

	THE CORPORATION OF THE COUNTY OF LAMBTON LAMBTON COUNTY LIBRARY POLICY MANUAL			
	Subject:	Rules of Conduct Policy	Section R02	Index #05
	Effective Date:	June 1, 2020	Approved By: Lambton County Council	
	Revision Date:	January 1, 2020		
	Drafted on:	January 1, 2020		

PURPOSE

The purpose of this policy is to outline the rules of conduct that are enforced by Lambton County Library (the Library).

POLICY

Lambton County Library strives to ensure that its premises are safe and inclusive. Lambton County Library aims to provide free and equitable services for the safe enjoyment of all.

Rules of conduct are established in accordance with the Ontario Human Rights Code, the Canadian Charter of Rights and Freedoms, the Ontario Public Libraries Act, and the County of Lambton Workplace Violence, Harassment and Sexual Harassment Prevention Policy (H04.18(a)).

RESPONSIBILITY

The responsibility for the implementation of this policy lies with the Manager, Library Services, Community Library Supervisor, Assistant Library Supervisors, Library Technicians, Community Librarians, Branch Assistants, Maintenance Workers and any other front-line service staff.

DEFINITIONS

"Appeal" is the process of requesting a review of a suspension from library premises.

"Library facilities" includes all library branches, buildings and property where Lambton County Library operates service.

"Library privileges" includes all use of library services, as well as contacting the library in person, by phone, email or using web services for which a Library card is required.

"Re-instatement" occurs when a suspension from Lambton County Library ends and library privileges are restored. The person must apply for reinstatement to the Manager, Library Services after the suspension period has ended.

"Suspension" is when a member of the public is banned and is not allowed to enter the specified library buildings or be on library property at any time for any reason for the time period that the suspension is in place.

"Violence", for the purpose of this policy, includes, but is not limited to physical acts (e.g. hitting, shoving, pushing, kicking, sexual assault) and any verbal threat, behaviour or action which is interpreted to carry the potential to harm or endanger the safety of others, result in an act of aggression, destroy or damage property, even in the absence of fear of immediate bodily harm.

REGULATIONS

1. General Principles

- 1.1. Rules of Conduct will be posted in each facility and online in an effort to outline the expected and appropriate behaviour of patrons and visitors to Lambton County Library.
- 1.2. Members of the public and staff are expected to abide by the laws and regulations of Canada and the Province of Ontario including but not limited to:
 - 1.2.1. Criminal Code of Canada
 - 1.2.2. Human Rights Code (Ontario)
 - 1.2.3. Copyright Act
 - 1.2.4. Child, Youth and Family Services Act
 - 1.2.5. Trespass to Property Act
 - 1.2.6. Public Libraries Act
 - 1.2.7. Smoke-Free Ontario Act
- 1.3. Patrons and visitors will be respectful of others.
 - 1.3.1. Disruptive, threatening, abusive or insulting language is not tolerated.
 - 1.3.2. Disruptive, threatening, abusive or insulting behaviour is not tolerated and may include fighting, or arguing.
 - 1.3.3. Illegal activity including but not limited to theft of patrons' or staff members' belongings, or assault, will not be tolerated and will be reported to law enforcement.
 - 1.3.4. Smoking and vaping is prohibited in all facilities. Eating / drinking is only permitted in designated areas and / or at designated times.
 - 1.3.5. Respect the sensibilities of others when viewing or listening to material in the library.
 - 1.3.6. Patrons and visitors must be clothed and wearing footwear.
- 1.4. Patrons and visitors will be respectful of employees working for The Corporation of the County of Lambton, contractors, partners and / or guests of the Library.

- 1.5. Patrons and visitors will be respectful of the Library's property and its contents.
 - 1.5.1. The use of sports equipment is not allowed on library property or inside the premises.
 - 1.5.2. Entry into restricted areas, such as areas designated as 'staff only', is prohibited by members of the public unless accompanied by an authorized person.
 - 1.5.3. Theft, damage, vandalism or the unauthorized use of Library materials, equipment and property is prohibited.
 - 1.5.4. Interfering with the designated use of any equipment including computers and networks is prohibited.
 - 1.5.5. Illegal activity will be reported to law enforcement.
 - 1.5.6. Library materials and / or equipment may not be taken into washrooms.
- 1.6. Service animals are welcome in the Library. Documentation may be required to confirm the animal's service animal status. Other animals are only allowed during authorized programs.
- 1.7. Photographing, filming or video recording of Library facilities, Library staff and users on Library property must not be conducted without the prior written approval of the Library.
- 1.8. Members of the public must open all bags, books and papers for inspection if requested by staff or an authorized person.
- 1.9. Children requiring supervision must not be left unattended on library premises, as outlined in the Children's Services Policy.
- 1.10. Members of the public must adhere to the regulations set forth in Lambton County Library Policies.
- 1.11. Discrimination and harassment will not be tolerated under any circumstances.
- 1.12. Patrons and visitors are encouraged to keep their personal belongings with them at all times as the library is not responsible for lost / stolen items.
- 1.13. Patrons and visitors must follow the instructions of staff or authorized individuals during times of emergency or emergency drills. Patrons and visitors must also vacate the building when directed.

