

**Behavior Policy Governing the Use of****Oregon City Public Library****Summary**

To achieve the Oregon City Public Library's mission of providing materials and services to all members of the community, the following behavior rules are enforced by library staff. These rules are in place to protect your rights and safety as a library patron, as well as the rights and safety of other patrons and staff members. These rules also help preserve and protect library materials, facilities, and property. Persons who violate the following rules may be asked to leave the premises and may be excluded from the library.

**Classification of Violations and Progression of Corrective Efforts**

Depending on the nature of the prohibited conduct, violations are classified into three levels: Level 1 (Minor), Level 2 (Moderate), and Level 3 (Severe).

- For Level 1 or Level 2 violations, exclusion periods are determined based on the total number of violations within the previous 6 months. Violations need not be for the same rule to be subject to stricter enforcement.
- For Level 3 violations, any previous patron behavior may be used when determining the cumulative number of violations and associated exclusion period.

In general, staff corrective efforts for prohibited conduct will follow the progressions noted below. Please see "Behavior Violations by Minors" section below for further considerations/options when Level 1 or Level 2 violations are committed by minors.

- **Level 1 (Minor)**

1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>	5 <sup>th</sup>	6 <sup>th</sup> +
Warning / education	1 day	3 days	7 days	14 days	30 days

- **Level 2 (Moderate)**

1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>	5 <sup>th</sup>	6 <sup>th</sup> +
Warning / education (at staff discretion) up to 1 day	7 days	14 days	30 days	60 days	90 days

- **Level 3 (Severe)**

1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup> +
Permanent exclusion, may request exclusion be lifted after 1 year.	Permanent exclusion, may request exclusion be lifted after 2 years.	Permanent exclusion, may request exclusion be lifted after 3 years.

**Behavior Violations by Minors**

At the discretion of the Library Director or their designee, minors who commit Level 1 or Level 2 violations may, in lieu of exclusion, be required to be accompanied by a parent or legal guardian when in the Library for a period of up to 180 days.

**LEVEL 1 VIOLATIONS (MINOR)**

- 1.1 Making any loud or unreasonable noise, including disruptive use of electronic devices.
- 1.2 Consuming food inside the library.
- 1.3 Sleeping in the library.
- 1.4 Not wearing upper and lower body coverings and footwear while inside the library.
- 1.5 Entering the library with excessively wet or actively dripping clothing, belongings, or person.
- 1.6 Emitting pervasive odors that disturb others or damage library property.
- 1.7 Making requests or demands whose frequency or nature prevent staff from assisting other patrons or fulfilling their responsibilities.
- 1.8 Adults sitting in the children's room or teen area without the accompaniment of a child or teen. Browsing of children and teen collections by all ages is permitted.
- 1.9 Failing to check out library materials before exiting the library.
- 1.10 Soliciting, petitioning, distributing written materials, conducting surveys, or canvassing inside Library or outside the library in a manner that interferes with access to the library.

**LEVEL 2 VIOLATIONS (MODERATE)**

- 2.1 Using library spaces, materials, equipment, furniture, or building in a manner inconsistent with intended use, or in a destructive or potentially damaging manner.
- 2.2 Blocking or obstructing furniture, aisles, doorways, stairways, elevators, ramps, or otherwise impeding access to and free flow of traffic within the library.
- 2.3. Engaging in any action or activity which interferes with free passage into and within the library or interferes with the use of the library by staff or patrons.
- 2.4 Improperly or unreasonably using library restrooms, including, but not limited to, bathing, washing hair, washing items, or clogging plumbing.
- 2.5 Monopolizing library space, equipment, or outlets to the exclusion of others.
- 2.6 Not complying with reasonable direction of a library staff member.

- 2.7 Using any tobacco product, inhaled nicotine, or consumption of cannabinoid product in the library, as well as any use of the same outside the library in a manner that affects the library or is in violation of the Indoor Clean Air Act.
- 2.8 Not complying with Library, City, State, or Federal public health and safety requirements.
- 2.9 Bringing in any personal items or property that appear to be infested or have a foul odor that disturbs other persons.
- 2.10 Bringing bicycles or motorized vehicles into the library except as required for compliance with Americans with Disabilities Act.
- 2.11 Operating bicycles, roller skates, skateboards, collapsible scooters, or other similar equipment in the library or on library walkways in a manner that interferes with access to the library.
- 2.12 Bringing non-service animals into the library except as allowed at a library approved event. Service animals must remain within the control of the person they are with.
- 2.13 Tethering animals or leaving animals unattended outside the library.
- 2.14 Using another patron's library card and/or account number fraudulently or without authorization for any purpose.
- 2.15 Being present in designated staff-only areas without authorization.
- 2.16 Refusing to leave the library during an emergency evacuation or emergency drill.
- 2.17 Engaging in other conduct that disrupts or interferes with the normal operation of the library or disturbs library staff or patrons.

