

Trespass notices and service restrictions

When municipalities face difficult or unreasonable conduct from members of the public, they can choose to restrict their access to municipal property or staff.

Municipalities can respond to inappropriate conduct via a service restriction, such as limiting an individual's communication to a particular staff person or to writing only.

Under the *Trespass to Property Act*, municipalities can also issue a trespass notice that may:

- Ban an individual outright from the municipal property or service, or
- Set specific conditions under which the person can access the property or service

Every municipality should **develop and publicize a policy on trespass notices and service restrictions**, or include these procedures in a respectful conduct policy. It should provide a mechanism for the affected individual to raise legitimate concerns.

A trespass notice or service restriction should be considered a last resort and should restrict access as little as possible, based on the circumstances.



Every municipality should have a policy or by-law that sets out:

- Clear expectations for the conduct of members of the public, and clear measures for the municipality's response to problematic behaviour
- Examples of circumstances that could result in a notice or restriction
- Procedures for issuing and serving notices and restrictions, including the appropriate delegation to staff, and the supporting documentation required (e.g., complaint and investigation records)
- Time limits for notices and restrictions
- The right of affected individuals to request a review or appeal

Note: If an individual is prevented from observing council meetings, the *Charter of Rights and Freedoms* may be engaged.

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