



## Library Standard Operating Procedures

Approved by the Library Board: January 11, 2012

Revised by the Library Board : May 10, 2023

# Rules of Conduct

## PURPOSE

The library strives to provide a safe, comfortable, clean, supportive and informal environment for the community. To ensure that all library users have a positive experience, all visitors are expected to comply with the following policy.

## SCOPE

No individual may engage in inappropriate conduct on the premises of the Town of Los Gatos Library, or when using library facilities, or when participating in library programs. Visitors shall be engaged in normal activities associated with the use of a public library while in the building. Inappropriate conduct includes any individual or group activity which is unreasonably disturbing to other individuals lawfully using library facilities, materials and/or premises.

The library retains the right to take any action necessary to ensure a safe and pleasant environment for everyone. Individuals who do not comply with the following rules may lose their library privileges.

## POLICY

### **Respect the right of everyone in the library to enjoy a pleasant environment.**

- Follow all library rules, policies, and procedures; comply with the requests of library staff.

- Obey all applicable federal, state, and local laws.
- Report to library staff any behavior that is disruptive, threatening, abusive, or questionable in any way.
- Use of abusive, threatening, harassing or insulting language and/or behavior will not be tolerated.
- Engaging in any behavior that a reasonable person would find to be disruptive, harassing, or threatening in nature to library users or staff including but not limited to stalking, prolonged staring at or following another with the intent to annoy other visitors will not be tolerated.
- Strive to keep conversations quiet; make cell phone calls or any audio conversation (i.e. Skype) as discreet as possible or take these conversations outside; take disruptive children outside.
- Selling, soliciting, surveying, distributing written materials, panhandling or canvassing for any political, charitable or religious purposes inside a library building, doorway or vestibule without prior authorization of the Town Librarian or designee is prohibited.
- Individuals whose conduct or personal hygiene disturbs others will be asked to leave the library.
- Patrons may only consume food on the outside Library patios. No food consumption is allowed inside the public areas of the building. Only drinks with lids are permitted inside the building.
- Patrons using audible equipment or devices in the Library must use headphones. If headphones are not used, the device's volume must be muted or turned off.
- Monopolizing library space, seating, tables or equipment to the exclusion of other visitors or staff is not permitted.
- Smoking of any substance, including vaping or related products, is not permitted anywhere in the library building or within 50 feet of any entrance.

**Keep your Library a safe place.**

- Staff, at the discretion of the Library Director, may require the use of facemasks or other community health protocols for general library use and/or at library programs and events.
- Children under age 9 and under must be supervised by an adult at all times. Adults with children are responsible for the safety, well-being and conduct of the minors in their charge.
- Unattended bags, baggage, or packages are not permitted inside or outside the library. Items may be removed from the library premises if they reasonably appear to be abandoned or have been left unattended for 30 minutes or more. The library is not responsible for loss or theft.
- Avoid activities on library premises that could cause injury to you or to others.

- Large or bulky items (such as bicycles, pushcarts, wagons, skateboards, etc.), or any item that might create a safety hazard, must be left outside the library. Necessary medical equipment is allowed.
- Library entrances, exits, elevators, stairs, or aisles may not be blocked.
- Clothing (tops and bottoms), including footwear, must be worn in the library.
- Being under the influence of alcohol/illegal drugs and selling, using or possessing alcohol or illegal drugs in the library is prohibited.
- The following disruptions to the library environment are prohibited:
  - Running, pushing, shoving, throwing things, bullying, intimidating, fighting or challenging others to fight.
  - Loud, angry, disruptive, obscene, or abusive voices, language, gestures, or activities. Cell phone use is not prohibited, but the use of loud, angry, disruptive, obscene, or abusive voices or language while on a cell phone is a prohibited activity.
  - Verbally or physically threatening or harassing other Library customers, volunteers, or staff. Examples include but are not limited to: following, stalking, leering, staring, lurking, offensive touching, and obscene acts such as sex acts and indecent exposure.
  - Encouraging, promoting, or inciting illegal activity or violence against or physical injury to individuals or groups of individuals
- 

