



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BYLAW NO. A1094

A BYLAW OF THE REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT TO PROMOTE A SAFE, RESPECTFUL AND POSITIVE ENVIRONMENT FOR MEMBERS OF THE PUBLIC, VOLUNTEERS, BOARD, AND STAFF

WHEREAS the Regional District of Alberni-Clayoquot wishes to provide an inclusive environment in regional district facilities and in the delivery of regional district services, where all individuals are free of harassment, bullying, intimidation, violence, and discrimination and where they are treated with respect and dignity;

NOW THEREFORE the Board of the Regional District of Alberni-Clayoquot, in open meeting assembled, enacts as follows:

1. Citation

This Bylaw may be cited as *“Bylaw No. A1094, Respectful Spaces Bylaw, 2026”*.

2. Severability

If any provision of this Bylaw is, for any reason, found invalid by a court of competent jurisdiction, the provision must be severed and the remainder of the Bylaw left valid and enforceable.

3. Definitions

In this bylaw, unless the context otherwise requires:

“Abusive Language” includes:

- Profane, obscene, abusive, threatening, derogatory, or discriminatory language,
- Language that may be perceived as inciting violence, or
- Words that are intended to or may be perceived to abuse or do violence towards another party’s integrity;

“ACRD” means the Regional District of Alberni-Clayoquot;

“ACRD Facility” means facilities owned, leased, rented, allocated, programmed, operated or managed by the ACRD, intended for public or ACRD Staff use. This includes, but is not limited to, parks and trails, recreation facilities, staff offices and workspaces,

meeting rooms, community meeting spaces, ACRD Offices, and spaces where ACRD Services are provided;

“ACRD Services” means all services provided by the ACRD. This includes but is not limited to, utility services, waste collection, bylaw enforcement, building inspections, planning inspections, front counter services, ACRD meetings, engagement sessions, and volunteer events;

“ACRD Staff” means a person employed by the ACRD and includes volunteers and contractors authorized to act on behalf of the ACRD, appointed representatives (committees appointed by the Board), and the Chairperson and Board members;

“Board” means the Board of the Regional District of Alberni-Clayoquot;

“Charter of Rights and Freedoms” means the Canadian Charter of Rights and Freedoms, Part I of the Constitution Act, 1982, being Schedule B to the Canada Act 1982 (UK), 1982, c 11;

“Chief Administrative Officer” means the officer appointed by the Board under section 235 [Chief administrative officer] of the Local Government Act, RSBC 2015 c. 1 or their designate;

“Code of Conduct” means a document posted in a ACRD Facility that outlines the roles, rights and responsibilities of regional Staff and patrons;

“General Manager” means the General Manager of a department of the Regional District involved in the Incident or that person’s designate;

“Harassment” means conduct, actions or behaviour that a person knew or reasonably ought to have known would be objectionable and unwelcome or would cause another person to be humiliated or intimidated.

“Human Rights Code” means the Human Rights Code, RSBC 1996 c. 210, as amended;

“Inappropriate Behaviour” means behaviour that obstructs or interferes with the lawful free use and enjoyment of ACRD Facilities or participation in ACRD Services, programs or events, or that compromises the safety and well-being of others, including regional district staff, volunteers and members of the public. For the purposes of this Bylaw, inappropriate behaviour includes:

- Abusive Language,
- Violence or threat of violence,
- Vandalism,
- Harassment,
- Possession of weapons,
- Theft of property, and
- Contravention of Codes of Conduct or posted rules;

Inappropriate behaviour does not include decisions made by Bylaw enforcement staff made in the course of their duties.

“Incident” means any occurrence involving one or more individuals engaging in Inappropriate Behaviour;

“Premises” includes land, buildings or structures, or any part thereof;

“Regional District” means the Regional District of the Alberni-Clayoquot;

“Supervisor” means the person appointed by the ACRD to act as a supervisor in the relevant department of the Regional District involved in the Incident or that person’s designate;

“Suspension” means the prohibition of an individual from entering all or specified ACRD Facilities for a specified duration of time, with exceptions for voting in General Local Elections or assent voting;

“Vandalism” means the malicious, willful or deliberate destruction, damaging or defacing of ACRD Facilities or other ACRD-owned property, including equipment, vehicles, materials and furniture; and,

“Violence” includes:

- throwing articles or objects in a deliberate or aggressive manner that may endanger or cause injury or damage to any persons or property,
- physically aggressive or threatening behaviour,
- threats or attempts to intimidate, and,
- attempts to goad or incite violence.

