

Bylaw 19879

Amendments to the Public Places Bylaw - Hate Symbols

RECOMMENDATION

That Community and Public Services Committee recommend to City Council:
That Bylaw 19879 be given the appropriate readings.

Purpose

To amend Bylaw 14614 Public Places Bylaw by updating Section 8 to clarify that communicating acts of harassment based on race, religion, sexual orientation or gender identity shall include forms of non-verbal communication such as gestures or symbols.

Readings

Bylaw 19879 is ready for three readings.

A majority vote of City Council on all three readings is required for passage.

If Council wishes to give three readings during a single meeting, then prior to moving third reading, Council must unanimously agree "That Bylaw 19879 be considered for third reading."

Position of Administration

Administration supports this Bylaw.

Previous Council/Committee Action

At the August 16, 2021, City Council meeting the following motion passed:

That Administration prepare amendments to section 8 of the Public Places Bylaw to include display of recognized hate symbols as a form of harassment.

Report Summary

A bylaw amendment to Section 8 of Public Places Bylaw 14614 is proposed to clarify that harassment in public places may include using either verbal and/or non-verbal forms of communication.

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REPORT

Administration recently investigated ways to expand Bylaw 14614 Public Places Bylaw to include additional types of harassment in public places. On August 16, 2021, City Council approved an amendment expanding the definition of harassment to include communications based on race, religion, sexual orientation, and gender identity.

Harassment may be expressed through verbal and non-verbal communication. To provide greater clarity on this, Administration recommends a further bylaw amendment to specify that communication of harassment may include words that are spoken, written or recorded, as well as any signs, gestures or other visual representations. Acceptance of the amendment would address Gender Based Analysis Plus (GBA+) findings including an increase of hate symbols being used in graffiti and during protests, as certain religions, cultures and people of colour are disproportionately impacted.

COMMUNITY INSIGHT

The proposed amendment addresses public calls for increased tools to intervene in hate-motivated incidents, including the recent recommendations by the Canadian Council of Muslim Women and the National Council of Canadian Muslims following the National Action Summit on Islamophobia. One of the recommendations proposed that municipalities pass municipal bylaws to address street harassment and other hate-motivated incidents. The amendment will address Recommendation 12.1 from the Community Safety and Well-Being Task Force report that calls for the use of an inclusive and anti-racist perspective when establishing bylaws, policies and procedures.

ATTACHMENT

1. Bylaw 19879

OTHERS REVIEWING THIS REPORT

- M. Plouffe, City Solicitor