

YAKIMA VALLEY LIBRARIES

In the Matter of:
Yakima Valley Libraries Customer Conduct Policy

RESOLUTION
14-007

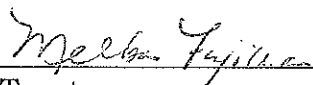
WHEREAS, the Trustees of Yakima Valley Libraries review and updates its policies as appropriate;

WHEREAS, there is a need to update the Customer Conduct Policy and actions related to violation of the policy;

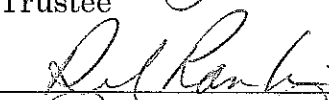
WHEREAS, the Board of Trustees have completed a first reading and review of the policy;

BE IT THEREFORE RESOLVED, that the Customer Conduct Policy with its revisions and modifications be approved by the Board of Trustees.

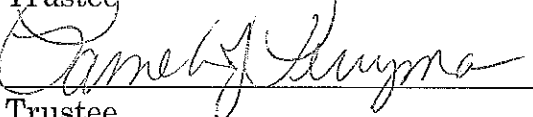
ADOPTED BY THE BOARD OF TRUSTEES this 27th day of October, 2014.



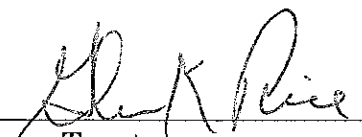
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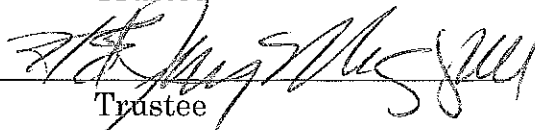
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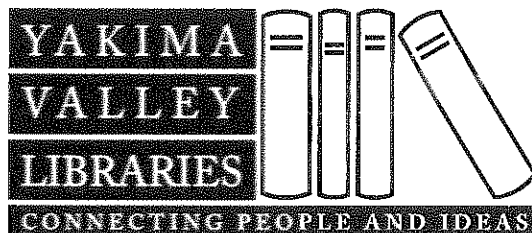


Trustee



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Customer Conduct Policy



PURPOSE

Each library customer of the Yakima Valley Libraries is entitled to fair, courteous, and equal treatment. Customers are requested to help assure the safe, proper, and pleasant use of the libraries' facilities by following these rules of conduct. The purpose of these rules is to ensure that the customers of Yakima Valley Libraries have access to and use of the library in an orderly and peaceful environment unhindered and undisturbed by the disruptive behavior of others.

AUTHORITY

The Yakima Valley Libraries' Board of Trustees has the authority under statute to establish reasonable rules and regulations regarding Yakima Valley Libraries, and to exclude any person who willfully and persistently violates those rules - RCW 27.12.290. The Board of Trustees authorize the Library Director to implement and establish reasonable rules, regulations, policies, and/or procedures as necessary for the efficient and safe operation of Yakima Valley Libraries - RCW 27.12.210 (3).

DEFINITIONS

Activities normally associated with the use of a public library – include, but are not limited to, selecting and checking out library books or materials, or equipment, use of computers and/or other technologies, or attending programs, meetings, classes or events.

Ban – means a notice which advises the Customer (Patron or Library User) of an exclusion from Library Premises for a violation of library rules.

Customer means a person using Library Premises and is synonymous with the term *Library User* or *Patron*.

Harassment – a type of illegal discrimination defined as offensive and unwelcome conduct that causes emotional distress to a person.

Library District – includes all community branch libraries that legally comprise Yakima Valley Libraries.

Library Premises or *Library* means Yakima Valley Libraries' buildings, any exterior adjacent to these buildings, or venue where scheduled meetings, programs or events are held.

Library Staff includes full-time and part-time employees. For the purpose of this policy, Yakima Valley Libraries' volunteers may be included with the same courtesies as staff in these policies.

Loitering – the act of remaining in a particular public place for a protracted time without an *apparent*

purpose.

Patron means a person using Library Premises and is synonymous with the term *Library User* or *Customer*.

Person in Charge – Library staff who has been assigned responsibility for Library and/or Library activities for a designated period of time. May initiate ban or trespass process on behalf of Library.

Prohibited Activities are activities or behaviors that are not allowed on Library Premises.

Trespass – a legal action issued delivered by local law enforcement agency on behalf of Yakima Valley Libraries which advises the Customer of an exclusion from Library Premises for a violation of Library Policies or local laws.

POLICIES: RULES OF CONDUCT

Overview

All persons using the library are responsible for their own safety, the safety of children in their care, and the security of their own personal belongings. Yakima Valley Libraries is not responsible for the safety of the Customers against their own acts or the acts of other Library Customers or Patrons.

It is the intent of the Yakima Valley Libraries that enforcement of this policy will be conducted in a fair and reasonable manner. Library staff and/or local law enforcement officers have the right to intervene to stop prohibited or disruptive activities and behaviors. Failure to comply with the Library's established rules and policies could result in removal from the premises and expulsion from the library for a period of one day to one year, or in arrest or prosecution. Violations could also result in the restriction or termination of library privileges and services, including the use of library computers and other equipment – RCW 27.12.290.

