

6. PATRON RULES OF CONDUCT

The San Bernardino Public Library performs a unique and important function in the life of the residents of the City of San Bernardino. The Library is a place dedicated to quiet, knowledge, intellectual inquiry and the arts; to those ends the Library Board desires to maintain an atmosphere conducive to reading, studying, and research. The Library Board is committed to promoting equal access to information and the Library is open to people of all ages and backgrounds so that they may access a vast array of literature, research information about current events, explore the internet, perform schoolwork and become better connected to this community. The Library enables all people to fully participate in our democratic society with particular concern for economically disenfranchised populations like the homeless. The purpose of these Rules is to regulate conduct, not to isolate or discourage any person from exercising their right to access information.

Understanding that it is the mission of the Library to provide these services to all, the Library Board adopts these Rules to ensure that individual conduct does not interfere with public's right to use the Library for its intended purposes.

6.1. Permitted Conduct

All persons within the Library shall be engaged in activities associated with the intended purpose of the Library such as reading, studying, quiet contemplation, or using Library resources. Any person not engaged in activities associated with the intended purpose of the Library shall be required to leave the Library.

6.2. Prohibited Conduct

No person within the Library may willfully disrupt the public's ability to use the Library for its intended purpose. For the purposes of this Rule, "willfully disrupt" includes, but is not limited to, continuing to violate any of the listed Rules below after being warned.

6.2.1. Bringing any of the following items into the Library is prohibited:

- A. Any animal, with the exception of service animals, as defined under the Americans with Disabilities Act (ADA) and animals involved in Library programs;
- B. Personal belongings that collectively exceed 22" x 14" x 12", with the exception of musical instruments and their cases. Only library-oriented materials may be brought into the library. Items such as writing materials, book bags, briefcases, etc. are acceptable. Sleeping bags, bed rolls, blankets (blankets for small children are acceptable) and other personal items are not.
- C. Shopping carts or other wheeled conveyances, with the following exceptions: (1) any wheeled device used for the actual transport of a person or child, such as a wheelchair, walker, or stroller and (2) any rolling

backpack or case;

- D. Alcohol or drugs;
- E. Guns, knives, or any other weapons; or
- F. Food or liquids, with the exception of drinking water contained within a leak-proof water bottle with secured cap.

6.2.2. Engaging in any of the following conduct is prohibited:

- A. Disturbing the quiet of the Library;
- B. Interfering with Library employees in the performance of their duties;
- C. Obstructing, intimidating, stalking, or causing annoyance or harm to patrons or employees of the Library;
- D. Photographing, audio recording, or filming in a manner that disrupts or interferes with the operation of the Library;
- E. Using any part of the Library, including the Library's restroom facilities, for activities other than the intended use, such as: washing or drying clothes or utensils, bathing, shaving, personal grooming, or sexual activity;
- F. Abusing, damaging, moving or stealing materials, furniture, equipment or other items belonging to the Library, employees or patrons;
- G. Using wheeled recreational devices within the Library, such as roller skates, Heelys, hoverboards, scooters, roller blades, skateboards, bicycles, Segways, or other similar devices;
- H. Consuming or appearing to be under the influence of alcohol, cannabis or drugs within the Library;
- I. Smoking or the use of tobacco products, cannabis, or electronic cigarettes in the Library or within fifty (50) feet of the Library's entrances;
- J. Gambling of any kind, including engaging in games of chance, lotteries, or raffles or soliciting participation for the same;
- K. Soliciting, circulating petitions, conducting interviews or surveys, selling, distributing or posting printed material, or similar activities within fifty (50) feet of the Library that disrupts or interferes with the operation of the Library;

- L. Violating any other posted Rule of the Library;
- M. Any other activity banned by federal, state or local law; or
- N. Disrupting, disturbing, or impeding the public's ability to use the Library for its intended purpose.
- O. Placing personal belongings in a manner that interferes or obstructs access to the Library's entrances, aisles, public areas, or materials.

6.3. Unattended Items

Items cannot be left unattended inside or outside the Library. The Library is not responsible for any unattended items left within or outside the Library.