4. Interpretation

In this Bylaw, a reference to the Chief Administrative Officer, General Manager, and Supervisor includes a reference to the person appointed as deputy or appointed to act in the place of that person from time to time.

5. Scope and Application

5.1 This Bylaw applies to all persons, including members of the public and ACRD Staff. This Bylaw also applies within ACRD Facilities and any space in which ACRD Services are provided and where ACRD programs or events are being held. Allegations of Inappropriate Behaviour originating from the Chairperson and Board shall be dealt with in accordance with the ACRD Code of Conduct Policy.

5.2 This Bylaw applies to incidents that either originate from the public or from ACRD Staff in their dealings with the public.

5.3 This Bylaw does not apply to the RCMP detachment or ACRD Staff that are

responding to an incident, including ACRD Staff that are employed for the purposes of Bylaw Enforcement.

5.4 This Bylaw does not apply to Incidents between ACRD Staff.

6. Respectful Behaviour

- 6.1 All persons using ACRD Facilities have a duty to:
- a. treat others with respect, courtesy, fairness, and equality;
 - b. use ACRD Facilities and equipment in a safe and respectful manner; and
 - c. comply with all posted policies and rules regarding the use of ACRD Facilities and equipment.
- 6.2 A person must not commit or engage in Inappropriate Behaviour in an ACRD Facility.
- 6.3 A person must not commit or engage in Inappropriate Behaviour in any space in which ACRD Services are provided.

7. Responding to Incidents

- 7.1 When a member of the public witnesses an Incident and wishes to bring the Incident to the attention of the ACRD, they must follow the procedures set out in Schedule A of this Bylaw.
- 7.2 When ACRD Staff witness or receive a report regarding Inappropriate Behaviour originating from a member(s) of the public, they must follow the procedures set out in Schedule A of this Bylaw.
- 7.3 When a member of the public witnesses or is subject to Inappropriate Behaviour originating from ACRD Staff and wishes to make a complaint, they must follow the procedures set out in Schedule A.1 of this Bylaw.
- 7.4 When possible, ACRD Staff will immediately respond to reports of Inappropriate Behaviour to notify the individual engaging in the Inappropriate Behaviour that it must stop and of the next steps if the Inappropriate Behaviour persists.
- 7.5 If the Inappropriate Behaviour continues, and depending on the severity of the Inappropriate Behaviour, ACRD Staff may require the person to leave the ACRD Facility immediately and the General Manager of Planning and Development or General Manager of Administrative Services may issue the person a temporary suspension of up to ten (10) days. If the person refuses to leave the ACRD Facility, ACRD Staff may request RCMP assistance.

- 7.6 The General Manager of Planning and Development and General Manager of Administrative Services are authorized to issue a Suspension to any person who is not in compliance with this Bylaw for a period of up to eighteen (18) months or issue a fine of up to \$1,000 per Incident, or issue both a suspension and fine. In exercising their discretion under this section, factors set out in Schedule B of this Bylaw must be considered.
- 7.7 A person that is subject to a Suspension under this Bylaw must not access, enter or use any ACRD Facility included in the Suspension, subject to the terms and conditions of the Suspension except for voting in a General Local Election or assent voting.
- 7.8 All ACRD Staff will exercise their power and authority under this Bylaw fairly and equitably and in accordance with the Human Rights Code, the Charter of Rights and Freedoms, and all other applicable enactments.
- 7.9 The ACRD is responsible for providing a safe work environment for ACRD Staff, in accordance with the General Safety Regulations of WorkSafeBC and the British Columbia Occupational Health and Safety Act. This includes providing a safe work environment within ACRD meetings. If a Supervisor believes the health or safety of ACRD Staff is at risk in a meeting due to Inappropriate Behaviour, Supervisors may direct ACRD Staff to leave an ACRD meeting.

