

UPLAND PUBLIC LIBRARY POLICY

Welcome to the Upland Public Library. We strive to offer library visitors the best service possible in an atmosphere that is safe and free of unreasonable disturbances from others. Patrons may remain in the Library during posted business hours to use the services and resources provided that they conduct themselves in a lawful, orderly, and considerate manner. The public reasonably expects the Library facilities to be safe, clean, and comfortable. To this end, the Library has established the Upland Public Library Policy (“Policy”) to ensure that the use of the Library by patrons, staff, and volunteers are preserved, and that Library property is protected.

A. General Library Policies. The Upland Public Library (“Library”), consisting of the interior and exterior premises of 450 N Euclid Ave, Upland, California 91786, is a service-oriented library committed to meeting the needs of the community.

1. **Library Cards.** A California resident may register for a library card. To obtain a library card, the patron must provide photo identification and verification of current address in-person to Library staff at the Library. A patron’s library card or library card number may not be shared with anyone outside that patron’s household. Library cards are valid for three (3) years.
 - a. **Library Cards for Minors.** Minor patrons are permitted to have their own library cards so long as they and their parent(s) or legal guardian(s) are California residents. The parent(s) or legal guardian(s) must provide photo identification and verification of current address in-person to Library staff at the Library.
 - b. **Lost or Stolen Library Cards.** Patrons are responsible for notifying the Library of any lost or stolen library card.
 - c. **Replacement of Library Cards.** The fee for a replacement library card is \$2.00.
 - e. **Revocation of Library Privileges.** The Library reserves the right to revoke a patron’s library card for the loss or destruction of Library property, failure to pay fees for overdue Library property, abuse of Library privileges, and/or any violations of this Policy committed by the patron.
2. **Library Property.** Patrons must use their own library cards when checking out Library property. Minor patrons may use library cards belonging to their parent(s) or legal guardian(s). The Library is not responsible for providing supplies, use of phones, or property not designated for public use.
3. **Designated Childrens’ Areas.** The Library has areas designated for minor patrons and their accompanying parents, legal guardians, or caregivers, for the purposes of reading, researching, studying, and attending youth-focused programs or Library-sponsored events. Out of concern for the safety and comfort of minor patrons,

adults unaccompanied by a minor may be asked to leave designated children's areas.

4. **Minor Patrons**

- a. Children under the age of ten (10) may not be left alone in the Library for any reason and must be directly supervised by a responsible adult caregiver. If it comes to the attention of the Library staff that a child under the age of ten (10) has been left unattended, the Library staff will make a reasonable effort to locate the parent, legal guardian, or caregiver in the Library. If a parent, legal guardian, or caregiver cannot be located despite reasonable effort, Library staff may contact the police or proper authorities to escort the child to a safe location. No Library staff will transport any child patron and no child patron will be allowed in a staff's vehicle.
- b. Children between the ages of ten (10) and seventeen (17) are permitted to be in the Library without adult supervision so long as they behave in accordance with this Policy.

5. **Personal Property.** At all times, patrons must keep all personal property on their person or stored under or on a library chair or table without disturbing other patrons or prohibiting use of library property by other patrons. Patrons are not permitted to store any personal property in the Library or on Library property. The Library and Library staff are not responsible for the security or safekeeping of any personal property of any patron. The Library and Library staff are not responsible for the personal property of any patron that is lost, stolen, or damaged in the Library or on Library property. The Library staff reserves the right to remove and/or dispose of personal property left unattended for more than thirty (30) minutes. The Library staff reserves the right to immediately remove and/or dispose of any unattended property that constitutes a nuisance so offensive to the senses or poses an immediate danger to other persons or Library property. All personal property is subject to inspection by Library staff for unpermitted removal of Library property and to ensure the safety of patrons and Library staff.

6. **Library Photography and Videos Recordings.** Classes, events, or programs sponsored by the Library may be photographed or video-recorded and published on social media platforms and the Library website by the Library's staff or its agents provided the Library has obtained written consent by all parties photographed or video-recorded.

7. **Criminal and Civil Remedies for Misconduct.** Patrons engaging in illegal activity will be reported to the authorities. Any damage or destruction of Library property is a criminal offense and violators shall be prosecuted pursuant California Penal Code 594. Accordingly, California Civil Code 1714.1(a) and (b) provide that a minor's willful misconduct that results in damage to or defacement of Library property shall be imputed to the parent(s) or legal guardian(s) having custody or

control of the minor for all purposes of civil damages, including court costs and attorney's fees. The parent(s) or legal guardian(s) shall be jointly and severally liable with the minor for any damage or defacement of Library property resulting from the minor's misconduct.

8. **Right to Discharge Patrons.** The Library reserves the right at all times to immediately discharge a patron who is disruptive, dangerous, or in any way threatening to any patron or Library staff.
9. **Severability Clause.** Should any provision of this Policy be held or made invalid by a binding court decision, statute, or rule, or shall be otherwise rendered invalid, the remainder of this Policy shall not be affected thereby.