6.4. Appearance and Hygiene

Patrons shall not be permitted to enter the Library without covering of their upper and lower bodies or without shoes or other footwear. Patrons whose bodily hygiene is offensive so as to constitute a nuisance to other persons shall be required to leave the Library.

6.5. Public Restrooms

The three city-owned libraries (Feldheim, Rowe and Villaseñor) do not offer single-user restrooms. Patrons can use the bathroom facility to the gender they identify with but cannot choose to use both bathrooms.

6.6. Enforcement.

6.6.1. Equal application. The Library Director shall ensure that these Rules are enforced equally as to all patrons.

6.6.2. Posting. The Library Director ensure that these Rules are posted in a conspicuous place within the Library.

6.6.3. Minor/isolated violations. When a patron exhibits conduct contrary to these Rules that is a minor violation and/or isolated occurrence, the Library Director, any City employee or official, or agent thereof, may verbally warn the patron that their conduct violates these Rules and further violation may result in temporary removal from the Library.

6.6.4. Serious/repeated violations. When a patron exhibits conduct contrary to these Rules that is a serious violation and/or repeated occurrence, the Library Director, any City employee or official, or agent thereof, may, depending on the severity of the conduct:

- A. FOR LESS SEVERE VIOLATIONS.** Verbally warn the patron that their

conduct violates these Rules and further violation may result in a temporary removal from the Library and/or referral of the matter to the Library Board to consider a permanent ban from the Library; or

B. FOR MORE SEVERE VIOLATIONS. Issue a written warning to the patron that their conduct violates these Rules and further violation may result in a temporary removal from the Library and/or referral of the matter to the Library Board to consider a temporary suspension or permanent ban from the Library; and

6.6.5. Temporary removal. For the most severe violations of these Rules, or in the event that a patron continues to violate these Rules after a warning has been given by the Library Director or staff, the Library Director may order the patron removed from the Library in conformity with San Bernardino Municipal Code Section 9.12.030.

6.6.6. Violations log. The Library Director shall keep a log of all Serious/Repeated violations of these Rules, any warnings given, and any temporary removals that occur. The log shall include a description of the unpermitted conduct with specific details, a list of all witnesses and an explanation of why the conduct violates a Rule or Rules.

6.6.7. Temporary suspension. In addition to any other remedies available by law, the Library Director may refer patrons that have engaged in severe and/or repeated violations to the Library Board to consider a temporary suspension from the Library.

6.6.8. Permanent ban. In addition to any other remedies available by law, the Library Director may refer patrons that have engaged in severe and/or repeated violations to the Library Board to consider a permanent ban from the Library.

1. Notice of violations and hearing. The Library Director shall make reasonable efforts to inform the patron in writing of the referral to the Library Board. The notice shall include: (1) the date, time, and place of the hearing, (2) the Rule(s) that the patron has violated, (3) an explanation of how the Patron's conduct violates the Rule(s) and (4) a recommend action for the Library Board.

2. Hearing date and time. The Library Director shall set the hearing at the next regularly scheduled meeting of the Library Board that is at least ten (10) days after notice has been given. The hearing may be rescheduled at the request of the patron, Library Director, or at the direction of the Library Board.

3. Hearing conduct. At the hearing, the Library Board shall hear evidence from the Library Director and from the patron. The parties may be represented by counsel, but the hearing shall be conducted informally and shall not be bound by the formal rules of evidence. The hearing may be continued from time to time for the convenience of the parties, and upon

the completion the Library Board may decide the matter or take the matter under submission.

4. **Decision.** The Library Board, by majority vote of those present at the hearing, shall render a decision upholding, modifying, or rejecting the recommendation of the Library Director.

6.7. Unknown Patron

In cases where a patron violates the Library Code of Conduct and was not identified by name by Library staff, the Library Board may provisionally ban the patron for a period not to exceed six (6) months, as recommended by the Library Director. The ban notice shall be posted in a public place within the Library and describe the person and the incident that led to the ban. The post shall also provide the patron with an opportunity to appeal the decision within thirty (30) days after posting by submitting a written request to the Library Director including name, address and, if available, library card number.

3/13/18 REVISED ~~1/8/19~~, ~~4/9/19~~, ~~5/14/19~~, 1/14/2020