

COUNCIL POLICY



CIVILITY POLICY

Policy Number:	2024-07
Approved by:	Council Resolution <u>2024-14-08</u>
Effective date:	August 12, 2024
Department:	Legislative Services

PURPOSE

The purpose of this policy is to outline the City of Whitehorse's commitment to Civility and to provide a safe, healthy, respectful, and positive environment for Council, Administration, volunteers, and citizens during meetings of, or with, Council.

POLICY STATEMENTS

The City of Whitehorse ("the City") aims to ensure everyone is treated with dignity, respect, and Civility at its meetings.

Civility ensures people's safety, well-being, and the effective use of time at meetings with Council by citizens, Council, and Administration to promote a safe, respectful, violence and harassment-free work environment.

This policy recognizes each citizen's right to freedom of thought, belief, opinion, and expression as provided by the *Canadian Charter of Rights and Freedoms* and the *Human Rights Act*. The policy also recognizes the need to balance those rights with reasonable limits to maintain a safe, productive, and harassment-free workplace for Council and Administration.

SCOPE

This policy applies to interactions taking place at meetings with Council.

DEFINITIONS

"Administration" means the employees of the City.

"Censure" means to express disapproval.

"Civility" includes the behaviours that reinforce mutual respect in society including the workplace. Civility reflects concern for others and is usually demonstrated through manners, courtesy, politeness, and a general awareness of the rights, wishes, concerns, and feelings of others.

"Council" means the duly elected council of the City of Whitehorse.

“Hate Speech” includes all forms of expression and devices used to expose individuals and groups to hatred and which bear hallmarks of hate, including but not limited to emotions and feelings involving extreme ill will towards another person or groups of persons.

“Participant” means a citizen or other individual who attends a meeting of Council; it does not include a Council Member.

“Physical Attack” includes, but is not limited to, actions such as hitting, shoving, pushing or kicking, or throwing objects.

“Presiding Officer” means the Mayor, Deputy Mayor, or Committee Chairperson who presides over Council and/or Committee Meetings.

“Sanction” means to impose a penalty upon a Participant. This may include removal from a meeting for a period of time, removal from a meeting for the balance of the meeting, and/or other actions, including legal proceedings.

“Prohibited Sign” includes any sign, placard, banner, written message or logo on any media that may be visible to the Council, to Participants, or to viewers on video broadcasting devices, which exceeds 279 x 432 mm in size, and/or which displays content which contains Hate Speech or has language, statements, or imagery that contain Written Threats or is likely to incite violence.

“Threatening Behavior” includes actions such as shaking fists, destroying public or private property, or throwing objects.

“Venue” means the room in which Council conducts public meetings and includes any ancillary rooms connected to the main meeting room.

“Verbal Abuse” includes oral comments that violate the prohibited grounds sections of the Canadian *Human Rights Act* or the Yukon *Human Rights Act* and/or language that promotes criminal or illegal activities, contains Hate Speech, incites violence, and/or contains libellous, discriminatory, or offensive comments directed to Council, Administration, Participants, or identifiable groups.

“Verbal or Written Threats” includes any expression of an intent to inflict harm.

PARTICIPANT’S ATTIRE

Participants at meetings with Council are encouraged to participate at Council meetings with any attire, including that which promotes personal expression. All attire at Council meetings should reflect respect for Council, the meeting process, and all other Participants. The Presiding Officer may ask Participants to remove or cover up attire if, in their reasonable opinion, such attire has language, statements, or imagery that is discriminatory or offensive, or contains Hate Speech, Written Threats, is likely to incite violence, and/or contains libellous or insulting comments directed to Council, Administration, other Participants, or identifiable groups.

COUNCIL VENUE SCENT-SENSITIVITY

Participants are encouraged to consider others may be scent sensitive.

PARTICIPATING AT COUNCIL MEETINGS

Individuals wishing to attend or participate in Council meetings, including Regular Council, Standing Committee and Special Meetings of Council shall comply with the relevant portions of the Council Procedures Bylaw.

Council's expectation is that Participants' interaction with Council and others is grounded in Civility. Participants are encouraged to observe Council meetings and to engage with Council as delegates as detailed in the Council Procedures Bylaw.

Participants are to refrain from Physical Attacks, Threatening Behavior, Verbal Abuse, and from making Verbal or Written Threats.

No Participants shall be permitted to bring Prohibited Signs into the Venue where Council is meeting at any time. If the Presiding Officer has reasonable grounds to believe that a Participant's sign is a Prohibited Sign, they may require that the Prohibited Sign be left outside of the meeting Venue.

Signage brought into the Venue where Council is meeting may be displayed (i.e., held up or otherwise made visible to Council Members, Administration, or other Participants) if held by a Participant in such a way that it does not interfere with the view of any Participant; or interfere with the view of any Council Member or Administration's view of the gallery; or interfere with the City's audio, visual, or transcription equipment used to record the meeting. Participants, including their signs, must not encroach into the personal space of others in attendance. Signage brought into the Venue that relates to a matter that is the subject of a public hearing session of a meeting agenda, may be displayed until the public hearing has been declared closed. For clarity, and in order for Council, in accordance with the Municipal Act and the Council Procedures Bylaw, to ensure they are not receiving any new information or submissions following a public hearing or delegation session, once a public hearing session is declared closed, no Participants shall display any signage unless expressly authorized by the Presiding Officer.