**Treat your library appropriately and with respect.**

- Use library facility, materials, and furnishings as intended. Moving furniture without the express consent of the library staff or use of furniture in any manner that may damage the furniture, to include placing feet on the furniture is prohibited.
- Bathing, shaving, & doing laundry are prohibited in the library, including the library restrooms.
- Damage and/or destruction of library materials or property are violations of California Penal Code Section 594.
- The library facility may not be used for conducting or soliciting business.
- Pets are not allowed inside the Library. Service animals are allowed per ADA guidelines. Service animals must be under the control of the owner.
- Violating the library's rules for acceptable use of the internet and library public computers shall not be tolerated. A user accepts these rules before accessing the Internet through a library computer. Paper copies of these rules will be made available by staff upon request. Exhibiting harmful or offensive materials to minors, whether in print or on an electronic screen, is prohibited.
- Library staff has limited resources, including time. Requests for library services should be concise and non-duplicative. Any patron deemed to be monopolizing or abusing staff resources may be asked to submit all requests in writing, to be addressed as staff time and resources permit.

## STAFF RESPONSE TO INFRACTIONS

Violation of these rules can result in expulsion from the library and forfeiture of library privileges. Minor violations of these rules will first result in library staff attempting to educate or warn individuals about the policies before enforcing such policies. However, any conduct that is overly disruptive, threatens the life or safety of any person, shows a pattern of intentional harassment, or that is damaging to library property, equipment or facilities may result in immediate expulsion from the library premises. Library staff is authorized to contact the Town Police Department to respond to such situations.

Repeat misconduct or severe offenses (even if a single isolated event) may result in individuals receiving a temporary ban from the Library. The length of the ban may begin at or progress from any phase listed below based on the severity of the misconduct. Individuals receiving bans may appeal.

### Special Considerations for Minors under 18 years of age:

While children between the ages of 10 and 17 may use the Library independently of parents or caregivers, they are accountable for their behavior and may be subject to the same progressive bans as adults. Library Staff may call for the assistance of a Police Officer to obtain identification or information regarding the minor's parents, caregivers, or adult person of record. For bans of one week or more, staff will make reasonable effort to call parents, caregivers, or adult person of record about the problem behavior of child and send a letter from Library Administration explaining reason(s) for child's ban, duration of ban, terms of ban, and terms of required meeting with Library Administration before return of Library privileges for child will be considered.

One-day ban: Staff may ban an individual for the day and warn them that further violations of the Rules of Conduct could lead to imposition of a longer ban. Staff shall explain the reasons for the ban. Staff will contact the Police Department for assistance when the individual refuses to leave the library facilities, or the severity of the incident necessitates that Police obtain identification of the individual.

One-week ban: The provisions above apply with the addition that staff will make reasonable attempts to issue a formal letter explaining the ban to the individual. A copy of this letter will be sent to the Town Attorney's office. A meeting with the Library Director may be required at the discretion of the Library Director to reinstate Library privileges; the ban may remain in-effect until this meeting has occurred.

One-Month Ban: The provisions above apply. A meeting with the Library Director is required to reinstate Library privileges. If the patron banned is a minor, they will be allowed to enter the Library during the ban period only in the direct company and supervision of their parent or

guardian for the purpose of checking out materials; minors will still have access to online Library resources during the ban period in order to facilitate their schoolwork.

Three-month to One-year Ban: The provisions above apply with the addition that all information surrounding the incident will be given to the Police Department and the Town Attorney's office. For minors, a one-year ban period will run from the date of the ban until the start of the following school year's fall semester.

*NON-COMPLIANCE WITH BAN - TRESPASSING:*

If a banned individual enters the Town of Los Gatos Library before the return date listed in the ban letter, police will be called, and the individual may be arrested for trespassing under Town Code Section 18.10.020 and/or Penal Code Section 602 & 415.

Appeal

A visitor may request an appeal of the ban in writing to the Town Librarian within ten working days of the ban notification. **THE BAN FROM THE LIBRARY SHALL REMAIN IN EFFECT DURING THE APPEAL PROCESS.**

The Town Librarian will respond in writing within ten working days. If the individual is not satisfied with the Town Librarian's response, the individual may appeal in writing within ten working days to the Town Manager. The Town Manager shall hold a hearing within 30 days after the notice has been filed. The appellant shall be notified at least 10 days before the hearing. Within 30 days of the completion of the hearing, the Town Manager shall issue a written decision stating the reasons therefore. The Town Manager shall have the power to affirm or reverse the written determination or to remand it to the Director or designee with instructions for reconsideration. The decision, except for remand, shall be a final determination for the purposes of judicial review.