

Resolution No. 2024-25.03

A RESOLUTION OF THE HOOD RIVER COUNTY LIBRARY DISTRICT ADOPTING A CODE OF CONDUCT FOR LIBRARY FACILITIES AND DESIGNATING PUBLIC FORUMS

WHEREAS, the Hood River County Library District ("District") operates libraries and associated grounds (collectively "facilities") in locations throughout Hood River County, Oregon;

WHEREAS, the District would like to ensure the safe use of library facilities by patrons and a safe environment for staff working at such facilities;

WHEREAS, the District can promote safe use of facilities by establishing a code of conduct to regulate inappropriate behavior in library facilities;

WHEREAS, the District would like to designate areas of District facilities that are considered to be a traditional public forum for free speech purposes; and

WHEREAS, the District would like to designate limited public forums for enforcing reasonable restrictions.

NOW, THEREFORE, THE HOOD RIVER COUNTY LIBRARY DISTRICT RESOLVES
AS FOLLOWS:

Section 1. Code of Conduct Adopted. The Code of Conduct set forth in Exhibit "A" attached hereto, and thereby incorporated herein as though set forth in full, is adopted as the policy of the District.

Section 2. Traditional Public Forum Established. The Georgiana Smith Memorial Gardens at the Hood River Library is a traditional public forum where solicitation, advocacy, and other forms of free speech may occur; provided, signs may only be temporary as part of an event and may not be attached to vegetation, structures, or furnishings.

Section 3. Limited Public Forum Established. Public meeting rooms, publicly-accessible bulletin boards, and literature racks located at District libraries and bookmobile are limited public forums, in which reasonable restrictions may be placed as further set forth in the Code of Conduct as adopted. In limited public forums, the District may place restrictions on solicitation or advocacy that is not related to the operations and funding of the District.

ATTEST:

Brian Hackett, President

Rachael Fox, Secretary

Exhibit A – Code of Conduct

Purpose of Code of Conduct

The purpose of this Hood River County Library District (HRCLD) Code of Conduct is to provide and maintain library buildings, premises, and/or library programs and events that are comfortable, safe and welcoming for all patrons. This Code of Conduct also ensures access for all patrons to HRCLD facilities, the safety of all users and staff, and the protection of HRCLD materials, resources, equipment, and facilities.

Objective

The objective of these rules is to provide patrons with a clear understanding of appropriate behavior while on property of the Hood River County Library District and at all on or off site HRCLD programs and events. This Code of Conduct also provides employees with a clear understanding of their responsibilities in dealing with in-appropriate behavior on library property or at HRCLD programs and events. This Code of Conduct may be modified, rescinded, or a new new rule may be adopted at any time, with or without notice.

Rules and regulations

A. Definitions and Scope

The Code of Conduct shall apply to all HRCLD buildings, interior and exterior, and all grounds and vehicles controlled and operated by the Hood River County Library District (such buildings, grounds and vehicles are hereafter referred to as the "premises") and to all persons entering in or on the premises.

B. General Code of Conduct

Patrons have the responsibility to use the HRCLD facilities in a manner that:

- Does not interfere with the rights of other individuals to access or use HRCLD materials, resources and services;
- Does not limit the ability of HRCLD staff to conduct business; and
- Does not threaten the secure and comfortable environment of HRLCD facilities.

C. Specific Behavior and Rules

Any person who violates HRCLD's code of conduct by engaging in prohibited conduct identified in Rules 1-5, while in or on library premises or while attending a library program or event, will be immediately ejected and excluded from all Hood River County Library District premises, programs and events without a warning, and the incident will be reported to the appropriate law enforcement agency. Any person so excluded shall lose all library privileges pursuant to a determination issued under Section D.

Prohibited conduct includes:

1. Committing or attempting to commit any activity that would constitute a violation of any federal, state or local criminal statute or ordinance.
2. Engaging in sexual conduct, as defined under ORS 167.060, including, but not limited to, the physical manipulation or touching of a person's sex organs through a person's clothing in an act of apparent sexual stimulation or gratification.

3. Being visibly intoxicated or under the influence of any controlled substance, as that term is defined in ORS 475.005.
4. Possessing, selling, distributing or consuming any alcoholic beverage, except as allowed at a library-approved event.
5. Possessing, selling, distributing or consuming any part of the plant Cannabis family or any derivative, mixture, resin, seed or part of a plant.

