



MEETING NOTICE

TUALATIN LIBRARY ADVISORY COMMITTEE

May 1, 2018 - 6:30 PM

TUALATIN PUBLIC LIBRARY

18878 SW Martinazzi Ave.

A. CALL TO ORDER

B. APPROVAL OF MINUTES: April 3, 2018

C. COMMUNICATIONS

1. Chair
2. Staff
3. Teen Library Committee
4. Public

D. OLD BUSINESS

1. Collection Development Policy
 - Discussion & Consider Recommendation

E. NEW BUSINESS

1. Library Rules of Conduct
 - Presentation & Discussion

F. FUTURE AGENDA ITEMS

1. Library Operational Policies
2. E-books

G. COMMUNICATIONS FROM COMMITTEE MEMBERS

H. ADJOURNMENT



TUALATIN LIBRARY ADVISORY COMMITTEE MINUTES

April 3, 2018

Present: Alan Feinstein, Nicholas Schiller, Laura Stewart, Hannah Watt, Marcus Young

Absent: Sonya Ambuehl, Thea Wood

Public: Wayne Welch, Tualatin Library Foundation

Staff: Jerianne Thompson, Library Manager
Sarah Jesudason, Public Services Supervisor

A. CALL TO ORDER

Nicholas Schiller called the meeting to order at 6:32 PM.

B. APPROVAL OF MINUTES

Alan Feinstein moved and Marcus Young seconded that the March meeting minutes be approved as written.

C. COMMUNICATIONS

1. Chair: None

2. Staff: Jerianne Thompson reported the Library will become its own department effective June 1 and the Library Manager position is being reclassified to Library Director. The Library has hired Elizabeth Childs as new 1/2-time Library Assistant and is currently recruiting for the Technical Services Librarian II position. She also reported that since January, the Library has distributed more than 60 Begin with Books bags through a local health clinic to support early childhood literacy. Thompson shared monthly library statistics and recent comment cards.

3. Teen Library Committee: Jerianne Thompson reported TLC assisted with the successful and well-attended Mythical Mayhem during Spring Break and hosted 37 teens for a murder mystery. TLC has been giving input on furniture and fabric selections for the Teen Room. Members are planning events for April - June

4. Public: None

D. OLD BUSINESS

1. Public Use of Exhibit Space Policy: Thompson introduced one revision to the policy, which was amended by Nicholas Schiller. The added

statement reads: "Displays are accepted by the Library Manager or designee based on considerations such as suitability and availability of exhibit space." Laura Stewart moved to recommend approval of the policy, as amended, and Marcus Young seconded. The motion passed unanimously.

E. NEW BUSINESS

1. Tualatin Library Foundation: Foundation president Wayne Welch shared information about the Foundation's upcoming fundraiser Vine2Wine, in its 8th year. Proceeds from the event support the Foundation's endowment. In the current fiscal year, the Foundation donated \$6300 to the Library in support of early childhood literacy and elementary reading programs. Welch also shared highlights of Library accomplishments supported by the Foundation.

2. Collection Development Policy: Sarah Jesudason introduced a new Collection Development policy; the current policy was last updated in 2003. Jesudason said the policy identifies selection criteria, states standards for maintenance and weeding of collection materials, and provides processes for community input, including donations, requests, concerns, and reconsiderations. The policy addresses accountability, upholding intellectual freedom, and transparency. In writing the policy, Jesudason researched other libraries' policies and new guidelines from the American Library Association, as well as staff input. Committee members will continue their review of the policy at the May meeting.

3. Library Furnishings Project: Sarah Jesudason shared details about the Library's project to reupholster and replace furnishings, starting in the Teen Room. She showed sample fabrics the Library has selected for reupholstering chairs.

F. FUTURE AGENDA ITEMS

1. Library Operational Policies
2. Library Rules of Conduct

G. COMMUNICATIONS FROM COMMITTEE MEMBERS

1. **Members:** None.

H. ADJOURNMENT

Meeting was adjourned at 7:37 p.m.

_____, Jerianne Thompson, Recording Secretary



LIBRARY POLICY

CITY OF TUALATIN

COLLECTION DEVELOPMENT

INTRODUCTION

A library collection development policy defines a library's user community, guides the selection of materials pertinent to the needs of the library's users, and codifies the procedures for maintaining the collection. Materials available in the library represent a variety of viewpoints, enabling citizens to make the informed choices necessary in a democracy. The purpose of the Tualatin Public Library collection is to provide popular materials for and to provide for the informational, educational and recreational needs of adults, teens, and children.

The Library's collection is a key part of service to the community, consisting of approximately 29,000 residents of the City of Tualatin and adjacent areas. As part of the Washington County Cooperative Library Services, the Library serves patrons through our local collection and through shared resources in the county.

Tualatin Public Library's mission is to empower and enrich our community through learning, discovery, and interaction.

Tualatin Library's collection development practices support the Library's mission and goals in the following ways:

- A. Provide materials that support the cultural, informational, recreational, and educational needs of the community.
- B. Provide access to an inclusive spectrum of viewpoints, ideas and creative expression. Provide informational and educational materials that are relevant and timely.
- C. Provide materials for developing reading habits and skills.
- D. Provide materials in Spanish that serve the needs and interests of Latino residents.
- E. Provide technology and science learning materials for at-home and in-library use.

The Library strives to meet these needs in the following ways:

- A. Selection of materials for the Library's collection.
- B. Knowledge of materials available through WCCLS and its member libraries.
- C. Participation in Interlibrary loan services.

