

**RESOLUTION NO. 2017-61**

**APPROVING AND ADOPTING CITY OF FOREST GROVE  
BEHAVIOR RULES FOR LIBRARY USERS**

**WHEREAS**, the Forest Grove City Library (“Library”) is committed to encouraging responsibility for appropriate library behavior and to providing a welcoming environment where all are equally and safely entitled to use of the library facility, furnishings, equipment, and materials; and

**WHEREAS**, established behavior rules encourage respect for other library users and library staff as well as the library facility, furnishings, equipment, and materials; and

**WHEREAS**, the Library staff updated the current library rules of conduct, known as the “Behavior Rules for Library Users,” in April 2017; and

**WHEREAS**, the Forest Grove Library Commission approved the updated Behavior Rules for Library Users in June 2017; and

**WHEREAS**, by adopting the Behavior Rules for Library Users through this Resolution, the City Council allows the Behavior Rules for Library Users to be enforced through Forest Grove City Code Section 5.375 as a rule of conduct adopted by Council resolution; and

**WHEREAS**, Code Section 5.375 allows City officials to exclude any individual from the Library for a period of up to ninety (90) days based on a substantial objective belief that the individual engaged in conduct in violation of the Behavior Rules for Library Users; and

**WHEREAS**, the City believes this enforcement mechanism is necessary to maintain a welcoming environment in the Library; and

**WHEREAS**, the City Council held a duly-noticed Public Hearing on September 25, 2017.

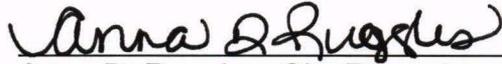
**NOW THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:**

**Section 1.** The City Council approves and adopts the Forest Grove City Library rules of conduct, known as the “Behavior Rules for Library Users,” attached as “Exhibit A”.

**Section 2.** Future changes to the “Behavior Rules for Library Users” would be considered and recommended by the Library Commission and effective upon approval by City Council.

**Section 3.** This resolution is effective immediately upon its enactment by the City Council.

**PRESENTED AND PASSED** this 25<sup>th</sup> day of September, 2017.



\_\_\_\_\_  
Anna D. Ruggles, City Recorder

**APPROVED** by the Mayor this 25<sup>th</sup> day of September, 2017.



\_\_\_\_\_  
Peter B. Truax, Mayor

# BEHAVIOR RULES FOR LIBRARY USERS

## Forest Grove City Library

### Policy Statement

#### Purpose of behavior rules:

- To provide a welcoming environment where all are equally and safely entitled to use of the library facility, furnishings, equipment, and materials.
- To encourage responsibility for appropriate library behavior.

#### Behaviors that are encouraged:

- Respect for other library users and staff.
- Respect for library facility, furnishings, equipment, and materials.

#### Unacceptable behaviors:

- Illegal:** Any behavior that is a violation of Federal or State statute or local ordinance.
- Disruptive:** Any behavior or physical obstacle that prevents any person from accomplishing appropriate library business.
- Abusive:** Any behavior that causes inequitable use of library resources or services, threatens, harasses, or harms library users or staff, or damages the library facility, furnishings, equipment, or materials.
- Unsafe:** Any behavior with the potential to cause physical harm to a library user or others.

#### Staff responsibilities:

These behavior rules have been established for all library users. All library staff has the responsibility and authority to enforce these behavior rules.

The Forest Grove City Library reserves the right to suspend library privileges or exclude any library user who willfully continues to violate these behavior rules.

### Regulations

#### Consequences for illegal behaviors:

Any library user engaging in illegal behavior will be asked to leave the library without any warnings. The behavior could also result in exclusion from the library and/or be reported to the Forest Grove Police Department.

Illegal behavior includes, but is not limited to:

- Committing or threatening assault
- Engaging in disorderly conduct, threatening behavior, harassment, or abusive language or behavior
- Committing or attempting theft

Reviewed by Library Staff 07/2014

Approved by Library Commission 09/2014

Updated by Library Staff 05/2017

Approved by Library Commission 06/2017

Adopted by City Council 09/25/2017

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Exhibit A  
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- Damaging or defacing library property
- Possessing or being under the influence of drugs or alcohol
- Bringing a weapon onto library property unless authorized by law
- Engaging in sexual conduct
- Smoking, vaping, or using tobacco products on library property
- Skateboarding, rollerblading, or bicycling on library property

Consequences for unacceptable behaviors:

Any library user engaging in unacceptable behavior will be given one warning to correct the behavior and will be asked to leave the library if they do not comply. Repeated violations will result in exclusion from the library.

