

<b>San Francisco Public Library Commission Policy Manual</b>
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**Patron Conduct Policy – Patron Code of Conduct** **Policy #201**

**Section: Library Services**

Adopted: August '83

Revised: December '90, August '01, August '07, September '14

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***PURPOSE***

The San Francisco Public Library welcomes all residents and visitors of the City and County of San Francisco and is dedicated to free and equal access to information, knowledge, independent learning and the joys of reading for our diverse community.

The San Francisco Public Library ("Library") seeks to provide its patrons with a safe and pleasant library experience in an atmosphere conducive to study, reading, learning and appropriate use of materials and services. The Library recognizes its unique position and responsibility to educate, inform, and enlighten the community through the sharing of a vast collection of free resources that enable all to participate fully in our democratic society as members of a knowledgeable and educated citizenry.

With public service as the highest priority, San Francisco Public Library Commission has established the rules and regulations governing use of the library, such that all persons may enjoy the benefits of the Library. Individuals visiting or using the Library's facilities or services ("patrons") must comply with the following Patron Code of Conduct:

**TO ENSURE ACCESS TO LIBRARY SERVICES AND FOR THE SAFETY OF ALL USERS THE FOLLOWING BEHAVIORS ARE PROHIBITED ON LIBRARY PROPERTY:**

<b>Level One<sup>1</sup> Severe Violations</b>		<b>Suspension Duration<sup>2</sup></b>		
		<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>
1.	Engaging in physical altercations including assaults and fighting.  Cal. Penal Code (“CPC”) § 415; CPC § 242; CPC § 245.	1 year	2 years	3 years
2.	Displaying firearms or other deadly weapons on SFPL property in a rude, angry, or threatening manner. Exemptions from this prohibition are recognized for Law Enforcement Officers and individuals licensed to carry handguns in accordance with state law.  CPC § 417.			
3.	Engaging in acts of sexual misconduct, including indecent exposure, sexual contact and sexual intercourse and/or exhibiting lewd and lascivious acts.  CPC § 314; CPC § 370.			

<sup>1</sup> San Francisco Charter section 4.102(1) provides that appointed boards and commissions have the power to: “[f]ormulate, evaluate and approve goals, objectives, plans and programs and set policies consistent with the overall objectives of the City and County . . .”

<sup>2</sup> This Code of Conduct refers to suspension duration periods and other consequences imposed by the Library but does not preclude or supersede other consequences or penalties that may be imposed by federal, state or local law.

<b>Level Two Moderate Violations</b>		<b>Suspension Duration</b>		
		<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>
4.	Possession and/or use of illegal drugs.  Cal. Health & Safety Code ("CHSC") § 11350; CHSC § 11357; CHSC § 11375; CHSC § 11377.	3 months	6 months	1 year
5.	Theft of or vandalism to SFPL property, or the personal property of library patrons or staff.  CPC § 484; CPC § 490.5; CPC § 594; S.F. Police Code ("SFPC") § 130.			
6.	Using obscene or threatening language or words otherwise likely to provoke an immediate violent reaction.  CPC § 415; CPC § 422.			
7.	Unreasonable use of restrooms, including smoking, soliciting, clogging plumbing or looking into an area designed to provide privacy to a person using the area.  S.F. Health Code ("SFHC") § 1008.2; CPC § 647(a)-(b); CPC § 594; CPC § 647(j)(1); CPC § 370.			
8.	Depositing bodily fluids on SFPL property, including library collections, equipment, and furnishings.  SFPC § 153; CPC § 370.			
9.	Unauthorized presence in staff-designated areas and/or entering or remaining inside library facilities before or after posted hours of operation.  CPC § 602(q); CPC § 602.1(b).			

<b>Level Three Minor Violations</b>		<b>Consequences</b>		
		<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>
10.	Exhibiting signs of being under the influence of alcohol or illegal drugs.  CPC § 647(f).	1 day	1 day	7 days
11.	Leaving a child under 8 years of age unattended by a responsible person. Minor children visiting the San Francisco Public Library are the responsibility of their parents or guardians. The Library does not serve in loco parentis. The Library cannot accept responsibility for the safety and supervision of minor children.  See CPC § 273a. <sup>3</sup>	Notify Security; follow procedures for contacting SFPD		
12.	Verbal communication or non-verbal attention that is willful, malicious, or repeated harassment.  SFPC § 122; see CPC § 415(2).	Warning Patron may correct or leave	1 day	7 days
13.	Smoking tobacco products or using e-cigarettes inside library facilities or within 20' of any entryway.  SFHC § 1008.2; Cal. Gov't Code § 7597.			
14.	Fraudulent use of another patron's library card and/or account number for any purpose, including to reserve computers.  See CPC § 529.			
15.	Making any loud or unreasonable noise or other disturbance, including disruptive use of personal communications or entertainment devices.  CPC § 415(2)			
16.	People, animals or property must not block aisles, doorways, stairways, elevators or ramps. Large objects such as carts, bicycles and luggage may not be brought into library facilities. Library patrons must keep personal belongings with them at all times.  CPC § 370; CPC § 602.1(b); CPC § 647c.			