SELECTION POLICIES

The collection development budget is considered annually and adjusted according to collection usage patterns and circulation trends.

In general, criteria for selection include:

- contemporary significance or popular interest
- public demand, topics of local interest
- relevance to current trends or events
- relation to the existing local and WCCLS collections
- physical design suitable for library use
- reputation and qualifications of author or publisher
- currency of information
- budget and space limitations
- positive critiques and reviews in professional sources.

For various collection areas, criteria may be unique to the format and/or intended age of the intended patron. While most materials are acquired in English, Tualatin Library purchases some items in Spanish to serve the local community.

Materials are generally purchased through vendors with which the Library has established relationships for both purchasing and some processing of materials. These relationships are made with the intention of maintaining good management of city funds and efficient use of staff time. Lack of availability from preferred vendors does not automatically exclude an item from selection; alternatives will be considered during the selection process.

The Library welcomes patron suggestions for additions to the collection. Purchase suggestions must meet general selection criteria.

Donations to the library may or may not be added to the collection at Library staff discretion. Donations will be considered for inclusion due to high demand, local relevance, physical condition, and other factors, including general selection criteria. Donated items not added to the collection will be given to the Friends of the Tualatin Library unless other arrangements have been made in advance.

INTELLECTUAL FREEDOM

Tualatin Library upholds the ideals of intellectual freedom, including the *Library Bill of Rights*, and the American Library Association's *Freedom to Read Statement* and *Freedom to View Statement*. These documents are appended to this policy.

All cardholders, regardless of age, have the right to access all materials in the Library and to borrow any circulating item. The Library does not act *in loco parentis*. Parents and legal guardians are responsible for monitoring the use of library materials by their children.

Patrons with concerns about the inclusion, categorization, or exclusion of an item from the collection are encouraged to discuss their concerns with library staff. Requests to remove or

reassign materials from the Tualatin Public Library collection shall be considered within the context of the principles affirmed in this policy. A formal process of objection may be handled through completing a Patron Opinion of Library Materials Form, which will be reviewed and responded to by the Library Manager and/or designees within 30 days. Upon receipt of the library's response, patrons may appeal to the Tualatin Library Advisory Council for further review.

MAINTENANCE AND RETENTION OF MATERIALS

The collection is reviewed and evaluated on an ongoing basis in order to maintain its usefulness, currency, and relevance. Items may be kept, repurchased, or withdrawn from the collection at the discretion of library staff.

Criteria for withdrawing an item include:

- physical condition or format is no longer suitable for library use
- insufficient use or lack of patron demand
- information that is no longer timely, accurate, or relevant
- duplicate copies are available locally or throughout WCCLS
- little or no relevance to current trends and events
- space limitations.

Withdrawn materials may be donated to the Friends of the Tualatin Library or other community partners, used for outreach purposes, destroyed, or recycled.

STAFF RESPONSIBILITIES

Designated library staff, under the guidance of the Public Services Supervisor, participate in collection development, access, and maintenance in the following ways:

- Engaging in open communication with patrons and colleagues.
- Continuously maintaining and improving competencies in providing accurate reference and reader's advisory services.
- Handling all requests equitably.
- Working in partnership with one another and colleagues to anticipate, understand, and respond to patron needs.
- Seeking to understand and respond to changes in the community, as well as societal and technological changes.
- Striving to balance individual and community needs.
- Seeking continuous improvement through ongoing measurement and assessment.

Authority and responsibility for selection of library materials rests with the Library Manager.

Appendix:

[The Library Bill of Rights.](#)

[The Freedom to Read statement.](#)

[The Freedom to View statement.](#)

Patron Opinion of Library Materials form

APPROVAL: This policy is approved by Tualatin Library Advisory Committee xxxx, 20--.

Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; inclusion of "age" reaffirmed January 23, 1996.

Freedom to Read Statement

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label "controversial" views, to distribute lists of "objectionable" books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be "protected" against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings.

The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

1. *It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.*

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and

selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

2. *Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.*

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

3. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

4. *There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

5. *It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous.*

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

6. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information.*

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

7. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953, by the ALA Council and the AAP Freedom to Read Committee; amended January 28, 1972; January 16, 1991; July 12, 2000; June 30, 2004.

Freedom to View Statement

The **FREEDOM TO VIEW**, along with the freedom to speak, to hear, and to read, is protected by the First Amendment to the Constitution of the United States. In a free society, there is no place for censorship of any medium of expression. Therefore these principles are affirmed:

1. To provide the broadest access to film, video, and other audiovisual materials because they are a means for the communication of ideas. Liberty of circulation is essential to insure the constitutional guarantee of freedom of expression.
2. To protect the confidentiality of all individuals and institutions using film, video, and other audiovisual materials.
3. To provide film, video, and other audiovisual materials which represent a diversity of views and expression. Selection of a work does not constitute or imply agreement with or approval of the content.
4. To provide a diversity of viewpoints without the constraint of labeling or prejudging film, video, or other audiovisual materials on the basis of the moral, religious, or political beliefs of the producer or filmmaker or on the basis of controversial content.
5. To contest vigorously, by all lawful means, every encroachment upon the public's freedom to view.

This statement was originally drafted by the Freedom to View Committee of the American Film and Video Association (formerly the Educational Film Library Association) and was adopted by the AFVA Board of Directors in February 1979. This statement was updated and approved by the AFVA Board of Directors in 1989.

