



Rancho Cucamonga Public Library
Policy: Library Code of Conduct

EFFECTIVE: 09/03/2015

REVISED: 3/07/2018

Introduction: The Rancho Cucamonga Public Library (Library) welcomes all residents and visitors and is dedicated to free and equal access to information, knowledge, independent learning and the joys of reading for our diverse community.

The Library seeks to provide its library users with a safe and pleasant library experience in an atmosphere conducive to studying, reading, learning and appropriate use of materials and services. The Library recognizes its unique position and responsibility to educate, inform and enlighten the community through the sharing of a vast collection of resources that enable all to participate fully in our democratic society as members of a knowledgeable and educated citizenry.

Practice: With public service being its highest priority, the Library has established certain rules and regulations governing its use, such that all persons may enjoy the benefits of the Library. All Library staff are authorized and expected to enforce these rules and regulations and may intervene to stop prohibited activities or behaviors. Individuals visiting the Library or using its facilities or services must comply with this Code of Conduct.

Individuals who interfere with Library staff in the performance of their duties or who fail to follow any instructions by a staff member to correct prohibited behavior will be subject to exclusion from Library property. Individuals refusing to leave after receiving a notice of exclusion will be subject to arrest and prosecution under California Penal Code Section 602.1(b).

This Code of Conduct incorporates exclusion periods and other consequences that may be imposed by the Library but does not preclude or supersede other consequences or penalties that may be imposed by Federal, State or local law. Illegal activity, as well as willful or repeated violations of this Code of Conduct or other posted Library regulations (i.e. *Technology Center, Public Computer Use and Internet Policy*), may result in removal from the facility and/or suspension of Library privileges. In addition, where authorized by Federal, State or local law, violations of this Code of Conduct may also result in arrest. Repeated violations will result in longer periods of exclusion. Library users who wish to request a reasonable modification of this Code of Conduct due to a disability or health problem may contact Library staff or may call the Library Administration office at 909-477-2720.

TO ENSURE ACCESS TO LIBRARY SERVICES AND FOR THE SAFETY OF ALL USERS, THE FOLLOWING BEHAVIORS ARE PROHIBITED ON LIBRARY PROPERTY.

Level One Minor Violations		Consequences (Exclusion Period)		
		1 st Offense	2 nd Offense	3 rd Offense
1	Entering the Library without clothing covering the upper and lower body or without shoes or other footwear.	Verbal warning only—Library user may correct or leave	1 Day	7 Days
2	Making any loud or disruptive noise, including the disruptive use of personal electronic devices.			
3	Consuming food in the stacks or in the Technology Center. Food and beverages with secure lids are acceptable throughout other areas of the Library.			
4	Blocking aisles, doorways, stairways, elevators or ramps. Large objects such as carts, bicycles and luggage may not be brought into the Library. Library users must keep personal belongings with them at all times.			
5	Exiting the building with Library materials or taking Library materials into a restroom prior to check out.			
6	Using tobacco, tobacco products, or vaping devices in any form in the Library or within 20 feet of any entryway into the Library.			
7	Soliciting, petitioning, distributing written materials or canvassing for any purpose within the Library building.			
8	Blocking Library entrance areas or interfering with the free flow of pedestrian traffic in such areas.			
9	Commercial photography or filming, without prior written permission from the Rancho Cucamonga Communication Manager.			
10	Selling anything within the Library or using the Library facility to conduct a business or provide client services without prior permission from the Library Director.			
11	Using Library facilities for bathing, shaving, washing hair, changing or laundering clothing.			
12	Emitting pervasive odors including, but not limited to, odors caused by food, drink, perfume or cologne, that disturb others or damage Library property.			
13	Fraudulently using another Library patron’s library card and/or account number for any purpose, including to reserve computers.			
14	Failing to comply with a staff request to cease a behavior that interferes with the effective operation of the Library.			

15	<p>The Library's <i>Public Computer Use and Internet Policy</i> must be agreed to electronically prior to the commencement of an internet session. In addition to this policy, Library users agree to abide by the following rules for any device, personal or otherwise, while in the Library:</p> <ul style="list-style-type: none"> • Stop viewing an internet site if staff determines that the site may create a hostile environment for staff or patrons. • Not access sites that are inappropriate for minors if the user's device may be visible to minors. • Not view, print, upload, download or otherwise access material unlawfully. • Not intercept or receive data not specifically intended for you. 	<p>Verbal warning only—Library user may correct or leave</p>	<p>1 Day</p>	<p>7 Days</p>			
16	Refusing to leave building during an emergency evacuation or drill.						
17	Manipulating or interfering with Rancho Cucamonga Public Library computers, catalogs, internet reservation system or print management system.						
18	Adults using Children's or Teen areas without a child or need for Children's/Teen collections.						
19	Lying down or sleeping in the Library.						
20	Leaving personal belongings unattended. Unattended personal belongings are defined as anything not stored by a staff member and that are not in the control of their owner.						
21	Verbal communication or non-verbal attention that is willful, malicious, or repeated harassment.						
22	Roller skates, scooters, skateboards or other similar devices must not be used on Library property. Bicycles may not be brought into the Library.						
23	<p>Leaving a child under 12 years of age unattended. Minor children visiting the Library are the responsibility of their parents or guardians. The Library cannot accept responsibility for the safety and supervision of minor children. See the Library's <i>Unaccompanied Child Policy</i></p>				<p>Notify Supervisor and follow <i>Unaccompanied Child Policy</i></p>		
24	<p>Bringing animals other than service animals into the Library. Only service animals (and service animals in training) or animals which are part of a Library program are permitted in the Library. Service animals are defined as dogs or miniature horses that are individually trained to do work or perform tasks for people with disabilities.</p>				<p>Leave building; may return without pet.</p>		