Unacceptable behavior includes, but is not limited to:

- Soliciting patrons or staff
- Leaving children under 10 years of age unsupervised on library property
- Allowing students required to attend school to be unsupervised on library property during school hours
- Using profanity
- Making unwelcome contact toward another library user, staff, or volunteer
- Viewing sexually explicit images while using computers on library property
- Making excessive noise including cell phone ringing and conversations, noise from headphones and alarms, and loud conversations with yourself or other library users that disrupts other patrons use of the library
- Entering staff work areas or areas posted for staff use only without permission
- Failing to leave the library at closing time
- Sleeping on library property
- Taking library materials into the restroom if the materials have not been checked out
- Running, climbing or jumping on library property
- Blocking access to the library entrances, facility, equipment, or materials with large items such as bicycles, backpacks, carts, etc. or sitting and laying on the floor
- Using library facility, furnishings, equipment, or materials inappropriately including using restrooms to bath, shave, wash hair, or wash clothing
- Littering or leaving trash on library property
- Bringing animals other than service animals onto library property without authorization including animals tethered outside of the library building
  - Animals providing comfort or emotional support do not qualify as service animals under the Americans with Disabilities Act
- Allowing a service animal to be off leash, to bark, to annoy or attack another animal or a library user
- Having a strong odor or wearing perfume to the extent the odor/perfume impedes a reasonable person's ability to utilize the library facilities.
- Eating food in the library or having drinks in open containers other than during approved library-sponsored events
- Entering the library without wearing shoes, shirt, or pants except for children three years or younger
- Petitioning, canvassing or distributing materials with the exception of adhering to time, place and manner regulations established by the Library staff.

Reviewed by Library Staff 07/2014

Approved by Library Commission 09/2014

Updated by Library Staff 05/2017

Approved by Library Commission 06/2017

Adopted by City Council 09/25/2017

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Exhibit A

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A place where families and businesses thrive.

*CITY RECORDER USE ONLY:*

AGENDA ITEM #: 8.

MEETING DATE: 9/28/17

FINAL ACTION: Adopted

*P-1102 only*

**CITY COUNCIL STAFF REPORT**

**TO:** City Council

**FROM:** Jesse VanderZanden, City Manager

**PROJECT TEAM:** Colleen Winters, Library Director

**MEETING DATE:** September 25, 2017

**SUBJECT TITLE:** Resolution adopting Behavior Rules for Library Users

**ACTION REQUESTED:**

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ordinance	Order	X	Resolution	Motion	Informational

*X all that apply*

**ISSUE STATEMENT:**

It came to the attention of staff that the Behavior Rules for Library Users requires adoption by a legislative body to be enforceable and to apply the exclusion ordinance. The resolution adopting the Behavior Rules for Library Users meets this standard.

**BACKGROUND:**

The Library has had Behavior Guidelines in place for more than 12 years. At the June 6, 2017 Library Commission meeting, the Commission reviewed, revised, and recommended approval of the Behavior Guidelines or what is now termed the Behavior Rules for Library Users.

The Behavior Rules for Library Users has also been reviewed and approved by the City Attorney.

**FISCAL IMPACT:**

None

**STAFF RECOMMENDATION:**

Staff recommends City Council adopt the attached resolution.

**ATTACHMENT(s):**

Resolution adopting Behavior Rules for Library Users.