Endorsed January 10, 1990, by the ALA Council



Patron Opinion of Library Materials

Tualatin Public Library supports the First Amendment of the US Constitution, confirms the ideals of democracy, and welcomes the free expression from local residents concerning library materials.

Requests to remove or reassign materials from the Tualatin Public Library collection shall be considered within the context of the principles affirmed in the Tualatin Public Library Collection Development Policy.

Name: _____ Telephone: _____

Representing: _____ Email: _____

Address: _____ City: _____ State: _____ Zip: _____

Title _____ Format: Book __ Magazine __ DVD __ CD __ Other __

Author: _____ Year Published/Released: _____

1) What is your objection to the material? Please cite page numbers or minutes: _____

2) Did you read/view/listen to the entire work? _____

3) Do you believe that if the subject were handled differently it would be acceptable? _____

4) How do you suggest the Library handle this item?

- a. Move it to another section of the Library
- b. Remove it from the Library
- c. Provide materials that balance the perspective of the work
- d. Other: _____

Thank you for your concern. You will receive a written response from the Library Manager within 30 days.

Published on *The City of Tualatin Oregon Official Website* (<https://www.tualatinoregon.gov>)

Chapter 05-01: Library Rules of Conduct

Municipal Code:

Title 05: Library, Parks, and City Facilities

Tags:

Specific Library Rules Fines and Charges Rules of Conduct Excluding a Person from the Library Appeals Remedies

Details

Sections:

5-1-010 Policy.

5-1-020 Short Title.

5-1-030 Definitions.

5-1-040 General Rules and Regulations.

5-1-050 Specific Library Rules.

5-1-060 Fines and Charges.

5-1-070 Rules of Conduct.

5-1-100 Remedies.

5-1-010 Policy.

The City of Tualatin may improve, operate and maintain the Library and other related premises in a manner that will best afford the public with necessary and convenient use. In order to protect such areas, protect the health, safety and wellbeing of the public, and insure the greatest use and enjoyment for all Library users of the benefits from such facilities, it is necessary to adopt regulations and enforcement provisions as the City Council deems necessary. [Ord. 883-92 §1, 12/14/92; Ord. 1275-09§1, 1/26/09]

5-1-020 Short Title.

This ordinance shall be known as the City of Tualatin's "Library Rules of Conduct". [Ord. 883-92 §2, 12/14/92]

5-1-030 Definitions.

Unless the context clearly indicates a different meaning, the following terms shall be defined as follows:

(1) "Adult" means a person who is 18 years or older.

(2) "Assault" has the meaning provided in ORS 163.160 through 163.185.

- (3) "Attended" means a parent, guardian, or designated and responsible adult is at all times, while in the Library, within 12 feet of his or her child who is five years or younger.
- (4) "Controlled substance" has the meaning provided in ORS 167.203.
- (5) "Council" means the Tualatin City Council.
- (6) "Criminal negligence" means that a person fails to be aware of a substantial and unjustifiable risk that the result will occur or that the circumstance exists. The risk must be of such nature and degree that the failure to be aware of it constitutes a gross deviation from the standard of care that a reasonable person would observe in the situation. Where the definition of an offense prescribes criminal negligence as the culpable mental state, it is also established if a person acts intentionally or knowingly.
- (7) "Disabled person" means a person who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment, and not otherwise disqualified under the Americans with Disabilities Act ^[1].
- (8) "Disorderly conduct" has the meaning provided in ORS 166.025.
- (9) "Fee" means a monetary charge imposed by the Library for specific items, such as the replacement of lost materials.
- (10) "Fine" means a monetary charge imposed by the Library upon a patron for overdue materials.
- (11) "Harassment" has the meaning provided in ORS 166.065.
- (12) "Library" includes the City's public library, related offices, lobby, restrooms and entryways, and plaza.
- (13) "Library Manager" or "Manager" means the individual designated by the City Manager to be in charge of the City of Tualatin Library or the person designated by the Manager to perform some or all of the functions of that position.
- (14) "Library employee" means a regular employee or temporary of the City who has been assigned to the Library Department.
- (15) "Library materials" or "materials" means books and other items which may be borrowed from the Library, whether owned by the Tualatin Library or another library, so long as they are borrowed from or disbursed by the Tualatin Library.
- (16) "Lost item" means an item which has been overdue for 45 days or longer, or which upon return to the Library is in an unusable condition.
- (17) "Mischief" has the meaning provided in ORS 164.345, 166.354 and 166.365.
- (18) "Renew" means, with respect to a library card, the biannual reinstatement of library privileges.
- (19) "Supervised" means a parent, guardian or designated and responsible adult is on the Library premises and accompanying his or her child who is over five and less than eight years old, and monitoring such child's behavior, but are not necessarily located within 12 feet of the child.
- (20) "Theft" has the meaning provided in ORS 164.015.
- (21) "Washington County Cooperative Library Services" or "WCCLS" means the administrative agency for Washington County and county-wide library services. For purposes of this ordinance,

any act taken by the in its official capacity shall be considered as having been taken by the WCCLS. [Ord. 883-92 §3, 12/14/92; Ord. 1275-09§2, 1/26/09]

5-1-040 General Rules and Regulations.

