RULES OF LIBRARY CONDUCT

Revised 03/08/21

Purpose:

The freedom of access to ideas, information, and technology is one of the highest priorities for the Riverside Public Library. The Board of Library Trustees affirms its support of the *Library Bill of Rights* which protects the rights of individuals to use a library regardless of origin, age, background, or views. Additionally, the Board of Library Trustees acknowledges the library's responsibilities to safeguard the accessibility of information for those who cannot afford to do so.

The Riverside Public Library has established Rules of Library Conduct for the successful running of its facilities, to maintain an appropriate library environment, and to ensure customers enjoy their library visits. The following Rules of Library Conduct were approved by the Board of Library Trustees on March 25, 2013, and are to be used by library staff in maintaining a positive and appropriate library environment.

Rules of Library Conduct Identified and Prohibited by Riverside Municipal Code Section 9.75

Library customers shall abide by and conduct themselves in accordance with the following rules when enjoying their library privileges:

1. Abide by all federal, state, and local laws, including but not limited to: theft, possession of weapons or any illegal or controlled substance, consuming alcohol or being under the influence of drugs or alcohol, engaging in sexual activity, harassing others, or behaving in a threatening or abusive manner. (Cal. Penal Code, Section 495.5 Theft of Library Books and Materials; Cal. Penal Code, Section 171(b) entering any library building with firearms or other dangerous weapons, with the exception of those individuals authorized to possess weapons in a local public building or open public meeting; Cal. Health and Safety Code, Section 11550 Under the influence of a controlled substance; Cal. Health and Safety Code, Section 11634(a) Possession of an instrument used for smoking or injecting a controlled substance; RMC, Section 9.05.020 Possession of an open alcoholic beverage container; RMC, Section 9.05.030 Consumption of an alcoholic beverage in a public place; Cal. Penal Code, Section 314.1 Indecent exposure; Cal. Penal code, Section 415 Disturbing the peace; fighting, causing loud noise, or using offensive words in a public place; Cal. Penal Code, Section 602.1(b) Intentionally interfering with lawful business carried on by employees of a public agency open to the public; Cal. Penal Code, Section 602(q) Refusing or failing to leave a public building; Cal. Penal Code, Section 647 Lewd and dissolute conduct, solicitation, loitering, public intoxication; Cal. Penal Code, Section 414 et seq. and 331 et seq. Disseminating, downloading, viewing, or printing from public library computer illegal materials including but limited to obscene or harmful matter; Cal. Penal Code, Section 594 Vandalism; Cal. Education Code, Section 19910 Maliciously damaging library materials; Cal. Penal Code Section 4905 Unlawfully taking library materials; Cal. Gov't Code, Section 7597(a) Smoking any tobacco product inside a library building or withing twenty-five feet of a main exit, entrance or operable window of a library building, including vaping and cannabis use).

2. Eating and drinking is prohibited in library facilities with the exception of capped water bottles. (RMC 9.75.030, Section U)

3. Children under the age of 12 must be accompanied at all times while on library grounds by a parent, guardian, or other responsible party over the age of 18. Parents are responsible for monitoring the safety, activities, and behavior of their children while visiting the library. The Library is not responsible for the supervision of a minor left unattended. (RMC 9.75.030, Section H)

4. Library staff may restrict adult use of children's areas in order to ensure the adequate protection of the library facilities and of persons and property therein. (RMC 9.75.030, Section G)

5. Shirts and shoes or other footwear are required at all times within the library building. (RMC 9.75.030, Section C)

6. People, animals, or personal property must not block aisles, doorways, entrances, stairways, elevators, or ramps. Large objects such as shopping carts, bicycles, or bags may not be brought into library facilities. (RMC 9.75.030 Section E and I)

7. Personal property must be within the sight of the owner and storable under the user's chair. (RMC 9.75.030, Section I)

8. Persons under the influence of alcohol or non-prescription drugs are not allowed on library property. (RMC Section A (7), (15), (16), (17), (18))

9. Smoking is not permitted inside library facilities or within 25 ~~20~~ feet of any door or open window. The use of incendiary devices such as lighters, matches, and candles are also not permitted. (RMC 9.75.030, Section B); Cal. Gov't Code, Section 7597(a) Smoking any tobacco product inside a library building or withing twenty-five feet of a main exit, entrance or operable window of a library building, including vaping and cannabis use).

