

COUNCIL POLICY



Civility Policy

Policy Number:	2024-07
Approved by:	Council Resolution 2024-14-08
Effective date:	August 12, 2024
Departments:	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, City staff, 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 City staff 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 City staff.

SCOPE

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

DEFINITIONS

"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.

“Microaggressions” means a comment or action that subtly and often unconsciously or unintentionally expresses a prejudiced attitude towards a member of a marginalized group.

“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.

“Sign” includes any sign, placard, banner, written message or logo on any media that may be visible to the Council, to members of the gallery or to viewers on video broadcasting devices.

“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 yelling, shouting, swearing, name-calling, insults, condescending language, comments that violate the prohibited grounds sections of the Canadian Human Rights Act or the Yukon Human Rights Act, language that promotes criminal or illegal activities, makes accusations, or contains libellous or insulting language directed to Council, Administration, members of the public, 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 choose clothing that reflects respect for Council and the role of municipal Council. Attire, including buttons, non-religious headwear, pins, or other items, is not appropriate if, in the opinion of the Presiding Officer, it has language, statements, or imagery that is detrimental, discriminatory, offensive, profane, racial, sexist, violent, or vulgar. Participants shall remove or cover up anything that is held to be disrespectful when directed by the Presiding Officer.

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 microaggressions, physical attack, threatening behavior, verbal abuse, and from making verbal or written threats.

No Participants shall be permitted to bring signs into the venue where Council is meeting. Any persons attempting to bring a sign into a Council meeting will initially be asked to leave the sign outside of the meeting venue. If a person refuses to leave their sign outside the venue, they will be asked to leave the building.

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 video, audio recording or transcription devices. 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. City Staff 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 / 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 distribution of it in an open and public forum may be inappropriate. This includes any document that violates the prohibited grounds sections of the Canadian Human Rights Act or the Yukon Human Rights Act, contravenes the Council Procedures Bylaw,

promotes criminal or illegal activities, makes accusations, or contains libellous or insulting language directed to Council, Administration, members of the public, or identifiable groups. Even if the documentation is not accepted for distribution in an open forum, the Presiding Officer, Council or the City Manager may direct that Administration follow-up.

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, vulgar or profane language, engage in physical attacks or threatening behavior; or
- (2) Speak on matters other than the matter on the floor; or
- (3) Make disparaging or personal comments about any Person, staff member, or Member of Council.

The Presiding Officer will censure inappropriate comments 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 disruptive 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 is not civil at a Council meeting and the behavior persists after a verbal warning by the Presiding Officer, the Presiding Officer will 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 treatment of Council, City staff or other citizens. If the Participant is presenting to Council and asked to leave temporarily, the Participant may not resume their presentation at that meeting. If the Participant is able to regain their composure, they may be permitted to return to Council Chambers to observe the rest of the meeting, provided they refrain from any further behavior that is not civil.

Persistent or Threatening Behavior

If a Participant's behavior is threatening, intimidating, consists of a physical attack, 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.

Where the behavior of any individual attending the meeting is of a physical attack, violent, threatening or illegal nature, the RCMP 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. The Presiding Officer may request that a Peace Officer attend the meeting to assist in addressing uncivil behavior.

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 CITY STAFF

Addressing the conduct of staff members 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

Date of Council Decision	Resolution #	Description