Following the provisions of the Council Procedures Bylaw, Participants at Council meetings are permitted to speak to Council as a whole during the Delegation portion of the agenda. Participants are to refrain from comment, conversation, applause, other noise-making activities, waving, or other activities that may interfere with or disrupt the proceedings or the recording of meetings. Participants are not permitted to move or rearrange furniture; cross the stanchions; stand, sit, or otherwise occupy a space where they block emergency exit routes; or interfere with any of the audio, visual, or transcription equipment. When the Venue reaches its maximum capacity, Participants will be asked to wait outside the Venue until space becomes available.

The Presiding Officer is tasked with ensuring the orderly conduct of meetings. Administration will ensure that the Presiding Officer has the support necessary for the orderly conduct of meetings, which may include arranging for Peace Officers or other support services to be available.

Participants may leave the visitors' area at any time as long as they do not disrupt the proceedings of the meeting or interfere with the City's audio, visual, or transcription equipment used to record the meeting. Participants may use electronic devices as long as the devices do not generate disruptive noise or light while Council is in session, and do not interfere with the City's audio, visual, or transcription equipment used to record the meeting.

WRITTEN MATERIALS

The Presiding Officer or Administration may discard or refuse to distribute any document provided by a Participant if they have reasonable grounds to believe that the written material includes content which violates the Canadian *Human Rights Act* or the Yukon *Human Rights Act*, contravenes the Council Procedures Bylaw, contains Hate Speech, Written Threats or incites violence, or contains libellous, discriminatory or offensive language directed to Council, Administration, or members of the public. If written materials are not accepted for distribution in an open forum, the Presiding Officer, Council or the City Manager may direct that Administration follow up for further review and consideration of the written materials and, if appropriate, to redirect the written materials for proper consideration by Council.

ENFORCEMENT

This policy will be enforced in a respectful and educational manner. A Participant may be Censured or Sanctioned for violating the Council Procedures Bylaw or this policy.

Censure

A Participant may be Censured when they:

- (1) Shout or immoderately raise their voice, or use offensive or discriminatory language, engage in Hate Speech, Physical Attacks or Threatening Behavior; or
- (2) Speak on matters other than the matter on the floor; or
- (3) Make discriminatory, offensive or libellous comments about any Participant, Administration, Council Member, volunteer, citizen, person, group or business; or
- (4) Refuse to abide by the direction of the Presiding Officer pursuant to the express provisions of this policy; or
- (5) Otherwise violate any part of this policy.

The Presiding Officer may Censure the above behaviour by a Participant; issue a verbal warning; and the City Manager will have staff provide the Participant with a copy of this policy before taking further action. A warning will clearly identify the Censured behavior and outline potential consequences should such behavior persist.

If a Participant chooses to continue actions contrary to the above, the Presiding Officer may enact Sanctions.

Sanctions

Where a Participant displays behavior that contravenes this policy at a Council meeting and the behavior persists after a verbal warning by the Presiding Officer, the Presiding Officer may request the Participant temporarily leave the venue, and the City Manager will have staff provide the Participant with an opportunity to regain their composure and reflect on their conduct contravening this policy. If the Participant is presenting to Council and is asked to leave temporarily, the Participant may not resume their presentation at that meeting. If the Participant is able to regain their composure and confirm to the Presiding Officer that they will not engage in any further conduct in contravention of this policy, they may be permitted to return to Council Chambers to observe the rest of the meeting, provided they refrain from any further behavior that contravenes this policy.

Persistent or Threatening Behavior

If a Participant's behavior is threatening, intimidating, consists of a Physical Attack, Hate Speech, or of a persistent and disruptive nature, the Presiding Officer may suspend proceedings. The Presiding Officer or the City Manager may request the presence of a Peace Officer to assist in asserting control of the meeting. In the event of a major disruption the Presiding Officer may choose to resume or adjourn the meeting in their discretion.

Where the behavior of any individual attending the meeting is of a Physical Attack, violent, threatening or illegal nature, the R.C.M.P. may be called. Additional Sanctions may be taken such as legal action or denial of entry to subsequent meetings.

Repeated Violations

Should a citizen persist in violating the Council Procedures Bylaw or this policy and should the Presiding Officer have reasonable grounds to believe the citizen will again engage in disruptive, violent, threatening or illegal behavior, Council may direct that the citizen be denied entry into the meeting venue at a subsequent meeting or meetings, provided that the citizen be provided with an opportunity to be heard in writing prior to any such decision being made by Council.

The Presiding Officer may request that a Peace Officer attend the meeting to assist in addressing conduct which contravenes this policy.

APPEAL OF PRESIDING OFFICER'S DECISION

While a Participant may object to a decision of the Presiding Officer, only a Member of Council may appeal a decision made by the Presiding Officer at that Meeting. A Member of Council wishing to appeal the Presiding Officer's decision must raise the objection promptly at the Meeting when the original decision was made and the Presiding Officer shall cause the appeal to be voted upon by the other Members present before proceeding with further business.

CONDUCT OF COUNCIL

Council's behavior is governed by the Council Procedures Bylaw including Appendix "C", Code of Conduct For Council Members.

CONDUCT OF ADMINISTRATION

Addressing the conduct of Administration is the responsibility of the City Manager as per S.8.4 of the City Manager Bylaw.

FORCE AND EFFECT

This policy shall come into full force and effect upon adoption by Council.

SUPPORTING REFERENCES

Canadian Charter of Rights and Freedoms (s. 2, "Fundamental Freedoms")

Canadian Human Rights Act

Yukon Human Rights Act

Municipal Act

Council Procedures Bylaw

History of Amendments

<u>Date of Council Decision</u>	<u>Reference (Resolution #)</u>	<u>Description</u>
August 12, 2024	2024-14-08	Initial policy adopted
May 26, 2025	2025-10-03	Policy amended