

ST. CATHARINES PUBLIC LIBRARY BOARD

POLICY

Section: General Number: G07	Subject: Code of Conduct (Previously named Rules of Conduct & previously named Problem Patrons)	Motion #: 2019-88 2021-71 2022-69
Policy Level: Library Board	Author: R. Di Marcantonio, Manager, Branch Services	Review: 2 years
Approval Date: 2022-05-19	Last Review: 2019-10-17	Next Review: 2024
Notes: Approved at the Board Meeting of October 17, 2019. Amended at the Board Meeting(s) of: May 20, 2021 and May 19, 2022.		

POLICY STATEMENT

To maintain a safe, supportive and welcoming environment for Library customers and staff, St. Catharines Public Library (the 'Library') has the right and obligation to enforce the Code of Conduct (Attachment 1) in a fair and consistent manner.

Once a breach of the Code of Conduct occurs, the Library takes into consideration the severity of the misconduct, the circumstances surrounding the incident and any mitigating factors when determining any sanction including whether a library customer will be suspended from the premises and the period of the suspension.

The Library may take legal action, as appropriate, under the Criminal Code, 1992; Trespass to Property Act and Public Libraries Act, 1990.

The Library is committed to reviewing the Code of Conduct and its application on a regular basis to support fair and equitable access for all.

SCOPE

Non-Compliance with Code of Conduct

1. Library customers who engage in any unacceptable behaviour, as defined in but not limited to the Code of Conduct may, depending on the severity, receive a warning or be suspended immediately from the premises and if necessary, be placed under suspension for a period of time. The suspension may apply to all programs, facilities, properties and services if warranted. Length of suspension will be determined by the Chief Executive Officer (CEO) or designate depending on the severity of the situation as follows:

- i. a minor breach of the library Code of Conduct (e.g. noise, language, disrespect, disruptive behaviour), will be a one-day minimum suspension;
 - ii. major or repeated breaches of the library Code of Conduct will result in a suspension starting with 3 months, then 6 months and then 1 year;
 - iii. abuse of staff members or library customers, damaging or destroying library property or any illegal behaviour (behaviour contrary to the Criminal Code), will result in a suspension of not less than six months and for any repeated breach the suspension will be 1 year and may be permanent.
2. Library customers whose suspension is 1 year or more must request reinstatement of Library privileges by letter or by the Request for Reinstatement of Library Privileges form (Appendix 2).
3. Most incidents that result in a suspension from programs, facilities, properties and services will be followed up by a written Trespass to Property notice.
4. Library staff will be notified of individuals who are suspended or who have received a Trespass to Property notice.
5. When a Trespass to Property notice is issued, it can be served verbally, in person, by mail, or by the Police. It will specify the reason, the length of the suspension and the appeal process. A copy of the notice will be kept on file.
6. Breaches of the Code of Conduct may be reported to the Niagara Regional Police and charges may follow.

Right to Appeal

Any library customer who has been suspended from the Library has the right to appeal the suspension in writing by letter or by the Request for Reinstatement of Library Privileges form (Appendix 2), to the Library during the period of suspension.

The library customer is entitled to appeal during the period of suspension using the appeal process described below:

- The library customer may first appeal in writing to the CEO. The CEO, in consultation with the appropriate staff and/or security, will review the appeal and communicate the decision in writing to the individual.
- Upon receipt of a decision of the CEO denying an appeal, the library customer may further appeal in writing to the St. Catharines Public Library Board.
- The decision of the Library Board is final and there are no further steps to be taken in the appeals process.

RESPONSIBILITY

The CEO or designate is accountable for the overall administration of the Code of Conduct and related policies.

OPERATIONAL GUIDELINES

The Code of Conduct shall act as a guideline in the day-to-day operation of this Policy. (Appendix 1.)

IMPLEMENTATION

The CEO or designate is accountable for the implementation of the Code of Conduct and related policies.