8. Appeal Process

- 8.1 A person subject to an offence under this Bylaw may request a review of the decision by the Chief Administrative Officer. Requests for review of an offence must be made in writing and must be delivered to the office of the Chief Administrative Officer within ten (10) business days of the date the notice of offence was issued.
- 8.2 In exercising their discretion under this section, the Chief Administrative Officer must consider the factors set out in Schedule B of this Bylaw.
- 8.3 Appeal hearings will be held by the Chief Administrative Officer in accordance with Schedule C of this Bylaw.
- 8.4 The decision of the Chief Administrative Officer with regards to an offence is final.

9. Probationary Period and Subsequent Suspensions

- 9.1 Once a Suspension has been completed, regardless of the duration, the person

subject to the Suspension will be subject to a six (6) month probationary period with the following conditions:

- a. if an Incident occurs during the probationary period, the General Manager of Planning and Development or the General Manager of Administrative Services may impose a subsequent Suspension of equal or greater duration than the initial Suspension;
- b. subsequent Suspension issued under this section may be for a duration of up to three (3) years;
- c. a subsequent Suspension under this section must be issued by the General Manager of Planning and Development or the General Manager of Administrative Services or the Regional District's Legal Counsel in writing; and,
- d. notwithstanding section 8 (1) of this Bylaw, a person subject to a subsequent Suspension under this section is not entitled to appeal that Suspension, regardless of whether the person requested an appeal of the initial Suspension.

10. Offence and Penalty

- 10.1 Any person who causes, or permits any act to be done in contravention of this bylaw or refuses, omits, or neglects to observe, carry out or perform any duty or obligation imposed under this bylaw is liable upon conviction to the following:
 - a. If the proceedings are brought under the *Offence Act*, the convicted person will be required to pay the maximum fines, penalties, and compensation as authorized by the *Offence Act* and *Local Government Act*.
 - b. If a ticket is issued under Division 1 of Part 12 of the *Local Government Act*, a maximum fine of one thousand dollars (\$1,000.00) may be issued.
 - c. If a bylaw notice is issued under the regional district's Bylaw Notice Enforcement Bylaw No. PS1008, 2020, a penalty of up to two hundred and fifty dollars (\$250.00) may be issued.
- 10.2 A separate offence is committed each day during and on which a contravention of this bylaw occurs or continues.
- 10.3 Fines and penalties issued under this section are in addition to and not in substitution of any cost recovery, including but not limited to remedial action, or other consequence of contravention under this bylaw and does not limit the right of the regional district to bring civil proceedings or pursue any other remedy available by law.
- 10.4 Subsection 10.1.a does not prevent the regional district or authorized personnel of the regional district from issuing and enforcing a ticket or penalty under the *Local Government Act* and the regional district's Bylaw Notice Enforcement Bylaw, as amended.

11. Schedules

Schedule A – Incident Procedure – Incidents Originating from the Public
Schedule A.1 – Incident Procedure – Incidents Originating from ACRD Staff
Schedule B – Inappropriate Behaviour Enforcement Guidelines
Schedule C – Appeal Procedure

12. Effective Date

This Bylaw comes into effect on February 1, 2026.

Read a first time this 28th day of January , 2026

Read a second time this 28th day of January , 2026

Read a third time this 28th day of January , 2026

ADOPTED this 28th day of January , 2026

by an affirmative vote of at least two-thirds the vote cast.

Certified true and correct copy of
**“Bylaw No. A1094, Respectful Spaces
Bylaw, 2026.”**

The Corporate seal of the Regional District
hereto affixed in the presence of:

