

Trespass to Property Act Policy- City of Greater Sudbury

Statement

To ensure the safety and well being of staff and citizens at City of Greater Sudbury facilities, all City of Greater Sudbury staff hold the responsibility to immediately report and respond to prohibited activities in City of Greater Sudbury properties. The purpose of the Trespass to Property Act Policy is to centralize and standardize the administrative process for issuing notices under this legislation so as to allow for better management of this tool in the context a broader security strategy.

Legislative Authority

Any action taken within the context of this policy can be done so by legislative authority as owner or occupier of its property pursuant to the Trespass to Property Act, R.S.O. 1990, T.21.

Staff Authority

Responding to incidents of prohibited activity, the most senior staff in a City of Greater Sudbury facility at the time of the incident is deemed to be the “occupier” and “authorized person” and shall issue a 72-hour trespass notice.

Police and Municipal Law Enforcement Officer Authority

Police officers with the Greater Sudbury Police or other services designated by legislation and designated Municipal Law Enforcement Officers of the City of Greater Sudbury, and contract security staff employed by the City of Greater Sudbury will be designated as *occupiers* for the purpose of this policy and will therefore be authorized to issue a 72-hour trespass notice.

Security and Bylaw Services Authority

Following an incident at any City of Greater Sudbury facility or property, management representatives from Security and Bylaw Services will have the designated authority to issue a trespass notice beyond 72-hours in accordance with the schedule associated with this policy.

Trespass Policy Guidelines

Prohibited Activity	1st Occurrence	2nd Occurrence	Subsequent Occurrences
Causing a disturbance in the work place Disregard for City rules, policies or procedures Use of vulgar language, shouting,	Minimum 72hrs	Minimum one (1) month	Minimum six (6) months
Direct or indirect threat towards staff or the public Aggressive, intimidating or harassing behavior(s) towards staff or citizen Vandalism of City property	Minimum six (6) months	Minimum one (1) Year	Minimum two (2) years
Assault Weapon related offence Theft	Minimum two (2) years	Minimum three (3) years	Minimum of three (3) years

Application

All 72-hour trespass notices will apply to all City of Greater Sudbury buildings.

Notices of longer than 72 hours in duration will apply to all CGS buildings during the period of the notice. To ensure no hardship to citizens who need to access to specific municipal services to conduct business, the notice will advise that the citizen is to contact Security and By-Law Services to arrange for escorted access to a pre-arranged appointment to access the service required.

Appeal Process

Trespass notices issued by the City of Greater Sudbury that are 72-hours in length are not subject to an appeal.

Trespass Notices of longer than 72 hours duration may be appealed, within five business days.

All appeals must be in writing and shall be forwarded to the attention of the City Clerk. The matter will be jointly reviewed by the ELT member responsible for Security and By-Law Services and the ELT Member in whose facility the incident occurred.