

Administrative Rules

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Rule 1.4 – Customer Code of Conduct

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(see also 1.4.4 Abandoned Property)

Overview and General Rule

I. PURPOSE OF CUSTOMER CODE OF CONDUCT

The purpose of this Deschutes Public Library (DPL) policy is to provide and maintain library buildings, premises and/or library programs and events that are comfortable, safe and welcoming to all customers. This policy also ensures access for all customers to DPL facilities, the safety of all users and staff, and the protection of DPL materials, resources, equipment and facilities.

II. OBJECTIVE

The objective of these rules is to provide customers with a clear understanding of appropriate behavior while in and on property of the Deschutes Public Library and at all on or off site DPL programs and events. This Administrative Rule also provides employees with a clear understanding of their responsibilities in dealing with inappropriate behavior on library property or at DPL programs and events. These Rules may be modified, rescinded, or a new rule may be adopted at any time, with or without notice.

III. RULES AND REGULATIONS

A. DEFINITIONS AND SCOPE

The Customer Code of Conduct shall apply to all DPL buildings, interior and exterior, and all grounds controlled and operated by the Deschutes Public Library (such buildings and grounds are hereafter referred to as the "premises") and to all persons entering in or on the premises.

B. GENERAL CODE OF CONDUCT:

Customers have the responsibility to use the DPL facilities in a manner that:

- Does not interfere with the rights of other individuals to access or use DPL materials, resources and services;
- Does not limit the ability of DPL staff to conduct business; and
- Does not threaten the secure and comfortable environment of DPL facilities.

C. SPECIFIC BEHAVIOR RULES

Any person who violates DPL's general code of conduct, above, by engaging in prohibited conduct identified in Rules 1-5, while in or on library premises or while attending a library program or event, will be immediately ejected and excluded from all Deschutes Public Library premises, programs and events without a warning, and the incident will be reported to the appropriate law enforcement agency. Any person so excluded shall lose all library privileges pursuant to a determination issued under Section III.D.

Prohibited conduct includes:

1. Committing or attempting to commit any activity that would constitute a violation of any federal, state or local criminal statute or ordinance.
2. Engaging in sexual conduct, as defined under ORS 167.060, including, but not limited to, the physical manipulation or touching of a person's sex organs through a person's clothing in an act of apparent sexual stimulation or gratification.
3. Being under the influence of any controlled substance, as that term is defined in ORS 475.005.
4. Possessing, selling, distributing or consuming any alcoholic beverage, except as allowed at a library-approved event.
5. Possessing, selling, distributing or consuming any part of the plant Cannabis family or any derivative, mixture, resin, seed or part of a plant.

Any person who violates DPL's general code of conduct, above, by engaging in prohibited conduct identified in Rules 6-26, while on or in library premises or while attending a library program or event, will be advised by library staff, or designee, that the person's conduct violates an identified Rule and given one warning to cease such conduct. If a person fails or refuses to cease the prohibited conduct or to otherwise comply with staff's direction in a reasonable manner, then the person will be required to leave the library premises, program or event immediately. The appropriate law enforcement agency will be summoned if a person fails to leave the premises, program or event. Subsequent violations of these Rules by the person will result in that person's immediate ejection and exclusion from all Deschutes Public Library premises, programs and events. Any person so excluded shall lose all library privileges pursuant to a determination issued under Section III.D.

Prohibited conduct includes:

6. Engaging in conduct that disrupts or interferes with the normal operation of the library, its program or event, whether conducted on or off library premises, or disturbs library staff or customers, including, but not limited to, conduct that:
 - a. involves the use of abusive or threatening language or gestures
 - b. constitutes sexual harassment
 - c. constitutes deliberate intimidation, stalking, body policing, bullying or coercion
 - d. creates unreasonable noise
 - e. consists of loud or boisterous physical behavior or talking
7. Using library materials, equipment, furniture, fixtures or buildings in a manner inconsistent with the customary use thereof; or in a destructive, abusive or potentially damaging manner; or in a manner likely to cause personal injury to the actor or others.
8. Disobeying the reasonable direction of a library staff member or library security officer, including but not limited to failing to exit the library premises at closing or following COVID-19 or other pandemic precautions as directed by state, county, or library authorities.
9. Soliciting, petitioning, distributing written materials or canvassing for political, charitable or religious purposes inside a library building, including the doorway or vestibule of any such library building or in a manner on the library premises that unreasonably interferes with or impedes access to the library.
10. Soliciting, petitioning, distributing written materials or canvassing during a library program or event, whether conducted on or off library premises.
11. Interfering with the free passage of library staff or customers in or on the library premises, including, but not limited to, placing objects such as bicycles, skateboards, backpacks or other items in a manner that interferes with free passage.