Level Two Moderate Violations		Consequences (Exclusion Period)		
		1st Offense	2nd Offense	3rd Offense
25	Unauthorized presence in designated staff-only areas; entering or remaining inside the Library before or after posted hours of operation.	30 Days	90 Days	1 Year
26	Smoking in restrooms, intentionally clogging plumbing, or looking into an area designed to provide privacy to a person using the area.			
27	Exhibiting signs of or being under the influence of alcohol; being under the influence of any controlled substance listed in Schedules I-V of the Controlled Substances Act, 21 U.S.C. § 812.			
28	Using obscene or threatening language or words otherwise likely to provoke an immediate violent reaction.			
29	Possessing, consuming, distributing, or selling, any alcoholic beverage or marijuana product. This prohibition does not apply to alcohol permitted at a Library-approved event.			
Level Three Severe Violations		Consequences (Exclusion Period)		
		1st Offense	2nd Offense	3rd Offense
30	Depositing bodily fluids or excrement on any Library property, including, but not limited to, Library collections, equipment, furnishings, walls and flooring.	Minimum 1 Year	Minimum 2 Years	Minimum 3 Years
31	Engaging in any physical altercation.			
32	Threatening or harassing Library users and/or staff by exhibiting abusive or threatening behavior, including the use of profanity or gestures.			
33	Carrying weapons of any kind, including firearms, blades or impact weapons in the Library, or at Library programs or events. Exemptions—recognized Law Enforcement Officers and individuals licensed to carry handguns in accordance with state law.			
34	Engaging in acts of sexual misconduct, including indecent exposure, sexual contact and sexual intercourse and/or exhibiting lewd and lascivious acts.			
35	Committing theft of or vandalism to Library property, or personal property of another.			
36	Returning to the Library prior to expiration of the exclusion period, except when submitting a written appeal of the notice of exclusion.	Double existing exclusion period.	Double existing exclusion period.	Double existing exclusion period.

Written Notice of Rule Violation AND Exclusion from Library Premises

Library staff shall provide all persons who have been excluded from library premises with a written notice informing the person of the specific nature of the code 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 or email, within a reasonable time thereafter, however, excluded persons are not required to take the written notice of exclusion.

Appeal Procedure

Patrons who have been issued an exclusion notice may appeal this action by filing a written request with the City Manager at the City Manager's Office, (10500 Civic Center Drive, Rancho Cucamonga, CA 91730) within fifteen (15) business days after receipt of the notice, setting forth the name and address of the appellant and the reasons why the exclusion notice should be rescinded. Failure to file an appeal within such fifteen (15) business day period shall be a waiver of all rights to review the action, and any appeal filed after this time shall be dismissed by the City Manager or the City Manager's designee. The name and address set forth in the written request for appeal shall be deemed correct, and mailing to the person at such address, by first class mail, shall be deemed delivered three (3) days after the date of mailing. Failure of the person to actually receive notice of the appeal hearing or the City Manager or designee's decision if mailed to the address set forth in the written request shall not invalidate or otherwise affect the validity of any action or decision. If a request for an appeal is filed, the exclusion notice shall be stayed until such time as the City Manager or designee has issued a final decision upholding or rescinding the notice.

Unless the appellant and the City agree to a longer period, an appeal shall be heard by the City Manager or designee within fifteen (15) business days of the filing of the request. At least five (5) business days prior to the hearing, the City shall mail notice of the time and location of the hearing to the appellant at the address set forth on the request.

The appellant must personally appear at any hearing regarding the appeal. Failure to appear at the hearing, absent good cause shown, shall result in the dismissal of the appeal.

The City Manager or designee shall hear and determine the appeal on the basis of the appellant's written statement and any additional evidence the Library Director or designee deems appropriate. The appellant has a right to be represented by counsel at appellant's sole expense. At the hearing, the appellant may present testimony, evidence, and oral argument. The City has the burden of proof to demonstrate, by a preponderance of the evidence, that the issuance of the exclusion notice was based upon the requisite prohibited conduct by the appellant.

The City Manager or designee shall issue a written decision within ten (10) business days of the hearing date. A copy of the decision shall be mailed to the person's address as set forth on the request and shall be deemed effective upon actual receipt, or three (3) days after mailing, whichever is sooner. If issuance of the exclusion notice is upheld, a period of exclusion shall commence immediately upon the effective date of the decision.

**This policy has been reviewed and recommended by the Rancho Cucamonga Library Board of Trustees.
December 7, 2017**