The general rules and regulations for the Library are as provided in this ordinance. Although an offense defined under this ordinance requires no culpable mental state with respect to one or more of its material elements, the culpable commission of the offense may be alleged and proved, in which case criminal negligence constitutes sufficient culpability. The parent or parents of an unemancipated minor child, other than a parent who is not entitled to legal custody of such child, shall be liable for any damage to persons or property and responsible for the acts or conduct committed by such child as well as any fees, fines, charges or forfeitures assessed against such child. Unless this ordinance specifies otherwise, an order, directive or warning given by a Library employee in furtherance of the enforcement of this ordinance may be given orally, provided the patron is not disabled and thereby unable to comprehend such directive. A warning which is required to be given before a person is directed to leave or is excluded from the Library need not be repeated for purposes of further exclusion. [Ord. 883-92 §4, 12/14/92]

5-1-050 Specific Library Rules.

(1) Whenever there is reasonable cause to believe that an individual has committed any of the following acts in or upon Library premises, such individual may be directed to leave the Library. A warning need not be given in advance. Such conduct may be reported to the police. Violation of any of the prohibitions of this subsection may result in exclusion from the library as provided in TMC Chapter 5-10 ^[2].

It is unlawful to:

- (a) Commit or attempt to commit an assault;
- (b) Commit or attempt to commit a theft;
- (c) Commit or attempt to commit mischief;
- (d) Destroy, damage or deface library property;
- (e) Engage in sexual activity including solicitation of prostitution, harassment or indecent exposure;
- (f) Use, give away, sell or be under the influence of:
 - (i) a controlled substance: or
 - (ii) intoxicating liquor except at City-sponsored events: or
- (g) Commit or attempt to commit disorderly conduct or harassment.

(2) Whenever there is reasonable cause to believe that an individual has committed any of the following acts, such individual shall be given one warning and if the conduct which led to the warning reoccurs, even on a different day, then such individual may be directed to leave the Library for the remainder of the day.

It is unlawful to:

- (a) Use abusive language or behavior which disturbs the quiet atmosphere of the library;

- (b) Solicit, petition, distribute written materials or canvass for political, charitable or religious purposes in the Library;
- (c) Interfere with free passage on Library Premises, which includes restricting passage with or use of a bicycle, skateboard, rollerblades, cart or large backpack, or anything that creates an obstacle or takes up seating, except an assistive device, such as a wheelchair or walker, being used by a person with a disability;
- (d) Smoke, or use tobacco products inside the Library, except as expressly allowed by the Library Manager in the course of a Library-approved event;
- (e) Bring an animal into the Library, except as allowed by state or federal disability laws, or as part of a Library-sponsored event.
- (f) Sleep in the library in a manner that occupies additional seating or creates an audible disturbance, or block access;
- (g) Improperly use a restroom, including but not limited to bathing, shaving or washing hair;
- (h) Play audio equipment at a volume which is plainly audible by others in the Library;
- (i) Allow a child age five or under to be unattended in the Library, unless the child is attending a Library-sanctioned activity;
- (j) Allow a child under age eight to be unsupervised in the Library, unless the child is attending a Library-sanctioned activity; or
- (k) Fail to leave the Library at closing time.
- (l) Violate library policies; or
- (m) To follow the reasonable direction of a library employee.

(3) When there is reasonable cause to believe that an individual entered or remained in the Library without wearing shoes or sandals, or a shirt or other similar clothing, except for children three years or younger, such individual may be directed to leave the Library until the problem is corrected. [Ord. 1386-15, 11/23/2015]

5-1-060 Fines and Charges.

- (1) It is unlawful for a person to withhold or fail to return any library materials that are due for return. The due date for return shall be established by the Library Manager, considering the anticipated demand by borrowers and the available supply of such materials.
- (2) The WCCLS or its Board of Directors shall establish a charge, called a "fine", to be assessed by a member library, including the Tualatin Library, against a borrower for each day after the return due date that an item of Library materials has not been returned. A person who withholds or fails to return any library materials following 45 days after they are due for return shall be subject to an assessment on each overdue item for the replacement cost, the overdue charges and a processing charge to be established by the WCCLS. If the materials are returned to the Library undamaged within one year from the date items were declared lost, the person paying such assessments shall receive a credit for the replacement cost, but not processing charges.
- (3) Patrons who accrue fines or charges totaling \$10 or more will be denied the privileges of checking out and reserving additional materials and of obtaining a replacement card at the Library

and all other member libraries of the WCCLS until fines and charges are brought below \$10.

(4) Fees and fines imposed directly on a patron by another member library of WCCLS or by the Tualatin Library may be resolved at a member library of WCCLS. [Ord. 883-92 §6, 12/14/92; Ord. 1275-09§4, 1/26/09]

5-1-070 Rules of Conduct.

(1) The Library Manager shall adopt administrative rules for the enforcement of the Rules of Conduct set forth in this ordinance, for the administration of special events, and for participation in City programs in library areas. The Rules of Conduct shall be administered by the Library Manager, Library employees, or persons employed by the City of Tualatin. Except in cases where the Municipal Court in exercising its jurisdiction is presented with an interpretation issue under this ordinance, where the provisions of this ordinance are determined by the Library Manager to be unclear or ambiguous, the Library Manager may interpret the provisions in a manner consistent with Library policy. Such interpretation by the Library Director may be appealed to the City Manager, whose decision is final.

(2) The City Manager or designee may close all or portions of the Library to the public at any time and without notice for any reasonable and necessary circumstance, including but not limited to construction, maintenance or any condition which poses a risk of bodily injury or damage to the public.

(3) The Library Manager, library employees designated by the Library Manager, and City police officers may obtain compliance by the public with these rules and to issue reasonable directions in furtherance of these rules. If an individual fails to obey or disregards this ordinance or an order or directive given to obtain compliance with this ordinance, that individual is subject to immediate ejection and temporary suspension of library use privileges. An individual who fails to leave or remain off library premises or designated portions of the library after being so lawfully directed shall be subject to criminal trespass charges.

