups are expected to promote the program within their organizations. In addition, organizers, players, parents, officials and coaches will be required to adhere to "Codes of Conduct" outlining the City of Mississauga's expectations regarding the use of City facilities. In this regard, groups may require that the Codes of Conduct be signed as acknowledgement, or they may add a statement to their registration form that establishes acknowledgement of the policy and acceptance of the Codes of Conduct. Groups must advise the City of the manner by which they are ensuring acknowledgement of the Codes of Conduct.

City of Mississauga staff are responsible for promoting the City's "zero-tolerance" position and its Codes of Conduct within City facilities, using mechanisms such as posters, signage and brochures, staff and community information sessions, advertisements, community displays, media releases, and the Internet.

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DUTY TO REPORT VIOLENCE VANDALISM, OR BULLYING

All City of Mississauga staff have a duty to report acts of violence, vandalism, or bullying to their immediate supervisor.

All patrons of City of Mississauga facilities have a duty to report acts of violence or bullying to a City of Mississauga staff person.

Facility/program staff are required to carry out a preliminary investigation, complete an Accident/Incident Report, and immediately forward the report to Corporate Security. Corporate Security will distribute the report to the appropriate staff for further action. Facility/program staff or Corporate Security may, depending on the severity, report the incident to the police. Any incident involving a weapon must be reported immediately to the police.

ACTION TAKEN

The City of Mississauga will take appropriate disciplinary action when incidents of vandalism, violence, or bullying occur in City facilities. Such action may include the immediate banning of the patron from the facility. Any further action taken by the City is at the discretion of the Task Team. In addition, the individual or group responsible for any damages to City property will be invoiced for the costs of repairing the property, and will be subject to an additional administrative charge.

All correspondence related to discipline will be written under the signature of the Director of Recreation and Parks.

Any of the following options for discipline may be considered:

- Option 1: for minor and/or first incident:
 - letter of reprimand
 - invoice for full cost recovery of repair of damages (materials, labour, 20% administrative charge)
- Option 2: for more serious and/or repeat incidents:
 - suspension and ban from some or all facilities for up to 30 days
 - invoice for double the full cost recovery of repair of damages (materials, labour, 20% administrative charge)

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- Option 3: for serious and/or repeat incidents:
 - suspension and ban from some or all facilities for up to one year
 - invoice for double the full cost recovery of repair of damages (materials, labour, 20% administrative charge)
- Option 4: for any offence involving weapons or any object that is used as a weapon or any actions that cause grievous risks to personal safety of staff and/or patrons
 - suspension and ban from all facilities for one year and up to 10 years

Users of facilities are ultimately responsible for the behaviour of participants (in the case of sports groups, "participants" includes coaches, volunteers, players and spectators). In this regard, where the user is in attendance as part of an organized group, the applicable organization will be copied on all correspondence related to discipline. In addition to any disciplinary action taken by the City, the organization is expected to take its own appropriate steps to address conduct by individuals or teams in accordance with the organization's own by-laws and regulations.

Where a ban has been issued against an individual and the individual fails to comply with the ban, the individual will be charged under the Trespass to Property Act.

REQUEST FOR REVIEW OF DECISION

An individual or group against whom action has been taken under this policy may seek a review of the decision.

Requests for review of decisions must be submitted, in writing, to the Commissioner of Community Services within 21 days of receipt of the notice of the decision. A \$250 non-refundable fee must accompany all requests. If the fee is not received, the request will not be entertained.

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Requests for review of decisions will be considered by the Review Committee. The decision of the Review Committee is final.

REFERENCE:

CONTACT:

For more information, contact Central Programs and Services, Recreation and Parks, Community Services Department.