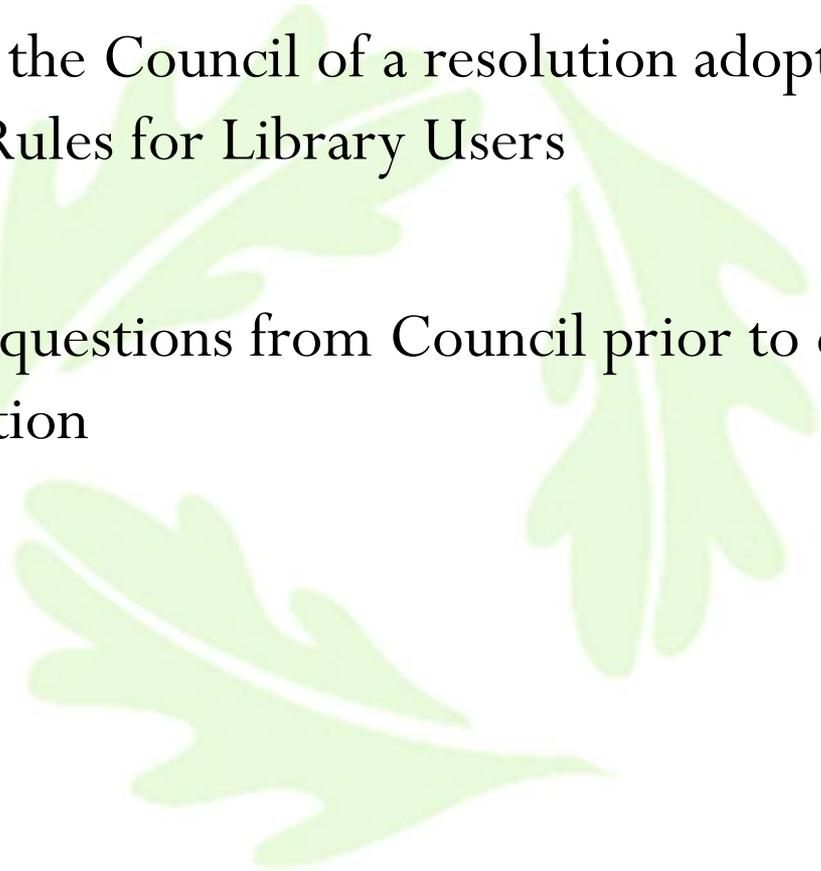
# Forest Grove City Library

## Behavior Rules for Library Users

September 25, 2017

*A place where families and businesses thrive.*

# Purpose of Presentation

- To inform the Council of a resolution adopting the Library's Behavior Rules for Library Users
  - To solicit questions from Council prior to consideration of the resolution
- 

# Background

- The Behavior Policy is based on Behavior Requirements that have been in place for twelve years.
- At the January 23<sup>rd</sup>, 2017 City Council meeting, Library Commission Chair Pamela Bailey made a presentation to Council that 1) described proposed changes to the library's existing Exhibit/Display Policy and 2) introduced the Library's Behavior Rules in preparation for adoption by Council.
- At the June 26, 2017 City Council meeting, Library Commission Chair Pam Bailey made a presentation to Council that updated the Council on the status of the Behavior Rules for Library User, including: 1) the Library Commission's approved changes to the Rules and 2) the Library Commission's recommendation that the Council approve the revised rules.
- The City Attorney has reviewed the Behavior Rules for Library Users.
- The Behavior Rules for Library Users must be formally adopted by Council in order for the Police to conduct training and enforce the City's exclusion policy.

# Behavior Rules for Library Users

- Purpose of behavior rules:
  - To encourage responsibility for appropriate library behavior
  - To provide a welcoming environment where all are equally and safely entitled to use of the library facility, furnishings, equipment, and materials
- Behaviors that are encouraged:
  - Respect for other library users and staff
  - Respect for library facility, furnishings, equipment, and materials

# Behavior Rules for Library Users

- Unacceptable behaviors:
  - **Illegal:** Any behavior that is a violation of Federal or State statute or local ordinance. All illegal activity will be reported to the Forest Grove Police Department.
  - **Disruptive:** Any behavior or physical obstacle that prevents any person from accomplishing appropriate library business.
  - **Abusive:** Any behavior that causes inequitable use of library resources or services, threatens, harasses, or harms library users or staff, or damages the library facility, furnishings, equipment, or materials.
  - **Unsafe:** Any behavior with the potential to cause physical harm to a library user or others.
  - **Unaddressed:** Any behavior that elicits library user or staff concerns.