(4) Notwithstanding the foregoing regulations, upon prior request the Library Manager may allow temporary, minor deviations from the strict requirements of this ordinance where the harm to library facilities and the risk to library users are negligible or non-existent. [Ord. 883-92 §7, 12/14/92; Ord. 1275-09 §5, 1/26/09]

5-1-100 Remedies.

(1) Except as otherwise provided, a violation of this Chapter is a civil infraction and shall be punishable by a fine not to exceed \$500. Each violation of this Chapter constitutes a separate offense, and each day that a violation of this Chapter is committed or permitted to continue constitutes a separate offense.

(2) The remedies provided by this Chapter for violations are cumulative and the pursuit of one remedy shall not preclude the use of another. In addition, where an offense defined under this Chapter is also punishable under State law or TMC Chapter 6-4 ^[3], the use of a remedy or remedies provided by this Chapter shall not be construed as an election of remedies or otherwise preclude the use of additional or alternative remedies or penalties provided by law.

(3) Where a person has been refused Library privileges by order of the Library Manager, and such refusal is not in connection with a Civil Exclusion under TMC Chapter 5-10 ^[2], an aggrieved person

may petition in writing to the City Manager or designee for reconsideration of such refusal. [Ord. 883-92 §9, 12/14/92; Ord. 1275-09§8, 1/26/09; Ord. 1386-15, 11/23/2015]

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[3] <http://www.tualatinoregon.gov/municipalcode/chapter-06-04-nuisances>

[4] <http://www.tualatinoregon.gov/taxonomy/term/384>

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[8] <http://www.tualatinoregon.gov/taxonomy/term/386>



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Jerianne Thompson, Library Manager
Paul Hennon, Community Services Director

DATE: [TBD]

SUBJECT: CONSIDERATION OF ORDINANCE RELATING TO LIBRARY RULES; AMENDING TUALATIN MUNICIPAL CODE CHAPTER 5-1 AND TUALATIN MUNICIPAL CODE SECTION 5-10-010; AND ADDING NEW PROVISIONS

ISSUE BEFORE THE COUNCIL:

Council consideration of an ordinance to amend the Tualatin Municipal Code Chapter 05-1: Library Rules of Conduct.

RECOMMENDATION:

Staff recommends Council consider the ordinance.

EXECUTIVE SUMMARY:

Council is considering a proposed ordinance related to Library Rules of Conduct. The proposed ordinance amends Tualatin Municipal Code (TMC) Chapter 5-1: Library Rules of Conduct to delete language regarding specific Library Rules and add language establishing the process for administrative rulemaking. The primary purpose of modifying this ordinance is to change Library rule-setting via ordinance by Council to administrative rules set by the Library Manager.

The Library Rules were codified into the TMC in 1992, with subsequent revisions. Most neighboring municipalities do not incorporate Library Rules of Conduct into their municipal code; some cities previously had sections similar to Tualatin's but repealed them in place of a library administrative policy.

The proposed ordinance deletes sections of 5-1, which will be replaced by administrative rules, amends sections of 5-1, and adds new provisions to establish administrative rulemaking authority and process.

Per the TMC, Library management has created administrative rules, through a new Rules of Conduct policy, to protect the rights and safety of Library users, volunteers,

and staff and to preserve and protect Library property. Tualatin Public Library welcomes every member of the community to use and enjoy the Library's services, materials, and facility. To encourage a welcoming environment, the administrative rules define prohibited behaviors that could be expected to interfere with library use. Individuals who fail to adhere to the Rules of Conduct would continue to be subject to exclusion per TMC Chapter 5-10.

The draft ordinance and Library Rules of Conduct administrative rules were presented to the Tualatin Library Advisory Committee on [date here], 2018, and TLAC voted to recommend the City Council adopt the ordinance and adopt the new Rules policy. The draft ordinance and Library Rules of Conduct policy were posted on the Library's Public Notices board for 30 days, [date here] to [date here] 2018.

OUTCOMES OF DECISION:

- Future revisions to the Library Rules of Conduct will not require Council action but would occur using the same process as other Library administrative policies.
- Public comment would still be part of the process, as all administrative policies are reviewed by the Library Advisory Committee.

ALTERNATIVES TO RECOMMENDATION:

Library Rules would remain in the Municipal Code. Library management would draft a new ordinance to revise code language to update Rules.

FINANCIAL IMPLICATIONS:

None.

Attachments: Library Rules Ordinance

ORDINANCE NO. ____

AN ORDINANCE RELATING TO LIBRARY RULES; AMENDING TUALATIN MUNICIPAL CODE CHAPTER 5-1 AND TUALATIN MUNICIPAL CODE SECTION 5-10-010; AND ADDING NEW PROVISIONS

WHEREAS, the City of Tualatin currently has library rules adopted by ordinance and codified in Tualatin Municipal Code (TMC) Chapter 5-1;

WHEREAS, the Council finds it is more efficient and effective to have Library Rules adopted by administrative rule by the City Manager, or City Manager's designee;

WHEREAS, the City finds it is in the public interest to enact the changes to the Tualatin Municipal Code as set forth in this Ordinance.

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. TMC 5-1-020 is deleted in its entirety.

Section 2. TMC 5-1-010 (Policy) is amended as follows:

5-1-010 Policy.