Cynthia Dick

Cynthia Dick,
Corporate Officer

John Jack

John Jack,
Chairperson

'Schedule A'
Incident Procedures-Incidents Originating from the Public

1. This procedure is to be followed by members of the public who observe an Incident or by ACRD Staff when ACRD Staff observe an Incident, have reason to believe that an Incident has occurred in an ACRD Facility, or receive a complaint of an Incident by a member or members of the public.
2. The ACRD's primary concern is the safety of members of the public and ACRD Staff. If at any time ACRD Staff feel that the safety of any person is at risk, they may request RCMP assistance. ACRD Staff are not expected to jeopardize their safety or that of others in responding to an Incident.
3. ACRD Staff are expected to act in accordance with this Bylaw fairly and equitably and in accordance with the Human Rights Code, the Charter of Rights and Freedoms, and all other applicable enactments.
4. Where possible, ACRD Staff will attempt to explain to the person or persons engaging in the Inappropriate Behaviour that their behaviour is unacceptable and ask that the behaviour ceases. ACRD Staff may also attempt to de-escalate the situation, where appropriate.
5. If the Inappropriate Behaviour continues, and depending on the severity of the Inappropriate Behaviour, ACRD Staff may require the person to leave the ACRD Facility immediately and the General Manager of Planning and Development or General Manager of Administrative Services may issue the person a temporary suspension of up to ten (10) days. If the person refuses to leave the ACRD Facility, ACRD Staff may request RCMP assistance.
6. If the Incident involves alleged Inappropriate Behaviour by a minor, ACRD Staff will make reasonable attempts to notify the parent(s) or guardian(s) of the minor as soon as reasonably possible following the Incident.
7. As soon as is reasonably possible following the Incident, ACRD Staff will complete an Incident Report which will include the following:
 - a. details of the Incident;
 - b. the names and contact information of the person(s) who engaged in the Inappropriate Behaviour;
 - c. the names and contact information of any witnesses; and,
 - d. any written statement provided by any witnesses. ACRD Staff will submit the completed Incident Report to their Supervisor who will provide a copy to the General Manager.
8. If the complainant of Inappropriate Behaviour is a member of the public, the complainant

must contact the General Manager of Administrative Services and explain the Incident in as much detail as possible. The details should include, but are not limited to, the time and location of the Incident. The complainant must also provide as many details of the Inappropriate Behaviour as well as sufficient details for the ACRD to identify the individual(s) engaged in the Inappropriate Behaviour.

9. All Incidents will be reviewed and investigated. When a General Manager receives an Incident Report, they will consult with the General Manager of Administrative Services or General Manager of Planning and Development. If the General Manager is aware of previous Incidents involving the person, the General Manager may consult with the ACRD Staff who reported or were involved in the previous Incidents. After considering the Incident Report and other available information as well as the Guidelines set out in Schedule B of this Bylaw, the General Manager of Administrative Services or General Manager of Planning and Development will take such action as they consider appropriate in the circumstances, which may include:
 - a. determining that the Incident did not constitute a violation of this Bylaw and take no further action;
 - b. determining that the Incident constituted a violation of this Bylaw but decide that no further action is required in the circumstances;
 - c. determining that the Incident constituted a violation of this Bylaw and take further action, including:
 - i. issuing a written warning letter or letter of expectation;
 - ii. requiring that the person meet with the General Manager, including that the person not enter or use any ACRD Facility until they meet with the General Manager; and
 - iii. impose a fine, bylaw notice, Suspension, or a combination thereof.
10. The General Manager of Planning and Development or General Manager of Administrative Services will review the information and take such action as they consider appropriate after considering the factors set out in Schedule B of this Bylaw. The General Manager may refuse to impose a fine and/or a Suspension or, if a Suspension is imposed, establish the scope, duration, outline any terms and conditions, including any exceptions of the Suspension.
11. If a Suspension is issued, the General Manager of Administrative Services or the ACRD's legal counsel must notify the person in writing of the terms and conditions of the Suspension and of their right to appeal under this Bylaw.
12. Once an investigation is completed, the complainant must be notified that a formal investigation has been carried out.
13. If a Suspension is issued, a confidential memorandum regarding the Suspension will also be sent from the General Manager of Administrative Services to ACRD Staff for whom the information is necessary for the performance of their duties. Further confidential

memoranda may be issued to notify ACRD Staff of changes to or extensions of the Suspension and upon completion of the Suspension.

14. Except where prohibited by law, the General Manager of Administrative Services may, pursuant to any information sharing agreements between the ACRD and other local governments, public bodies, and the RCMP, share the confidential memorandum and any information involved in the investigation.
15. The General Manager of Administrative Services or General Manager of Planning and Development may extend the duration of a Suspension where the person breaches the terms and conditions of the Suspension or where there are further Incidents involving the person.