# Behavior Rules for Library Users

- Staff responsibilities: These behavior rules have been established for all library users. All library staff has the responsibility and authority to enforce these behavior rules.
- The Forest Grove City Library reserves the right to suspend library privileges or exclude any library user who willfully continues to violate the behavior rules.
- Policy includes a list of illegal and unacceptable behaviors and consequences for each

# Questions about process or Rules?

- Thank you



*A place where families and businesses thrive.*

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## **NOTICE OF PUBLIC HEARING**

### **PROPOSED RESOLUTION ADOPTING CITY OF FOREST GROVE LIBRARY RULES OF CONDUCT**

**NOTICE IS HEREBY GIVEN** that the Forest Grove City Council will hold a Public Hearing on **Monday, September 25, 2014**, at **7:00 p.m.** or thereafter, in the Community Auditorium, 1915 Main Street, Forest Grove, to consider adopting a resolution for City of Forest Grove Library rules of conduct, known as the "Behavior Rules for Library Users". The proposed resolution, if enacted by the City Council, would take effect immediately unless City Council declares otherwise.

This hearing is open to the public and interested parties are encouraged to attend. A copy of the staff report, proposed resolution and behavior rules are available for inspection prior to the hearing at the City Recorder's Office or by visiting the City's website at [www.forestgrove-or.gov](http://www.forestgrove-or.gov). The proposed rules of conduct are also posted at the Library. Written comments or testimony may be submitted at the hearing, e-mailed to [aruggles@forestgrove-or.gov](mailto:aruggles@forestgrove-or.gov), or sent to the attention of the City Recorder's Office, P. O. Box 326, 1924 Council Street, Forest Grove, OR 97116, prior to the hearing. For further information, please call the City Recorder's Office at 503.992.3235.

**Anna D. Ruggles, CMC, City Recorder**  
**City of Forest Grove**

**To be published in the NewsTimes on September 20, 2017**



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**AFFIDAVIT OF PUBLICATION**

State of Oregon, County of Washington, SS I, Charlotte Allsop, being the first duly sworn, depose and say that I am the Accounting Manager of the **Forest Grove News-Times**, a newspaper of general circulation, published at Forest Grove, in the aforesaid county and state, as defined by ORS 193.010 and 193.020, that

**City of Forest Grove**  
**Notice of Public Hearing – Library Rules of Conduct**  
**FGNT15918046**

a copy of which is hereto attached, was published in the entire issue of said newspaper for

**1**  
 week in the following issue:  
**September 20, 2017**

*Charlotte Allsop*  
 Charlotte Allsop, Accounting Manager

Subscribed and sworn to before me this September 20, 2017.

*Sherryl R Anderson*  
 NOTARY PUBLIC FOR OREGON



Acct #298024  
 PO #: 20165070  
**Attn: Anna Ruggles**  
 City of Forest Grove  
 PO Box 326  
 Forest Grove, OR 97116  
 Size: 2 x 4.31"  
 Amount Due: \$81.87\*  
 \*Please remit to the above address.

**NOTICE OF PUBLIC HEARING  
 PROPOSED RESOLUTION ADOPTING  
 CITY OF FOREST GROVE  
 LIBRARY RULES OF CONDUCT**

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**Anna D. Ruggles, CMC, City Recorder**  
**City of Forest Grove**  
 Publish 09/20/2017 FGNT15918046

Date: SEPTEMBER 25, 2017

Agenda Item: 8.

Subject: PUBLIC HEARING AND RESOLUTION NO. 2017-61 APPROVING AND ADOPTING CITY OF FOREST GROVE BEHAVIOR RULES FOR LIBRARY USERS

# CITY COUNCIL MEETING

## Request to Testify at Public Hearing

**Public Hearings – Public hearings are held on each matter required by state law or City policy. Anyone wishing to testify should sign-in for the Public Hearing prior to the meeting. The Mayor or presiding officer will review the complete hearing instructions prior to testimony. The Mayor or presiding officer will call the individual or group by the name given on the sign-in form. When addressing the Mayor and Council, please move to the witness table (center front of the room). Each person should speak clearly into the microphone and must state their first and last name and provided a mailing address for the record. All testimony is electronically recorded. In the interest of time, Public Hearing testimony is limited to three minutes unless the Mayor or presiding officer grants an extension. Written or oral testimony is heard prior to any Council action.**

*Please sign-in below to testify.*

**PROPONENTS:** *(Please print legibly)*

**First & Last Name:**

**Address:**

**City, State & Zip Code:**

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**OPPONENTS:** *(Please print legibly)*

**First & Last Name:**

**Address:**

**City, State & Zip Code:**

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**OTHERS:** *(Please print legibly)*

**First & Last Name:**

**Address:**

**City, State & Zip Code:**

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