The City of Tualatin may improve, operate and maintain the Library and other related premises in a manner that will best afford the public with necessary and convenient use. In order to protect such areas, protect the health, safety, and well-being of the public, and insure the greatest use and enjoyment for all Library users of the benefits from such facilities, it is necessary to adopt rules, regulations, and enforcement provisions as the City Council deems necessary provided in this Chapter.

Section 3. TMC 5-1-030 (Definitions) is amended to read as follows:

5-1-030 Definitions.

~~Unless the context clearly indicates a different meaning, the following terms shall be defined as follows~~ The words and phrases have the following meanings:

(1) "City Manager" means the City Manager or the City Manager's designee. ~~"Adult" means a person who is 18 years or older.~~

(2) ~~"Assault" has the meaning provided in ORS 163.160 through 163.185.~~

(3) ~~"Attended" means a parent, guardian, or designated and responsible adult is at all times, while in the Library, within 12 feet of his or her child who is five years or younger.~~

(4) ~~"Controlled substance" has the meaning provided in ORS 167.203.~~

(5) ~~"Council" means the Tualatin City Council.~~

~~(6) "Criminal negligence" means that a person fails to be aware of a substantial and unjustifiable risk that the result will occur or that the circumstance exists. The risk must be of such nature and degree that the failure to be aware of it constitutes a gross deviation from the standard of care that a reasonable person would observe in the situation. Where the definition of an offense prescribes criminal negligence as the culpable mental state, it is also established if a person acts intentionally or knowingly.~~

~~(7) "Disabled person" means a person who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment, and not otherwise disqualified under the Americans with Disabilities Act.~~

~~(8) "Disorderly conduct" has the meaning provided in ORS 166.025.~~

~~(9) "Fee" means a monetary charge imposed by the Library for specific items, such as the replacement of lost materials.~~

~~(10) "Fine" means a monetary charge imposed by the Library upon a patron for overdue materials.~~

~~(11) "Harassment" has the meaning provided in ORS 166.065.~~

~~(12) (2) "Library" includes means the City's public library, related offices, lobby, restrooms and entryways, and plaza.~~

~~(13) "Library Manager" or "Manager" means the individual designated by the City Manager to be in charge of the City of Tualatin Library or the person designated by the Manager to perform some or all of the functions of that position.~~

~~(14) (3) "Library employee" means a regular employee or temporary employee of the City who has been assigned to the Library Department.~~

~~(4) "Library Rules" means the administrative rules adopted by the City to govern the use of the library and library materials, as provided by this Chapter.~~

~~(15) "Library materials" or "materials" means books and other items which may be borrowed from the Library, whether owned by the Tualatin Library or another library, so long as they are borrowed from or disbursed by the Tualatin Library.~~

~~(16) "Lost item" means an item which has been overdue for 45 days or longer, or which upon return to the Library is in an unusable condition.~~

~~(17) "Mischief" has the meaning provided in ORS 164.345, 166.354 and 166.365.~~

~~(18) "Renew" means, with respect to a library card, the biannual reinstatement of library privileges.~~

~~(19) "Supervised" means a parent, guardian or designated and responsible adult is on the Library premises and accompanying his or her child who is over five and less than eight years old, and monitoring such child's behavior, but are not necessarily located within 12 feet of the child.~~

~~(20) "Theft" has the meaning provided in ORS 164.015.~~

~~(21) "Washington County Cooperative Library Services" or "WCCLS" means the administrative agency for Washington County and county-wide library services. For purposes of this ordinance, any act taken by the in its official capacity shall be considered as having been taken by the WCCLS. [Ord. 883-92 §3, 12/14/92; Ord. 1275-09§2, 1/26/09]~~

Section 4. TMC 5-1-040 (General Rules and Regulations) is deleted and replaced with the following:

5-1-040 Administrative Rulemaking Authority. The City Manager is authorized to issue administrative rules, known as Library Rules, to govern the use of the library and library materials, consistent with the procedures of this Chapter.

Section 5. TMC 5-1-050 (Specific Library Rules) is deleted and replaced with the following:

5-1-050 Notice of Administrative Rulemaking.

(1) Prior to the adoption, amendment, or repeal of an administrative rule, the City Manager must:

(a) give public notice of the proposed rule, including:

(i) Posting copies of the proposed rule on the City's website; and

(ii) Posting copies of the proposed rule in a conspicuous location in the Library;

(b) provide copies of the proposed rule to interested persons; and

(c) submit copies of the proposed rule to the Library Advisory Committee.

(2) In addition to the draft language of the rule considered to be adopted, amended, or repealed, the notice must also:

(a) generally state the subject matter and purpose of the rule;

(b) state the time, place, and manner for persons to submit data or written comments about the proposed rule; and

(c) the date upon which the rule will be adopted and effective.

Section 6. TMC 5-1-060 (Fines and Charges) is deleted and replaced with the following:

5-1-060 Opportunity for Comment; Consideration of Comments.

(1) The City must provide persons with not less than 15 calendar days to submit data or written comments on the proposed administrative rule.

(2) The City Manager must consider data or comments received from persons prior to adopting the administrative rule.

Section 7. TMC 5-1-070 (Final Adoption; Filing with City Recorder; Available to Public) is created to read as follows:

5-1-070 Final Adoption; Filing with City Recorder; Available to Public.

(1) Unless the City Manager specifies another date in the adoption order, all rules adopted are effective upon adoption.

(2) Unless otherwise required by law, the adoption, amendment, or repeal of a rule need not be based upon, or supported by, an evidentiary record.

