

CITY OF HAMILTON

NOTICE OF MOTION

Planning Committee Meeting: December 3, 2024

MOVED BY COUNCILLOR M. WILSON.....

Feasibility on the Adoption and Enforcement of a By-law to Prohibit Protests at Places of Worship and Their Facilities

WHEREAS, section 10 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended provides that a Municipality may pass by-laws respecting: economic, social and environmental well-being of the Municipality; health, safety and well-being of persons; and the protection of persons and property;

WHEREAS, the Canadian Charter of Rights and Freedoms protects religious expression;

WHEREAS, places of worship provide a safe space for people to come together to express their religious beliefs;

WHEREAS, acts of violence and intimidation at or near places of worship create can cause people to be hesitant to exercise their rights due to fear and/or lack of safety;

WHEREAS, the City of Hamilton's Community Safety and Well-Being Plan aims to create the community conditions where everyone is safe and has a sense of belonging;

WHEREAS, the City of Hamilton is a place where diversity and inclusivity are embraced and celebrated;

WHEREAS, the City of Hamilton respects the right to peaceful protest as a fundamental freedom afforded to all individuals. However, it also recognizes that any acts of violence, threats of violence or vandalism in the course of a protest are not protected by the Canadian Charter of Rights and Freedoms;

THEREFORE BE IT RESOLVED:

That staff be directed to prepare a report for Planning Committee's consideration no later than Q1 2025, on the feasibility of the City of Hamilton adopting and enforcing a by-law to prohibit protests at Places of Worship and their facilities— all while balancing the fundamental importance of freedom of expression and freedom of assembly, with the safety and well-being of community members accessing these places of worship and their facilities.