10. Persons who remain at library facilities after closing and who need assistance to return home will be referred to the police in order to ensure their safety. The Police Department will be called to assist with unattended minors that remain at the library after 10 minutes past closing time. Persons who refuse to vacate the library at closing time or during an emergency evacuation will be reported to the appropriate authorities. (RMC 9.75.030, Section L)

11. Roller skates/blades, scooters, skateboards, bicycles, shoes, with roller mechanisms or other similar devices must not be used in the library. (RMC Section J)

12. Sleeping or lying on the floor or furniture is prohibited. (RMC 9.75.030, Section K)

13. Personal items left unattended will be collected by library staff and placed in the library's lost and found for one month. After a month the library will discard all uncollected items. (RMC 9.75.030, Section I)

14. Use of the library's facilities, materials, and furnishings as intended. Malicious damage and/or destruction of library materials or property are a violation of the law. (Cal. Education Code, Section 19910 Maliciously damaging library materials and books; Cal. Penal Code, Section 594 Vandalism)

15. Library cards are non-transferable and non-assignable. (RMC 9.75.030, Section V)

16. Soliciting money, donations, selling merchandise, or distributing/posting printed materials that have not been approved by a Branch Manager is prohibited. (RMC 9.75..030, Section N and Section P)

17. Media or commercial photography or filming must receive prior approval from the Library Director. (RMC 9.75.030, Section O)

18. Unreasonable use of restrooms, including laundering, bathing, shaving, or washing hair is prohibited. (RMC 9.75.030, Section S)

19. Library computer policies must be followed. A copy of the library computer policies are available upon request. Unlawful use of library computers is prohibited, including but not limited to, City policy, violations of copyright laws and accessing unlawful content. (Cal. Penal Code Sections 414 et seq. and 331 et seq)

20. Harassing or threatening library customers or staff, including behavior that is intimidating, hostile, offensive, or adversely impacts library customers, staff, or operations is prohibited. (RMC 9.75.030, Section G)

21. Persistent staring, leering, lewd gestures to denote sexual activity, or intentionally blocking another person's path, following, or photographing library customers or staff is prohibited. (RMC 9.75.030, Section G)

22. Maintain good personal hygiene so as not to be offensive to others or cause allergic or asthmatic reactions. Hygiene that is objectionable includes, but is not limited to, offensive body odor and excessive use of scented products. (RMC 9.75.030, Section T)

23. Entering library facilities with symptoms of illness that are an immediate threat to library staff and customers, such as vomiting, open wounds, or lice. Ordinance 7546, Section(d)

24. Making any loud or unreasonable noise or other disturbance, including disruptive use of personal communications or entertainment devices is prohibited. Personal entertainment devices must be operated with headphones at a volume level that does not disturb others.

25. Engaging in horseplay, running, playing in the elevator, or intentionally interfering with the intended use of the library by others or the duties of library staff is prohibited.

26. State law permits library staff to search purses, bags, parcels, briefcases, and other packages in order to prevent the theft of library materials or property. State law authorizes the detention for a reasonable period of any person using these facilities suspected of committing "library theft". (Ca. Penal Code Section 490.5)

27. The library provides designated study tables and/or rooms for informal groups to meet without disrupting quieter areas of the library. Volunteer tutors such as those volunteering for the Literacy program or after school homework help have first-come, first –served use of this designated space. The use of library facilities for commercial functions (including tutor for pay) or private social functions is restricted to community rooms reserved in accordance with library policy. (RMC 9.75.030, Section(q) and Section M)

28. Moving library furniture or equipment without permission from library staff. (RMC 9.75.030, Section R)

29. Failing to return materials after notice. (Cal. Education Code, Section 199111)

Enforcement of Rules of Library Conduct

A library customer is subject to exclusion from the Library or may otherwise have his or her library privileges restricted or suspended if he or she (or a person under his or her control or direction) violates any of the Rules within ninety (90) days after he or she was given a verbal warning for a violation of the Rules and a subsequent written Warning Notice of a violation of the Rules. Serious violations of the Rules may result in the issuance of a written Warning Notice without a verbal warning.

