

**THE CORPORATION OF THE TOWN OF GANANOQUE BY-LAW  
BY-LAW NO. 2017-076**

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**BEING A BY-LAW TO ESTABLISH A POLICY PROHIBITING THE USE OF CELLULAR  
DEVICES, CAMERAS, VIDEO CAMERAS AND PERSONAL DIGITAL ASSISTANTS  
FROM RECREATIONAL FACILITY BATHROOMS, CHANGE ROOMS AND SHOWERS  
FOR THE TOWN OF GANANOQUE.**

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**AND WHEREAS** section 5 of the Municipal Act, 2001, S.O. 2001, c. 25, the powers of a municipal corporation are to be exercised by its Council;

**AND WHEREAS** the Municipal Act, 2001, S.O. 2001, c. 25, provided that the powers of every Council are to be exercised by By-law;

**NOW THEREFORE** the Council of the Corporation of the Town of Gananoque enacts as follows:

1. That the Policy Prohibiting the use of Cellular Devices, Cameras, Video Cameras and Personal Digital Assistants from Recreational Facility Bathrooms, Change Rooms and Showers for the Town of Gananoque attached hereto as Schedule 'A' and forming part of this by-law is hereby adopted.
2. That this by-law come into force and effect on the date of passing.
3. That any by-law inconsistent with this by-law is hereby repealed.

**READ THREE TIMES** and finally passed this 19<sup>th</sup> day of September 2017.

  
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Mayor, Erika Demchuk

  
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Clerk, Kelly Shipclark



## THE CORPORATION OF THE TOWN OF GANANOQUE

<b>POLICY NO.</b>	2017-11	<b>APPROVAL DATE:</b>	September 19, 2017
<b>AUTHORITY</b>	Parks, Recreation and Marina Manager	<b>EFFECTIVE DATE:</b>	September 20, 2017
<b>SUBJECT</b>	<b>PROHIBITING THE USE OF CELLULAR DEVICES, CAMERAS, VIDEO CAMERAS AND PERSONAL DIGITAL ASSISTANTS FROM RECREATIONAL FACILITY BATHROOMS, CHANGE ROOMS AND SHOWERS</b>		

### PURPOSE

To establish a policy prohibiting the use of cellular phones, cameras, video cameras and personal digital assistants (PDAs) in bathrooms, change rooms and showers located at recreational facilities including the Lou Jeffries Recreation Centre, the Gananoque Municipal Marina, and the washrooms located at Joel Stone Park.

### SCOPE

This policy applies to users while in bathrooms, change rooms or shower areas, or any other recreational area where someone would have a reasonable expectation of privacy.

### POLICY

Town of Gananoque recreational facilities are operated for the benefit of the community. It is essential to the enjoyment of the community that a non-threatening, pleasant atmosphere be maintained and that the behavior of a patron not be allowed to disrupt the experience of others.

Youth are particularly vulnerable in locker rooms, changing areas and restrooms due to various stages of dress/undress and because they are often less supervised than at other times. Athlete-to-athlete problems, such as sexual abuse, bullying, harassment or hazing, often occur when a coach or other responsible adult is not in a position to observe – this is especially true in locker rooms. Adherence to this policy will enhance privacy and reduces the likelihood of misconduct.

This policy is intended to help achieve this goal by imposing the minimum restrictions necessary on the action of any individual. A violation could result in the suspension of privileges at the discretion of the Parks and Recreation Manager. Depending on the severity of the offense the suspension can be as little as asking the individual to leave for the remainder of the day or as much as a permanent suspension. When applicable, first time suspensions will be handled with a 24 hour suspension from Town recreational facilities. Repetitive infractions will result in increasingly longer suspensions or revocation of Town recreational facilities privileges indefinitely. Suspensions for additional violations will be determined on an individual basis by the Parks and Recreation Manager. The nature and seriousness of the offense will determine the length of the suspension. Aggravated circumstances, even for a first offense, may warrant a longer period of suspension. The parent(s) of a minor must be notified if their child has been suspended from Town recreational facilities.

Appeals - Any person opposed to the action of having their privileges suspended may appeal the action by writing a letter to council setting forth the reason(s) such person believes the suspension is improper and submitting it to the Clerk. Such appeal shall be considered and ruled upon by Council at their next regularly scheduled meeting. The decision of Council shall be final. Suspension shall continue in effect pending the appeal.

Detailed incident reports must be prepared for each incident by staff on duty. Name of the parties involved, addresses, phone numbers, description of incident and action taken should be included on all reports. Copies of all reports are to be reviewed by the Parks and Recreation Manager. If an individual is requested to leave Town recreational facilities and has made prior transportation arrangements, the individual will be allowed to sit quietly in the front lobby to wait for their ride. If an individual is suspended for any reason outlined within this policy, no refunds of daily admission fees or annual pass user fees shall be granted.

## **PROCEDURE**

1. Facility users are asked to immediately report any concerns to staff related to others using prohibited devices in bathrooms, change rooms and showers located at Town recreational facilities.
2. Once concerns are reported to staff, they will contact the Manager of Parks and Recreation who will determine the course of action.
  - a. Staff will complete an incident report.
3. Inappropriate behavior could result in suspension from Town recreational facilities by the Manager of Parks and Recreation and is subject to all relevant municipal and federal laws.