12. Placing personal belongings on or against buildings, furniture, equipment or fixtures in a manner that interferes with library staff or customer use of the library facility. Unattended packages or personal items may be inspected and removed from the premises by library staff.
13. Bringing bicycles or other similar devices inside library buildings, including, but not limited to, vestibules or covered doorways if no bicycle rack is provided within that area.
14. Operating roller skates, skateboards or other similar devices in or on library premises.
15. Parking vehicles on library premises for purposes other than library use. Vehicles parked in violation of this Rule may be towed at the owner's expense.
16. Smoking or other use of tobacco inside the buildings or on library property.
17. Eating inside library buildings, except in the building lobby or as allowed while attending a library sponsored function.
18. Bringing animals inside library buildings (with the exception of service animals), except as allowed while attending a library sponsored event.
19. Leaving unattended animals on library premises at any time.
20. Reserves the right to interrupt any activity to ensure the well-being and safety of our customers. Such as: sleeping; improper use of library restrooms including, but not limited to, bathing, shaving, and changing clothes; and entering library buildings without proper attire, including but not limited to shoes, shirt, and pants.
21. Leaving one or more children unsupervised or unattended anywhere in or on library premises. For purposes of this Administrative Rule, children means a child 6 years and under who is not accompanied by a responsible adult, or a child from age 7 up to age 10 years without a responsible adult in the building. (Please refer to our unattended children Administrative Rule for further clarification.)
22. Disturbing others because of offensive body odor, including but not limited to scented products, such as colognes, after-shave lotions, perfumes, deodorants, body/face lotions, or hair sprays.
23. Entering non-public areas unaccompanied by a staff member or without prior authorization from a staff member.
24. Relocating or tampering with furniture or equipment without staff authorization.
25. Using a cell phone or other electronic device in a manner that is disruptive to others.

D. EXCLUSION CRITERIA

Any person excluded under Rules 1-26, above, shall lose all library privileges for a period of up to three years, as determined by the Library Manager, or designee, based on the following criteria:

- The severity of the offense
- Whether or not this is a repeated offense
- Whether the conduct poses a continuing disruption and/or threat to the comfort or safety of other library customers and/or library staff
- The level of disruption created by the conduct whether or not security personnel and/or law enforcement involvement is required to address the situation.

Exclusion length will generally increase for repeat offenders, but DPL reserves the right to impose the maximum exclusion term on any violator, based upon the conduct at issue.

IV. WRITTEN NOTICE OF EXCLUSION FROM LIBRARY PREMISES, PROGRAM OR EVENT

Library staff shall provide all persons who have been excluded with a written notice informing the person of the length of the exclusion and of the appeal procedure available.

V. APPEAL PROCEDURE

People who have received a notice that restricts access to the library premises may request a hearing. The request must be in writing and filed at the Deschutes Public Library's Administration Building or a Branch Library within seven days (exclusive of weekends or library's observed holidays) of receipt of the notice. The Library Director or Designee(s) will schedule a hearing, which shall not be more than two weeks after receipt of the request. The hearing will be informal and the Library Director or Designee(s) will consider testimony from library staff involved in the incident, from the person requesting the hearing, and from any other witnesses to the incident. The person requesting the hearing has a right to be represented by counsel, at that person's expense, and the right to cross examine any witnesses who testify. At the conclusion of the hearing, the Library Director or designee(s) may affirm, modify, or end the imposed exclusion. A written copy of the appeal decision will be delivered or mailed to the person requesting the hearing on the date issued.