Any person who violates HRCLD's general code of conduct, above, by engaging in prohibited conduct identified in Rules 6-25, while on or in library premises or while attending a library program or event, will be advised by library staff, or designee, that the person's conduct violates an identified Rule and given one warning to cease such conduct. If a person fails or refuses to cease the prohibited conduct or to otherwise comply with staff's direction in a reasonable manner, then the person will be required to leave the library premises, program or event immediately. The appropriate law enforcement agency will be summoned if a person fails to leave the premises, program or event. Subsequent violations of these Rules by the person will result in that person's immediate ejection and exclusion from all Hood River County Library District premises, programs and events. Any person so excluded shall lose all library privileges pursuant to a determination issued under Section D.

Prohibited conduct includes:

6. Engaging in conduct that disrupts or interferes with the normal operation of the library, its program or event, whether conducted on or off library premises, or disturbs library staff or customers, including, but not limited to, conduct that:
 - a) involves the use of abusive or threatening language or gestures
 - b) constitutes sexual harassment
 - c) constitutes deliberate intimidation, stalking, body policing, bullying or coercion
 - d) creates unreasonable noise
 - e) consists of loud or boisterous physical behavior or talking
7. Using library materials, equipment, furniture, fixtures or buildings in a manner inconsistent with the customary use thereof; or in a destructive, abusive or potentially damaging manner; or in a manner likely to cause personal injury to the actor or others.
8. Disobeying the reasonable direction of a library staff member, including but not limited to failing to exit the library premises at closing.
9. Leaving one or more child(ren) unsupervised or unattended anywhere in or on library premises. For purposes of this Code of Conduct, child(ren) means a child 6 years and under who is not in the immediate vicinity of an adult or responsible caregiver, or a child from age 7 up to age 10 years without an adult or responsible caregiver in the building.
10. Soliciting, petitioning, distributing written materials or canvassing for political, charitable or religious purposes inside a library building, including the doorway or vestibule of any such library building or in a manner on the library premises that unreasonably interferes with or impedes access to the library. If soliciting or advocating in allowed areas, signs may not be displayed unless temporary, as part of event, and may not be attached to materials, vegetation, structures or furnishings.
11. Soliciting, petitioning, distributing written materials or canvassing during a library program or event, whether conducted on or off library premises.

12. Interfering with the free passage of library staff or customers in or on the library premises, including, but not limited to, placing objects such as bicycles, skateboards, backpacks or other items in a manner that interferes with free passage.
13. Placing personal belongings on or against buildings, furniture, equipment or fixtures in a manner that interferes with library staff or customer use of the library facility. Unattended packages or personal items may be inspected and removed from the premises by library staff.
14. Bringing bicycles or other similar devices inside library buildings, including, but not limited to, vestibules or covered doorways if no bicycle rack is provided within that area.
15. Operating roller skates, skateboards, bicycles, scooters or other similar devices in or on library premises.
16. Build or attempt to build fires, unless permitted as part of a library program.
17. Smoking or other use of tobacco inside the buildings or on library property.
18. Bringing animals inside library buildings (with the exception of service animals), except as allowed while attending a library sponsored event.
19. Leaving unattended animals on library premises at any time.
20. Disturbing others because of offensive body odor, including but not limited to scented products, such as colognes, after-shave lotions, perfumes, deodorants, body/face lotions, or hair sprays.
21. Entering non-public areas unaccompanied by a staff member or without prior authorization from a staff member.
22. Relocating or tampering with furniture or equipment without staff authorization.
23. Consuming food in the computer areas.
24. Using a cell phone or other electronic device in a manner that is disruptive to others.
25. The Library staff may interrupt any activity to ensure the well-being and safety of patrons and staff. Such as: Sleeping; improper use of library restrooms including, but not limited to, bathing, shaving, and changing clothes; and entering library buildings without proper attire, including but not limited to appropriate shoes, shirt, and pants.

E. Exclusion Criteria

Any person excluded under Rules 1-25 above, shall lose all library privileges for a period of time ranging from one day to multiple years, as determined by the Library Director, or designee, based on the following criteria:

- The severity of the offense
- Whether or not this is a repeated offense
- Whether the conduct poses a continuing disruption and/or threat to the comfort or safety of other library patrons and/or library staff

- The level of disruption created by the conduct whether or not law enforcement involvement is required to address the situation.

Exclusion length will generally increase for repeat offenders, but HRLCD reserves the right to impose exclusion terms on any violator, based upon the conduct at issue.

F. Exclusion Appeal Procedure

Patrons excluded from Hood River County Library District, can appeal their exclusion. The request must be in writing and filed at the Hood River County Library within seven days (exclusive of weekends or library's observed holidays) of receipt of the exclusion notice.

The Library Director or designee will consider all information provided and will also talk to library staff and witnesses who were present when the patron was excluded. The Library Director or designee may affirm, modify, or rescind the imposed exclusion.

Adopted: March 18, 2025

Last amended: March 18, 2025