1. Persons Authorized to Issue Warning or Exclusion Notices

Library employees, in consultation with their Branch Manager, are authorized to issue Warning and Exclusion Notices.

2. Issuance of Warning or Exclusion Notices

A. Warning Notice

After the issuance of a verbal warning to a Library customer for a violation of the Rules or immediately upon the occurrence of a serious Rules violation, a Library employee may issue a written Warning Notice for a Rules violation. The Warning Notice shall specify that the recipient must leave the Library for the remainder of the day, and that in the event a second violation of the Rules occurs within ninety (90) days of issuance of the Warning Notice, that person shall be subject to exclusion from the Library or the loss of some or all of his or her library privileges as the Library staff may determine to be appropriate. The Warning Notice shall also contain information concerning the right to appeal to the Library Director.

B. Exclusion Notice RMC Section 9.75.040 Enforcement of Rules of Library conduct

If a Library customer has received a Warning Notice and again violates a provision of the Rules within ninety (90) days of the date of issuance of the Warning Notice, a Library employee may issue a written Exclusion Notice excluding the person from the Library or losing some or all of his or her library privileges as the Library staff may determine to be appropriate. If the person is excluded from the Library, the exclusion shall be for a period of no less than one (1) month and no more than twelve (12) months.

The Exclusion Notice shall specify the person that is to be excluded from the Library, the period of the exclusion, the time the exclusion is to commence, any library privileges being lost and the specified period of loss, and information concerning the right to appeal the Exclusion Notice to the Library Director.

C. Right to Appeal RMC Section 9.75.070

The individual to whom a Warning or Exclusion Notice is issued shall have the right to an appeal from the issuance of the Notice.

1. Appeal Contents

A Notice of Appeal of a Warning Notice or an Exclusion Notice must be filed, in writing, with the Library Director within five (5) calendar days of the issuance of the Warning or Exclusion Notice. The Notice of Appeal shall state the following:

1. The customers name;
2. The customers address and a telephone number where he or she can be reached;
3. A concise statement as to why the customer believes that the issuance of the Warning Notice or the Exclusion Notice was invalid or unjustified; and
4. A copy of the Warning Notice or Exclusion Notice shall be attached.

2. Hearing

A hearing on the appeal shall be held no more then fifteen (15) calendar days after the filing of the appeal, except the Library Director may postpone the hearing date at the request of the customer or the Library staff for good cause. The customer shall be provided notice of the hearing date, time, and location at least five (5) calendar days prior to the hearing date. The hearing shall afford a reasonable opportunity for the customer to be present and present evidence that the Warning Notice of Exclusion Notice is invalid or unjustified. The decision of the Library Director shall be final and in writing. At the hearing, the Library staff shall have the burden to show by a preponderance of evidence that the Warning Notice or Exclusion Notice was based on and justified by a violation of the Rules.

Copies of all Library staff documents to be used by the Library staff at the hearing shall be made available to the customer at least five (5) days prior to the hearing.

3. Violation of Warning or Exclusion Notice RMC Section 9.75.090

Any person who violates a provision of a Warning Notice or an Exclusion Notice to stay away from the Library by physically entering a Library building during the exclusion period will be reported to the Riverside Police Department. Individuals that enter a Library building during a time period in which they have been excluded by an Exclusion Notice will be immediately reported to the Riverside Police Department for trespass.

D. Reasonable Modification

Library users who wish to request a reasonable modification of these Rules of Library Conduct because of a disability or health problem may contact Library staff or may call the Library's Administrative Services Manager at (951) 826-5373.

These rules have been formulated with the assistance of the Office of the City Attorney.

Adopted by the Board of Library Trustees, September 20, 1982: Amended: December 20, 1982, September 25, 1989, March 22, 1999, August 27, 2001, June 24, 2002, July 26, 2004, November 26, 2007, February 22, 2010, November 28, 2011, March 25, 2013, February 27, 2017, March 8, 2021.

Ordinance 7546 adopted by the City Council December 15, 2020, Establishing the Rules of Library Conduct.

Riverside Public Library

Administration Offices

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