(3) The adopted administrative rule must be filed with the City Recorder. The City Recorder must compile all adopted rules, including any temporary or emergency rules. Copies of current administrative rules must be made available to the public on the City's website and upon request.

Section 8. TMC 5-1-080 Temporary and Emergency rules; Effective Period is created to read as follows:

5-1-080 Temporary and Emergency rules; Effective Period.

(1) Temporary Rules. Temporary rules may be adopted without notice or opportunity to comment, if needed to implement the provisions of any new or amended ordinance upon the ordinance's effective date.

(2) Emergency Rules. Emergency rules may be adopted, amended, or suspended without prior notice or opportunity to comment, or upon abbreviated notice and opportunity to comment, if the City Manager adopts written findings that an emergency exists, and the failure to act promptly will result in prejudice to the public interest.

(3) Effective Period. Any temporary or emergency rule adopted, amended, or suspended is effective for a period of not more than 180 calendar days.

(4) No Preclusion of Permanent Rule. The adoption of a temporary or emergency rule does not preclude the subsequent adoption of an identical permanent rule.

Section 9. TMC 5-1-090 (Council Review of Administrative Rules) is created to read as follows:

5-1-090 Council Review of Administrative Rules.

(1) The Council, upon its own motion, may review a proposed or adopted administrative rule at any time.

(2) After review of a proposed or adopted administrative rule, the Council may take no action, amend, or repeal an administrative rule. If the Council chooses to amend or repeal an administrative rule, the amendment or repeal must be by resolution of the Council.

Section 10. TMC 5-1-070 (Rules of Conduct) is renumbered and amended as follows:

5-1-070 5-1-100 Rules of Conduct Authority.

~~(1) The Library Manager shall adopt administrative rules for the enforcement of the Rules of Conduct set forth in this ordinance, for the administration of special events, and for participation in City programs in library areas. The Rules of Conduct shall be administered by the Library Manager, Library employees, or persons employed by the City of Tualatin. Except in cases where the Municipal Court in exercising its jurisdiction is presented with an interpretation issue under this ordinance, where the provisions of this ordinance are determined by the Library Manager to be unclear or ambiguous, the Library Manager may interpret the provisions in a manner consistent with Library policy. Such interpretation by the Library Director may be appealed to the City Manager, whose decision is final.~~

~~(2) (1) The City Manager or designee may close all or portions of the Library to the public at any time and without notice for any reasonable and necessary circumstance, including but not limited to construction, maintenance, or any condition which poses a risk of bodily injury or damage to the public.~~

~~(3) (2) The Library City Manager, library employees designated by the Library City Manager, and City police officers may obtain compliance by the public with these rules the Library Rules and to issue reasonable directions in furtherance of these rules the Library Rules. If an individual fails to obey or disregards this ordinance a Library Rule or an order or directive given to obtain compliance with this ordinance a Library Rule, that individual is subject to immediate ejection and temporary suspension of library use privileges. An individual who fails to leave or and remain off library premises, or designated portions of the library, after being so lawfully directed shall be to do so is subject to criminal trespass charges.~~

~~(4) (3) Notwithstanding the foregoing regulations, upon prior request the Library City Manager may allow temporary, minor deviations from the strict requirements of~~

~~this ordinance~~ the Library Rules where the harm to library facilities and the risk to library users are negligible or non-existent.

Section 11. TMC 5-1-100 (Remedies) is renumbered and amended as follows:

5-1-100 5-1-110 Remedies Enforcement of Violations.

(1) Except as otherwise provided in the Library Rules, a violation of ~~this Chapter a~~ Library Rule is a civil infraction and ~~shall be~~ punishable by a fine not to exceed \$500. Each violation of this Chapter constitutes a separate offense, and each day that a violation of this Chapter is committed or permitted to continue constitutes a separate offense.

(2) Except as otherwise provided in the Library Rules, the civil infraction procedures in Tualatin Municipal Code Chapter 7-01 apply to the prosecution of any violation of a Library Rule.

(3) In addition to any other remedies provided by law, a person who violates a Library Rule may be subject to Civil Exclusion, as provided by TMC Chapter 5-10.

~~(2)-(4) The remedies provided by this Chapter for violations are cumulative and the pursuit of one remedy shall~~ does ~~not preclude the use of another. In addition, where an offense defined under this Chapter is also punishable under State law or TMC Chapter 6-4, the use of a remedy or remedies provided by this Chapter shall not be construed as an election of remedies or otherwise preclude the use of additional or alternative remedies or penalties provided by law.~~

~~(3) Where a person has been refused Library privileges by order of the Library Manager, and such refusal is not in connection with a Civil Exclusion under TMC Chapter 5-10, an aggrieved person may petition in writing to the City Manager or designee for reconsideration of such refusal.~~

Section 12. TMC 5-10-010 (Definitions) is amended to read as follows:

5-10-010 Definitions.

As used in this Chapter, the following terms have the following meanings, unless the context otherwise requires:

(1) "Arrest" means to place a person under actual or constructive restraint, or to take a person into custody, for the purpose of charging that person with the commission of any enumerated offense that is a misdemeanor or felony.

(2) "Cite" means to issue a citation to appear in court to a person for commission of an enumerated offense.

(3) "City Property" means any property or physical structure owned or managed by the City, including but not limited to buildings, greenways, libraries, parks, and parking lots.

(4) "Enumerated offense" means any of the following:

(a) Felony: any crime under Oregon law classified as a Class A, Class B, or Class C felony;

(b) Misdemeanor:

(i) any crime under Oregon law classified as a Class A, Class B, or Class C misdemeanor; or

(ii) any violation of the Tualatin Municipal Code that classifies the offense as a misdemeanor.