B. Prohibited Activities. Patrons who engage in any of the designated "prohibited activities" listed in this Policy will be asked to stop said activities, may be asked to leave the Library, and may be subject to a suspension of Library privileges, including revocation of Library card and all access to Library services.

1. Engaging in any activity prohibited by federal, state, local or other applicable law.
2. Entering the Library building without shoes or clothing covering the upper body or lower body.
3. Entering the Library with unwrapped or unbandaged open sores or wounds that constitute a nuisance and/or biohazard for patrons and Library staff.
4. Possessing or consuming alcohol and/or illicit drugs or exhibiting signs of being under the influence of alcohol or controlled substances.
5. Smoking or utilizing tobacco products or vaping devices.
6. Eating food in areas where eating is prohibited. Beverages are allowed provided the beverage is in a sealed container.
7. Carrying or using any weapon. Law enforcement officers carrying firearms in accordance with state or local laws are exempt.
8. Occupying furniture in a manner that suggests lounging, as evidenced by laying down furniture, or propping feet on chairs, sofas, or tables.
9. Laying on the floor and/or ground in the Library or on Library property.
10. Interfering with other patrons' use of the Library or Library staff's ability to perform their duties. Actions that may be considered interfering of other patrons' use of the Library or Library staff's ability to perform their duties include but are not limited to making disruptive noises, disturbing patrons, occupying more than one space when other patrons need accommodating, preventing patrons from using and enjoying Library property, badgering Library staff or volunteers, and similar conduct.

11. Blocking aisles, walkways, stairways, or public areas.
12. Bringing animals into the Library, except service animals as specified and in compliance with the Americans with Disabilities Act.
13. Using restrooms for other than intended purposes, including but not limited to bathing, shampooing, shaving, doing laundry, using drugs, or engaging in sexual acts.
14. Failing to maintain personal hygiene, or using perfume, fragrance, or cologne, which produce odors that are so offensive to constitute a nuisance to other persons.
15. Wearing, carrying, or possessing clothing or personal property saturated with or smelling of blood, urine, feces, or odors that are so offensive to constitute a nuisance and/or biohazard to other persons.
16. Exhibiting harassing-like behavior to any person or Library staff, including but not limited to staring, stalking, lurking, repeated unwanted personal and/or embarrassing questions or attention in person or via electronic communication.
17. Threatening or exhibiting threatening-like behavior to any person or Library staff.
18. Fighting, using fighting words, threatening to inflict bodily harm, or inciting violence.
19. Engaging in any abusive, obscene, unwanted, or threatening behavior toward any person or Library staff, including but not limited to harassment, profanity, abusive language or gestures, threatening language or gestures, assault, and battery.
20. Defecating and/or urinating on Library property other than a toilet or urinal in a restroom.
21. Engaging in lewd behavior including but not limited to sexual acts and indecent exposure.
22. Soliciting any lewd or sexual act.
23. Viewing pornographic and/or inappropriate content on Library computers while on Library property.
24. Soliciting or collecting funds. Library staff collecting overdue fines, fees, proceeds of book sales, rentals, and Library donations are exempt. The Library Director or his/her designee (collectively, "Library Director") may authorize and exempt individuals or entities to collect fees or proceeds associated with Library-sponsored classes, events, or programs.
26. Fraudulently using patron library cards or account numbers for any purpose.
27. Damaging, destroying, tampering with, or theft of Library property.

28. Loitering in the Library or on Library property.
29. Soliciting signatures for petitions, distributing flyers, selling merchandise, or other similar activities that may disrupt patrons' use and enjoyment of the Library or interfere with Library staff's ability to perform their duties.
30. Disruptively using electronic devices, including desktop computers, cell phones, CD players, MP3 players, walkie-talkies, PDAs, laptop computers, or any other instruments (approved Library activities are exempt).
32. Bringing the following prohibited items into the Library or on Library property:
 - a. Alcohol, contraband, illicit drugs, or stolen property;
 - b. Dangerous weapons including but not limited to firearms, explosives, knives, or razors;
 - c. Suitcases or luggage (Wheeled backpacks are exempted);
 - d. Shopping carts or other large, wheeled trolleys (Strollers, wheelchairs, and other wheeled devices designed to transport humans are exempted. Library property including trolleys and carts are exempted);
 - e. Any item that cannot be carried within a single trip and stored under or chair or table (Strollers, wheelchairs, and other wheeled devices designed to transport humans are exempted); and/or
 - f. Any item that interferes with other patrons' use and enjoyment of the Library or interferes with Library staff's ability to perform their duties.
31. Leaving personal property unattended in the Library or on Library property.
32. Camping in the Library or on Library property.
32. Sleeping in the Library or on Library property. Small children and infants are exempt so long as they are sleeping in a caregiver's arms, a stroller, or type of child carrier device.
33. Failing to provide proper supervision of children and/or dependent adults.
34. Engaging in horseplay, roughhousing, running, pushing, or shoving in the Library or on Library property.
35. Using roller skates, scooters, skateboards, bicycles, wheeled shoes or other similar devices in and/or on Library property.
36. Trespassing on Library property and/or using Library property in a manner inconsistent with its intended use of selecting materials, reading, researching, studying, writing, and attending programs and/or meetings held during Library business hours.