3. "See" is utilized when the application of the statute may depend on the particular facts and circumstances of the situation.

17.	Roller skates, scooters, skateboards, bicycles, or other similar devices must not be used on Library property.  CPC § 602.1(b); see SFPC § 130.	Warning Patron may correct or leave	1 day	7 days
18.	Library entrance areas shall be used exclusively for entering and exiting the library and as temporary waiting areas for library patrons.  CPC § 647c; SFPC § 22.			
19.	Blocking library entrance areas or interfering with the free flow of pedestrian traffic in such areas.  CPC § 370; CPC § 647c; SFPC § 22.			
20.	Eating food and consuming beverages from an open container is prohibited, except in designated areas. Alcoholic beverages are prohibited.  Cal. Bus. & Prof. Code § 25620(a); SFPC § 21.			
21.	Soliciting money, donations or signatures.  See SFPC § 120-2; SFPC § 660.2.			
22.	Media or commercial photography or filming, without prior permission from Library Administration.  S.F. Admin. Code §§ 57.5-57.6.			
23.	Emitting strong, pervasive odors, including odors caused by perfume or cologne that unreasonably interfere with library user or staff comfort, safety, use, or peaceful enjoyment of the library.  CPC § 370.			
24.	Clothing covering the upper and lower body is required in addition to shoes or other footwear.  See CPC § 370.			

25.	Refusing to leave building and/or library computer during emergency evacuation. CPC § 602.1(b).	Warning Patron may correct or leave	1 day	7 days
26.	Using SFPL facilities for other than their intended purpose, including: loitering, bathing (except washing hands), shampooing, shaving, personal grooming, changing clothes, washing clothes or utensils.  See CPC § 370.			
27.	Manipulation of/interfering with SFPL computers, Internet reservation and/or print management systems.  CPC § 594; see CPC § 602.1(b).			
28.	Adults using children's area without a child or need for children's collections.			
29.	Selling merchandise without prior permission from the library.			
30.	Sleeping or lying on the floor or furniture.  See CPC § 647(e).	Warning Patron may correct or leave.		
31.	Failure to check out library materials before exiting the library.  See CPC § 484.			
32.	Animals, other than disability service animals, are not permitted inside library facilities.  See, e.g., Cal. Civ. Code §§ 54.1-54.2; CPC § 365.5(b).	Leave building; may return without pet.		

**Trespassing:** Individuals who interfere with Library employees in the performance of their duties and/or who fail to follow any reasonable instruction by a staff member to correct inappropriate behavior will be subject to a suspension of library service and/or exclusion from library property. Individuals refusing to leave after such request will be subject to arrest for trespassing and prosecution under California Penal Code Section 602.1(b).

Illegal activity, as well as any willful or repeated violations of this Patron Code of Conduct or other posted Library regulations (e.g. computer use rules), may result in removal from the facility and/or suspension of Library privileges. In addition, where authorized by Federal, State or local law, violations of this Patron Code of Conduct may also result in arrest. For repeated violations, the length of suspension of library service and/or exclusion from library property will be determined by Library Administration. Library Administration reserves the right to modify the length of a term for suspension of library privileges based on administrative review and/or the outcome of the formal appeal process. Library users who wish to request a reasonable modification of this Patron Code of Conduct because of a disability or health problem may contact Library staff or may call the Library's Access Services Manager at 415-557-4557.

STATE LAW PERMITS LIBRARY STAFF TO SEARCH PURSES, BAGS, PARCELS, BRIEFCASES AND OTHER PACKAGES. IN ORDER TO PREVENT THE THEFT OF BOOKS AND LIBRARY MATERIALS, STATE LAW AUTHORIZES THE DETENTION FOR A REASONABLE PERIOD OF ANY PERSON USING THESE FACILITIES SUSPECTED OF COMMITTING "LIBRARY THEFT." (CALIFORNIA PENAL CODE SECTION 490.5)

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