**LEVEL 3 VIOLATIONS (SEVERE)**

- 3.1 Committing or attempting to commit any activity that would constitute a violation of any federal or state criminal statutes or city ordinance.
- 3.2 Engaging in harassment as defined in ORS 166.065.
- 3.3 Engaging in conduct that involves the use of abusive, obscene, sexual, or threatening language or gestures.
- 3.4 Directing a threat of violence or a threat of physical harm against an individual, group, or property.
- 3.5 Bringing a dangerous weapon, deadly weapon, or firearm or other weapon (As defined in ORS 166.360(10)) into the library, unless otherwise permitted by state or federal law.
- 3.6 Using (without a prescription), possessing, selling, or distributing alcohol or other controlled substances (as defined in ORS 475.005).
- 3.7 Engaging in sexual conduct, as defined under ORS 167.060, including but not limited to indecent exposure or physical contact through clothing for sexual gratification.
- 3.8 Violating another person's reasonable expectation of privacy as defined in ORS 163.700 (2)(d).
- 3.9 Entering or remaining in the library after posted closing hours without authorization.
- 3.10 Engaging in physical altercations including assaults and fighting.
- 3.11 Depositing bodily fluids on library property, including library collections, equipment, and furnishings.

All sections of this behavior policy are subject to exceptions at the discretion of the Library Director or designee.

**Information Sharing**

Records of violations compiled by the Library may be shared with other City departments, other local governments, responding agencies, other libraries, and other community service organizations.

Information shared will be limited to patron name (if known), patron physical description/image, specific policy violation(s), description or account of prohibited conduct, and length of exclusion.

**Multiple violations**

When determining length of exclusion due to multiple violations, the longest exclusion time warranted will predominantly be used.

**Other Consequences/Penalties**

Exclusion by the library does not preclude or supersede other consequences or penalties that may be prescribed or imposed by City ordinance, County ordinance, state rule or law, or federal rule or law.

**Appeal of Notice of Exclusion Issuance**

Staff will make reasonable attempts to provide all individuals who are excluded from the library for more than 7 days with a printed Notice of Exclusion which outlines the appeal process (please see Appendix A for a sample of the Notice of Exclusion).

**Request to Lift Permanent Exclusion**

Those subject to a permanent exclusion for a Level 3 violation may request to have the permanent exclusion lifted after the appropriate time period noted above. Any such request must be sent in writing to the Library Director, must include current contact information (phone number, mailing address, or email address), and should include any relevant information which demonstrates why the permanent exclusion should be lifted. The Library Director, or their designee, shall respond in writing to all requests.

*Approved by Oregon City Library Board – November 29, 2023*

*Authorized by Anthony J. Konkol III, City Manager – January 03, 2024*

**APPENDIX A – NOTICE OF EXCLUSION**

<input type="checkbox"/> OREGON CITY PUBLIC LIBRARY <b>NOTICE OF EXCLUSION</b> and Notice of Right to Appeal			Police Incident Report #	
RECIPIENT	Name: Last	First	Middle	Library Card # or Driver's License/ID #
	Res. Address:	State	Zip	Phone:

*Under the authority of Oregon City Public Library, you are hereby notified that you are prohibited from entering in or using all City of Oregon City Library facilities.*

The basis for this Notice of Exclusion is that on \_\_\_\_\_, you violated # \_\_\_\_\_ of the Patron Behavior Policy.  
Notes:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**This exclusion is effective beginning on \_\_\_\_\_, and shall remain in effect until \_\_\_\_\_.**

**This is an immediate exclusion.**

You are prohibited from entering or using any City of Oregon City Public Library facility during the effective period of this Notice. If you violate this exclusion notice, you will be reported as trespassing to law enforcement.

As used herein, "City of Oregon City Public Library" includes the Main Library located at 606 John Adams and all Library parking lots and walkways, other than public right of ways.

You are entitled to appeal this Notice of Exclusion. In order to do so, a written appeal must be submitted in writing by 5:00 PM on the fifth calendar day following issuance of this Notice of Exclusion. The appeal must include current contact information (phone number, mailing address, or email address). Appeals may be sent to the following address: Oregon City Public Library, 606 John Adams St, Oregon City, OR 97045 Att: Denise Butcher, Library Operations Manager or at [dbutcher@orc.org](mailto:dbutcher@orc.org). Any appeal will be heard and finally decided by the City Manager.

**This Notice shall remain in effect while the appeal is being reviewed. A written response from the City Manager, Library Director, or their designee will be sent within 5 calendar days of the receipt of the appeal.**

This Notice of Exclusion was delivered to the person named at the top of this Notice at the date and time shown below by:

(Signature of person issuing/delivering notice)

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

I hereby acknowledge receipt of the above Notice on the date and time indicated above. **Signing is not an admission of guilt, only affirming receipt of the notice.**

(Signature of person being issued the notice)

Patron refused to sign  
Staff signature and date \_\_\_\_\_

Witness \_\_\_\_\_