'Schedule A.1'

Incident Procedures- Incidents Originating from ACRD Staff or Board

1. Inappropriate Behaviour (as defined in this Bylaw) originating from the Board will be deemed to be a contravention of Section 2 of the Boards ACRD Code of Conduct Policy. Complaints that are raised by members of the public about Inappropriate Behaviour originating from Board members must be brought forward by the Chief Administrative Officer and the complaint must be reviewed in accordance with section 16 of the ACRD Code of Conduct Policy.
2. If a member of the public believes that they have been subject to Inappropriate Behaviour originating from ACRD Staff, the process set out below will be followed.
3. If a member of the public makes a verbal complaint to a ACRD Staff, the ACRD Staff must inform the complainant that they must make a written complaint to be delivered to the General Manager of Administrative Services. Upon request, ACRD staff will provide support to individuals that may face accessibility barriers to complete a written complaint. The ACRD Staff must advise the General Manager of Administrative Services or General Manager of Planning and Development immediately of any verbal complaint.
4. If a written complaint of Inappropriate Behaviour is made it must be delivered to the General Manager of Administrative Services. The General Manager of Administrative Services must review the complaint and determine whether it is appropriate to commence an investigation.
5. If it is determined that an investigation is required, this investigation will be conducted by the General Manager of Administrative Services, or by an external investigator.
6. Upon conclusion of the investigation, the investigator will document their findings and provide recommendations on the appropriate response. Such response may include discipline, up to and including termination. Disciplinary action will be in accordance with the appropriate ACRD agreements and policies, and as determined by the Human Resource Department.
7. Once an investigation is completed, the complainant must be notified that a formal investigation has been carried out.
8. If a complaint is found to be filed for malicious or vexatious purposes, the General Manager of Administrative Services may determine that the person making the complaint has engaged in Inappropriate Behaviour under this Bylaw.

'Schedule B'
Inappropriate Behaviours Enforcement Guidelines

In determining the appropriate measures to deal with a contravention of this Bylaw, ACRD Staff will consider the following factors:

1. the nature and severity of the Inappropriate Behaviour;
2. whether the Inappropriate Behaviour was a single or repeated act;
3. whether the person was told that the behaviour was inappropriate and nonetheless continued the behaviour;
4. the impact of the Inappropriate Behaviour on members of the public and ACRD Staff;
5. the person's acknowledgement of wrongdoing; and
6. the person's history of other contraventions

'Schedule C'
Appeal Procedure

1. Requests for review of a Suspension under this Bylaw must be made in writing and must be delivered to the office of the Chief Administrative Officer within ten (10) business days.
2. Within ten (10) business days of receiving a request for review under section 8(1) of this Bylaw, the Chief Administrative Officer will notify the person subject to the offence of the date for their hearing.
3. The person appointed as the ACRD's Privacy Officer will provide the person subject to the offence with copies of all materials that will be considered by the Chief Administrative Officer a minimum of ten (10) business days prior to the hearing. The materials will be redacted as necessary to comply with the Freedom of Information and Protection of Privacy Act, RSBC 1996, c. 165 and any other applicable enactments.
4. The person subject to the offence may attend the hearing and may be accompanied by a representative of their choice, including legal counsel.
5. The General Manager of Administrative Services will attend the hearing on behalf of ACRD Staff.
6. The Chief Administrative Officer may request the attendance of any other person at the hearing, including a member of ACRD Staff or ACRD legal counsel.
7. At the hearing, the person subject to the offence will have ten (10) minutes to address the Chief Administrative Officer. This time may be extended if deemed necessary by the Chief Administrative Officer due to the complexity of the issues or the severity of the allegations.
8. The Chief Administrative Officer will notify the person subject to the Suspension of their decision in writing within ten (10) business days of the hearing.
9. The decision of the Chief Administrative Officer with regards to a Suspension is final.
10. The Chief Administrative Officer will notify the Board of appealed offences.
11. Requests for review of a fine, ticket or bylaw notice issued under this Bylaw must be made in accordance with the appropriate dispute resolution process.