37. Entering non-public and/or staff-only areas.
38. Adult patrons entering and/or remaining in areas designed for minors unless they are accompanying or supervising a minor or they have obtained permission from the Library staff.
39. Removing Library property without permission from the Library staff or checking the property out with a valid Library card.
40. Damaging or attempting to damage Library property, including but not limited to damage to computer equipment or alteration of software configuration.
41. Distributing or posting flyers, brochures, handouts, signs, or printed materials without prior consent from the Library Director.
42. Refusing to leave the Library during an emergency evacuation, emergency evacuation drill, or at closing.
43. Failing to comply with any warning or reasonable request to change or cease conduct in violation of this Policy.
44. Use of the Library, Library facilities, or Library online services in violation of a suspension assigned under this Policy.

C. Enforcement of Prohibited Activities

1. **First Violation.** Library staff may address the patron to correct behavior and may instruct that patron to leave the Library for the day. Library staff may advise the patron that continued misconduct may result in suspension of Library privileges for thirty (30) or more calendar days.
2. **Second Violation.** Library staff may address the patron to correct behavior and may instruct the person to leave the Library for the day. Library staff may advise the patron that continued misconduct may result in suspension of Library privileges for thirty (30) or more calendar days. A second or subsequent violation need not be the same as prior violation.
3. **Third Violation.** The Library Director or Library staff may:
 - a. Instruct the patron to leave the Library for the day;
 - b. Issue a suspension of Library privileges all access to Library services for thirty (30) or more calendar days;
 - c. Advise the patron that continued misconduct may result in suspension of Library privileges for up to one (1) year; and/or
 - d. Issue a suspension of Library privileges for up to one (1) year.

4. **Severe Violation.** Notwithstanding the progressive penalties in paragraphs C(1)–(3) above, the Library Director may suspend a patron for up to one (1) year based on the nature and severity of any single violation.

D. Notice of Suspension

All suspensions will be accompanied by written notice (“Notice”), notifying the suspended party of his or her specific violations of this Policy, the suspension length, and the right to appeal.

E. Appeal Procedures for Library Suspension

1. **Filing an Appeal.** An individual may appeal a library suspension by filing a written notice of appeal to the Library Board of Trustees within fifteen (15) calendar days of the issuance of the Notice of Library Suspension. The notice of appeal shall be filed within the specified time period with the Library Director’s secretary, or the appeal will be deemed untimely. Failure to file the notice of appeal within the specified time period or with the Library Director’s secretary will be deemed a waiver of an appeal. The notice of appeal must contain the following information:
 - a. The individual’s full legal name (and full legal names of the parents or legal guardians if the individual is a minor);
 - b. The individual’s mailing address and telephone number. If the individual does not have a mailing address or telephone, the individual may list reasonable means to contact and provide written notice to the individual;
 - c. The disputed suspension or decision;
 - d. Specific factual grounds for the appeal; and
 - e. The specified relief or action sought from the Library Board of Trustees.
2. **Administrative Hearing.** A timely notice of appeal shall be placed on the agenda of the next regularly scheduled meeting of the Library Board of Trustees. The individual seeking an appeal shall be notified in writing of the administrative hearing date not less than ten (10) calendar days prior to the hearing unless such notice is waived in writing by the individual. If the individual does not have a valid mailing address and the Library has exhausted reasonable efforts to provide written notice, then the Library may publicly publish notice on the Library’s website. The at-issue library suspension will be enforced during this period.
 - a. At the time of the administrative hearing, the individual or individual’s representative shall be limited to a presentation on the specific grounds of the appeal and matters set forth in the notice of appeal. The individual or individual’s representative shall have the burden of establishing cause for

why the suspension or decision appeal from should be altered, reversed, or modified.

- b. The Library Board of Trustees reserves the right to limit the length of the presentation and the number of presenters at the hearing. At the conclusion of the hearing, the Library Board of Trustees may affirm, reverse, or modify the suspension or decision appealed from.
- c. In ruling on the appeal, the determination of the Library Board of Trustees shall be final and conclusive in the matter.

F. Suspension Violations. Any additional violation(s) of this Policy by a patron currently serving a suspension of thirty (30) days or more shall automatically result in an additional one (1) year suspension beginning from the end date of the latest suspension.