- Any Library Customer or Patron that is legally trespassed *will be* banned from all libraries in the Library District.
- Any Library Customer or Patron that is banned in one library *will be* banned from all libraries in the Library District.
- Any Library Customer or Patron that is banned from the library *may be* given a verbal warning – all attempts will be made to provide the patron with written documentation of the ban but does not invalidate the ban if written notification to Library Customer is not achieved.

Inappropriate Conduct in Libraries

Library customers shall refrain from the following conduct – *these are examples and are not all inclusive*:

- Activities that are in violation of federal, state, local or other applicable law, or library policy.
- Threats to library staff.
- Behavior or language that is offensive to others.
- Bringing pets inside a library facility, with the exception of service animals trained for assistive purposes; or as allowed by Library Director at library-approved events or activities.

- Cell phones, other communication devices, or audible devices with or without headphones that are used in such a manner as to disturb or disrupt other Library Patrons.
- Clothing that is not appropriate in a public venue: bare feet, shirtless, wet bathing suit or clothing, offensive body odor or personal hygiene including insects, or being otherwise attired so as to be disruptive to the library environment.
- Consumption of alcohol or illegal drugs on library premises.
- Consuming food or beverages in a library facility, except by authorized by Library personnel.
- Destroying or defacing library materials, furniture, equipment, facilities, restrooms, or grounds of Library, or of another library customer.
- Engaging in any behavior that may unreasonably interfere with the rights of other library customers to use a library facility or on library grounds, such as sleeping, exhibiting offensive personal hygiene, drunkenness, or bringing large bundles of personal possessions into a library facility.
- Use or excessive display of unauthorized or dangerous weapons.
- Harassment of staff, volunteers, or Library Patrons.
- Illegal activities within library facilities or on library grounds.
- Leaving young children unattended.
- Loud or abusive language, either with other library customers or library staff.
- Misconduct or other behavior that is disruptive, threatening, or inflicts physical harm on others.
- Placing feet on tables or chairs.
- Loitering.
- Soliciting, canvassing, selling, begging, or posting or distributing unauthorized materials.
- Running inside a library facility, unless during an emergency.
- Sexual or other harassment of other Library customers or Library Staff. This includes uninvited and unwelcome verbal or physical behavior of a sexual nature.
- Smoking of any kind.
- Stalking – willfully and repeatedly following or harassing another Library Customer or Library Staff member.
- Storing skateboards, roller blades, backpacks, or like equipment in a library facility in an unsafe manner.
- Using computer equipment for purposes other than the intended use or performing any act that damages or disable computer equipment and software.

VIOLATION OF LIBRARY POLICY

Enforcement

Staff who is the *Designated Person in Charge* of the library during the violations is authorized to implement a ban or request a legal trespass order as determined by the circumstances at the time of the violation.

Category A – non criminal.

May be a verbal warning to a maximum ban of 30 days. Examples may include but are not limited to:

- Disruptive behavior such as creating loud noises, loud talking, screaming, or banging on computer keyboards.
- Inappropriate clothing (without shoes or shirt, etc.).
- Offensive body odor or personal hygiene so as to unreasonably interfere with other customers' ability to use the Library and its facilities.

Consuming food or beverage in public areas not authorized by the Library.
Other behaviors that do not comply with or interrupts library services.
Other inappropriate behavior as determined by Library Person in Charge.

Category B – Violation of Library Policies – non-criminal.

- Ban from all libraries a minimum of 30 days up to one year. Examples may include but are not limited to:
- Threats to library staff.
- Continued disruption of library services after requests to stop.
- Continued harassment of library staff after requests to stop.
- Continued verbal intimidation of library staff, volunteers, or other patrons after requests to stop.
- Other continued inappropriate behavior as determined by Library Person in Charge.

Category C – criminal Violation toward Patron(s), Library Property, and/or Drugs and Alcohol Possession Use.

- Trespass and ban – duration may be 30 days to a maximum of 1 year. Examples may include but are not limited to:
- Threats to library staff.
- Customer exhibits impression that they are under the influence of alcohol or controlled substance on Library premises or during Library activities.
- Possession or use of alcohol or illegal drugs on Library Premises.
- Damaging or stealing library property: library books, DVDs, cassettes, and equipment-- *will include legal action and prosecution as warranted.*
- Defacement of any library property including graffiti or damage to library property – *will include legal action as warranted.*

ADMINISTRATIVE REVIEW OF NOTICES OF BANNING

An individual who has been banned may timely request an administrative review by the Library Director of a ban order that is for a period greater than thirty days. An individual who has been trespassed by legal authorities may not appeal to the Library District as this is an action taken outside of the authority of the Library District.

Adopted: August 1999
Reformatted: July 2010
Adopted: October 2014