Attachment(s): Appendix 1 – Code of Conduct
 Appendix 2 – Request for Reinstatement of Library Privileges form

ST. CATHARINES PUBLIC LIBRARY
CODE OF CONDUCT

The St. Catharines Public Library provides equitable access to a wide range of library services in welcoming surroundings. The Code of Conduct has been established to ensure safety of the public and staff, prevent disruptions to library services and maintain the security of Library customers and property.

1. Library customers and staff have the right to enjoy library services and facilities in an environment that is free from disruptive, abusive, intrusive, discriminatory, harassing, or threatening behaviour. Anyone who is perceived as a threat to the safety or enjoyment of Library service and facilities will be asked to leave.
2. All furniture, equipment, facilities and materials should be used for their intended purposes.
3. Library customers are welcome to use cell phones and other devices in a manner which minimizes disturbance to others.
4. Responsibility for personal belongings lies with the Library customer. Personal belongings should not be left unattended. The Library will not be responsible for lost or stolen items.
5. Library customers are welcome to enjoy securely sealed drinks and snacks except in designated areas. All refuse should be disposed of appropriately.
6. Library customers may be asked to make available for inspection all bags, briefcases, purses, containers, books, and papers.
7. Parents or guardians are responsible for the supervision of their children as per the Children and Teens in the Library policy.
8. Authorization to post notices or distribute flyers requires Library approval. Canvassing, selling, soliciting or engaging in other commercial activity is prohibited unless authorized.
9. Appropriate attire, including shirts and shoes, is required at all times.
10. Smoking, e-cigarettes and vaping are not permitted anywhere in the Library.
11. Library customers with multiple, oversized bags or possessions are asked to respect the health, safety, and personal space of others by ensuring their possessions remain contained.

12. Roller blades, skateboards, hoverboards or other recreational modes of transport are permitted provided they are carried while in the Library. Bicycle racks are provided outside the Library. Large shopping carts are not permitted.
13. Authorized service animals and animals needed to assist a person with a disability are permitted in the Library.
14. Photographing, filming or video recording on Library premises requires prior approval.

Any disregard of the Code of Conduct may result in suspension from the Library, loss of library privileges, cost recovery of charges, and/or prosecution. Appeals of decisions under the above Code of Conduct must be made in writing to the Chief Executive Officer.

Approved by the St. Catharines Public Library Board, May 19, 2022.

Request for Reinstatement of Library Privileges

The St. Catharines Public Library uses the following criteria when determining whether to grant an appeal or the reinstatement of Library privileges:

- a) The safety of the public and Library staff and the circumstances surrounding the suspension.
- b) The past behavior of the person making the application with regard to the Code of Conduct.
- c) The person's reasons for appealing their suspension or seeking reinstatement, as well as other mitigating factors.
- d) Where applicable, whether the person has reimbursed the Library for all expenses incurred as a result of the person's actions.
- e) Whether the suspension procedures were applied in accordance with the provisions of the Code of Conduct Policy.

Reason (select one)

- Appeal of a suspension
 Request Reinstatement of Library Privileges after 12 months
 Appeal Denial of Reinstatement of Library Privileges after 12 months

Contact Information:

First Name:	Middle Name:	Last Name:	
Address:		City:	Postal Code:
Phone:	Library Card Number: (if applicable)		

Location of incident leading to suspension:

Location:	<input type="checkbox"/> Central	<input type="checkbox"/> Dr. Huq	<input type="checkbox"/> Merritt	<input type="checkbox"/> Port Dalhousie
Date:				

Reason for the appeal/request for reinstatement (attach additional pages if needed)

Signature:	Date:
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Instructions: Please submit your completed form to CEO, St. Catharines Public Library, 54 Church Street, St. Catharines, L2R 7K2 or at admin@myscpl.ca.

The personal information on this form is collected under the authority of the Public Libraries Act and the Municipal Freedom of Information and Protection of Privacy Act. This information will only be used for the proper administration of the library and the provision of library service and programs by the St. Catharines Public Library.