(c) Violation or Infraction:

(i) any violation of Oregon law that classifies the offense as a violation;

(ii) any violation of the Tualatin Municipal Code that classifies the offense as a violation or infraction; or

(iii) any violation of the Library Rules of Conduct, Park Rules, Commons Regulations, or any other administrative rule adopted by the City.

(5) "Enforcement officer" means a peace officer as defined by ORS 133.005, or any other person with authority to enforce the Tualatin Municipal Code.

(6) "Essential needs" means food, physical care, and medical attention.

(7) "Travel" means the movement on foot or within or upon a vehicle from one point to another without delay other than to obey traffic control devices.

Section 13. Severability. Each section of this ordinance, and any part thereof, is severable. If any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance remains in full force and effect.

ADOPTED this ____ day of _____, 2018.

CITY OF TUALATIN OREGON

BY _____
Mayor

APPROVED AS TO LEGAL FORM

ATTEST

BY _____
City Attorney

BY _____
City Recorder



LIBRARY POLICY

CITY OF TUALATIN

LIBRARY RULES - DRAFT

POLICY: Tualatin Public Library has established these Administrative Rules, per Tualatin Municipal Code (TMC) Chapter 5-01, to protect the rights and safety of library users, volunteers, and staff and to preserve and protect library property. This policy applies to the Tualatin Public Library property, including the library, related offices, lobby, restrooms, entryways, plaza, and adjacent parking lot.

BACKGROUND: Tualatin Public Library welcomes every member of the community to use and enjoy the library's services, materials, and facility. To encourage a welcoming environment, this policy defines prohibited behaviors that could be expected to interfere with library use. Individuals who fail to adhere to the Library Rules may be subject to exclusion per TMC Chapter 5-10.

RULES:

While in the library, we expect you to:

- Be considerate and respectful of other library users and library staff.
- Ensure that children under the age of 10 are supervised by an adult.
- Be responsible for personal belongings.
- Respect other library users' privacy.
- Respect library materials, furnishings, equipment, and facilities by using them appropriately.
- Be responsible about trash, spills, or odors related to food and drink, which are allowed in the library unless they create a nuisance.
- Wear appropriate attire, including shoes, at all times.

These behaviors are prohibited; you must not:

- Engage in or attempt to engage in any activity that would be a violation of federal, state, or local criminal statute or ordinance or violation of library policy.
 - This includes but is not limited to bringing a weapon into the library or engaging in sexual conduct, as defined under ORS 167.060; TMC Chapters 06-01 through 06-12; and the library's Internet Use policy.
- Use, give away, sell, be under the influence of, or possess a controlled substance, alcoholic beverage (except at City-sponsored events), marijuana, or any marijuana derivative.

- Use disruptive, abusive, or threatening language, gestures, or behavior that interferes with the normal operation of the library or that unreasonably interferes with another person's ability to use the library.
- Leave a child under age 10 unattended in the library. (See Tualatin Library's Child Safety Policy for more information.)
- Solicit money, petition, distribute written materials, or canvass for any purpose inside the Library building.
 - Such solicitations may occur outside the Library only in such a way as to not impede people from entering or exiting the building and must occur at least 20 feet from an entrance or exit. No solicitations may be made in the parking lot.
- Block access to the library entrances, facility, furnishings, equipment, or materials with or use of a bicycle, skateboard, cart, or large bags; electrical cords; or anything that creates an obstacle or takes up seating. Bicycles may not be brought into the building.
- Leave personal belongings unattended. Items brought into the library must be stored out of the way, such as under a table.
- Bring an animal into the library, except as allowed by state or federal disability laws, or as part of a Library-sponsored event.
- Use personal electronic equipment at a volume that disturbs others.
- Sleep in the library in a manner that occupies additional seating or creates an audible disturbance, or blocks access.
- Improperly use a restroom, including but not limited to bathing, shaving, or laundry.
- Take photos or video of library staff, volunteers, or other patrons without their consent.
- Smoke or use other tobacco products. Smoking, including vaping, is forbidden on all City property including parking lots.
- Interfere with the ability of others to use the library because of personal hygiene, such as body odor, strong perfume, or head lice.
- Enter or remain upon library premises without wearing shoes or sufficient clothing.
- Refuse to follow the reasonable direction of a library employee.

Enforcement:

The Library Rules shall be administered by the Library Director, Library employees, City Police, or persons employed by the City of Tualatin. When there is reasonable cause to believe an individual has committed a prohibited behavior, a Library employee shall give one warning. If the conduct reoccurs, even on a different day, the individual may be directed to leave the Library premises for the remainder of the day.

For illegal activities or behavior that endangers library staff, volunteers, or visitors, the individual may be directed to leave without an advance warning. Such conduct will be reported to the police, and individuals may be subject to exclusion per TMC Chapter 5-10. An individual

who fails to leave or remain off library premises or designated portions of the library after being so lawfully directed shall be subject to criminal trespass charges.

Where a person has been refused Library use privileges by order of the Library Director, and such refusal is not in connection with a Civil Exclusion under TMC Chapter 5-10, an aggrieved person may petition in writing to the City Manager or designee for reconsideration of such refusal.

Notwithstanding the foregoing regulations, upon prior request the Library Director may allow temporary, minor deviations from the strict requirements of this policy where the harm to library facilities and the risk to library users is negligible or non-existent.

DRAFT