

## Administrative Rules

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### Rule 1.4 – Customer Code of Conduct

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#### Overview and General Rules

##### I. PURPOSE OF CUSTOMER CODE OF CONDUCT

It is the goal of the Deschutes Public Library (DPL) to provide branch libraries and/or library programs and events that are comfortable, safe and welcoming to all customers.

##### II. OBJECTIVE

The objective of this rule is to provide customers with a clear understanding of what is appropriate behavior in the branches of the Deschutes Public Library and at all 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 These rules may be modified, rescinded, or a new rule may be adopted at any time, without notice.

##### III. RULES AND REGULATIONS

###### A. DEFINITIONS AND SCOPE

These Behavior Rules 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.

Listed below are the library's Behavior Rules. Persons who violate these rules may be ejected and/or excluded from the library premises, programs and events, may lose all library privileges, or be subject to arrest.

###### B. BEHAVIOR RULES

Any person who violates rules 1-5 or engages in the following prohibited conduct 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 first being given a warning, and the incident will be reported to the appropriate law enforcement agency. Any person so excluded shall lose all library privileges for a period of up to three years, as determined by a 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.

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. Controlled substance 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 rules 6-26 and engages in the following prohibited conduct 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 a library behavior rule and be given one warning to cease such conduct. If a person fails or refuses to cease the prohibited conduct or to otherwise comply in a reasonable manner, then the person will be required to leave the library premises, program or event immediately for the remainder of the day. 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 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.

Prohibited conduct includes:

6. Engaging in conduct that disrupts or interferes with the normal operation of the library, or disturbs library staff or customers, including, but not limited to, conduct that involves the use of abusive or threatening language or gestures, conduct that creates unreasonable noise, or conduct that consists of loud or boisterous physical behavior or talking.
7. Engaging in conduct that disrupts or interferes with the normal operation of a library program or event, whether conducted on or off library premises, including, but not limited to, conduct that involves the use of abusive or threatening language or gestures, sexual harrasment, conduct that creates unreasonable noise, or conduct that consists of loud or boisterous physical behavior or talking.
8. 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.
9. Disobeying the reasonable direction of a library staff member or library security officer.

10. 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.
11. Soliciting, petitioning, distributing written materials or canvassing for political, charitable or religious purposes during a library program or event, whether conducted on or off library.
12. 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.
13. 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 if deemed suspicious by library staff.
14. 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.
15. Operating roller skates, skateboards or other similar devices in or on library premises.
16. 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.
17. Smoking or other use of tobacco inside the buildings or on library property.
18. Eating inside library buildings with the following exceptions:
  - Eating in the lobby or other designated areas.
  - Eating at a library sponsored function.
19. Bringing animals inside library buildings (with the exception of service animals), except as allowed at a library-approved event.
20. Leaving unattended animals on library premises at any time.
21. Sleeping in or on library premises.
22. Improperly using library restrooms, including, but not limited to, bathing, shaving, washing hair and changing clothes.
23. Leaving one or more children who reasonably appear to be 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.)
24. Entering library buildings without proper attire. Proper attire includes but is not limited to shoes, shirt, and pants.
25. Disturbing others because of offensive body odor.
26. Loitering on library grounds when not engaged in library related business or activities.

#### **IV. WRITTEN NOTICE OF RULE VIOLATION AND EXCLUSION FROM LIBRARY PREMISES, PROGRAM OR EVENT**

Library staff shall provide all persons who have been excluded from library premises, programs or events with a written Notice of Rule Violation informing the person of the specific nature of the rule violation and of the appeal procedure available to people whose future access to the library premises has been restricted. Library staff will provide such notice in person at the time a person is excluded from the premises or, by mail, within a reasonable time thereafter.

## **V. APPEAL PROCEDURE**

People who have received a notice that restricts future 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 one week (exclusive of weekends of legal 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. However, the Library Director or Designee(s) may extend these timelines for good cause. 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 cause the notice to be canceled. A written copy of the decision, on the date it is issued, will be delivered or mailed to the person requesting the hearing.