2. Consequences of Failing to Comply with the Rules of Conduct

- 2.1. Employees of Lambton County Library will make every effort to apply the Rules of Conduct Policy in a fair, dignified and positive manner for the benefit of everyone.
- 2.2. Anyone choosing to disrespect the policies of the library and refusing to modify behaviour will be asked to leave. This could result in suspension of Library privileges, suspension of computer privileges, eviction from library, cost-recovery charges, and / or prosecution.
- 2.3. Lambton County Library has discretion in determining whether a person will be excluded, the time period of the exclusion and will take into consideration the severity of the misconduct, the circumstances surrounding the incident and any mitigating factors.
- 2.4. Individuals who engage in any unacceptable behaviour, as defined in this policy may, depending on the severity, receive one warning or be asked to leave 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. When illegal activity is conducted on Library premises, the activity will be reported to law enforcement.

- 2.5. Length of suspension will be determined by the Manager, Library Services or his / her designate and will depend on the severity of the situation. Incidents resulting in a suspension from programs, facilities, properties or services will generate a written Trespass to Property Notice.
- 2.6. Front-line library staff are provided with authorization to immediately request a patron or visitor, who has violated the Rules of Conduct, to leave the facility. Serious incidents will be documented by staff and / or patrons, and will be evaluated to determine a course of action which may include a suspension of Library privileges including the issuance of a trespass notice, prosecution, etc.
- 2.7. Staff will verbally communicate the violation of the Rules of Conduct when removing a patron or visitor for the day. Written warnings or trespass notices will be issued by registered mail or by authorized individuals on occasion.

3. Appeals & Reinstatements

- 3.1. A person has a right to appeal a decision to suspend library privileges, in writing, to Lambton County Library during the period of the suspension.
- 3.2. Lambton County Library will use the following criteria when determining whether to grant an appeal or to reinstate Library privileges:
 - 3.2.1. The safety of the public and library staff and the circumstances surrounding the suspension;
 - 3.2.2. The past behaviour of the person making the application with regard to the Rules of Conduct;
 - 3.2.3. The person's reasons for appealing his / her suspension or seeking reinstatement, as well as other mitigating factors;
 - 3.2.4. Where applicable, whether the person has reimbursed the Library for all expenses incurred as a result of the person's actions;
 - 3.2.5. Whether the suspension procedures were applied in accordance with the provisions of this Policy.
- 3.3. A person may appeal the suspension within no more than 30 days of the suspension by using the Appealing a Library Suspension Form available online or request the form be mailed to the patron / visitor. An appeal can also be requested in writing; however, it must include the following:
 - 3.3.1. Patron's name
 - 3.3.2. Patron's address and telephone number
 - 3.3.3. Location and date of suspension
 - 3.3.4. Detailed reason for appeal and appellant's arguments for appealing the decision under appeal
- 3.4. The General Manager, Cultural Services (or designate) will review the appeal and make a decision. His / her decision is final.
- 3.5. At the conclusion of the suspension, a patron / visitor must ask for his / her Library privileges to be considered for re-instatement. Requests for re-instatement are to be directed to the Manager, Library Services and completed on the Request for Re-instatement of Library Privileges Form available online.

The form can also be mailed to a patron / visitor upon request. A request for re-instatement of library privileges can also be requested in writing; however, it must include the following:

3.5.1. Patron's Name

3.5.2. Patron's Address and Telephone Number

3.5.3. Location and Date of Suspension

3.5.4. Reasons for Requesting Re-instatement

ASSOCIATED DOCUMENTS

Canadian Charter of Rights and Freedoms

The Corporation of the County of Lambton Workplace Violence, Harassment and Sexual Harassment Prevention Policy (H04.18(a))

Lambton County Library Appealing a Library Suspension Form

Lambton County Library Children's Services Policy

Lambton County Library Request for Re-instatement of Library Privileges Form

Ontario Human Rights Code

POLICY HISTORY

REVISION	DATE	PREPARED BY
Revised	January 1, 2020	Manager, Library Services
Revised	October 1, 2015	Branch Services Manager
Created	July 2, 2001	Chief Librarian