

Library Use Policy

Policy Number:

Policy Type: Operational

Review Period: 4 years

Approval History: *¹, June 24, 2021

1.0 Purpose

The Greater Sudbury Public Library provides its visitors a wide range of library services in a safe and positive environment that is conducive to reading, learning and the appropriate use of materials and services. Everyone is welcome at the library.

The Patron Code of Conduct is in place to create a welcoming environment, to preserve Library property and to ensure the safety of visitors and staff.

Staff makes every effort to apply the following rules in a fair, dignified, and positive manner, for the benefit of all:

Together we...Create a welcoming environment.

- Consider the tone, volume and language of your conversations
- Demonstrate respectful behaviour
- Dress for a public space, including wearing tops, bottoms and footwear
- Limit strong scents and odours
- Follow the directions of Library and security staff
- Obtain permission from Library staff prior to photographing, filming or recording on library property
- Obtain permission from Library staff to distribute literature or post materials on Library property
- Bring in only registered support or service animals
- Report disruptive behaviour to Library staff.

Together we...Preserve Library property.

¹ Initial approval date unknown

- Use the Library's materials, computers, equipment, and furniture with care
- Tidy up after yourself; throw out or recycle your garbage
- Park bicycles, scooters, and other small recreational motorized vehicles outside the Library
- Refrain from using items such as skateboards or roller blades inside the Library
- Check with Library staff if there are restrictions on what and where you can eat.

Together we...Ensure the safety of visitors and staff.

- Supervise children in your care while visiting the Library. See Safe Child Policy for more detail
- Keep aisles, corridors, and spaces around you clear so that others can easily access them
- Use authorized entrances and exits only and keep clear of any areas designated as "Staff Only"
- Keep your belongings with you as the Library is not responsible for lost items
- Exit the Library promptly in the case of an evacuation
- Follow all municipal, provincial and federal laws, codes, rules, and regulations
- Follow health and safety guidelines as set by Public Health Sudbury & District.

2.0 Unacceptable Behaviour

Any behaviour or activity that impedes the use of Library spaces is unacceptable. These behaviours and activities include, but are not limited to:

- Disruptive, abusive, insulting, lewd, harassing and threatening behaviour toward visitors and staff
- Use of alcohol or illegal drugs
- Smoking and vaping as per bylaw
- Theft and vandalism
- Printing and photocopying that does not comply with the Canadian Copyright Act
- Possession of weapons of any kind
- Unauthorized photographing, filming or audio recording in the Library;
- Trespassing while under an active Notice of Trespass
- Soliciting or panhandling.

Anyone not following the policies of the Library and refusing to modify behaviour will be asked to leave. This could result in suspension of Library privileges, eviction from the Library, cost-recovery charges, and/or prosecution under the *Trespass to Property Act* or the *Criminal Code*.

3.0 *Suspensions, Appeals and Reinstatement*

When a breach of the Code of Conduct occurs, Greater Sudbury Public Library has discretion in determining whether a person will be suspended and the time period of the suspension. Staff will take into consideration the severity of the misconduct, the circumstances surrounding the incident and any mitigating factors.

Any person who has been suspended from the Greater Sudbury Public Library for three (3), six (3) or twelve (12) months has the right to appeal the suspension.

4.0 *Suspensions*

4.1 *One- or Three-Day Suspension*

A system-wide suspension of one (1) day or three (3) days from all Library properties may be applied when a minor disregard for the Code of Conduct occurs.

If you have been suspended for one (1) day or three (3) days, you:

- Cannot visit any location of the Library
- Cannot appeal the decision
- Can use your library card to access digital resources and online services.

Some or all of the following actions may be taken by Library staff:

- Staff will inform the person of how the Library's rules were violated
- An immediate verbal warning will be given to the person by Library staff
- A written warning will be issued to the person
- The person will be asked to leave the library
- The person will be given a verbal and/or written Notice of Trespass
- Staff will keep a record of the name of the person responsible for the breach of the Code of Conduct.

4.2 Three-Month Suspension

A system-wide suspension of three (3) months from all Library properties and services may be applied when there are major or repeated breaches of the Code of Conduct. Repeated breaches will result in progressive extensions to the Notice of Trespass.

If you have been suspended for three (3) months, you:

- Cannot visit any location of the Library
- Can appeal the decision
- Cannot use your library card to access digital resources and online services.

Some or all of the following actions may be taken by Library staff:

- Staff will inform the person of how the Library's rules were violated
- An immediate verbal warning will be given to the person by Library staff
- A written warning will be issued to the person
- The person will be asked to leave the library
- The person will be given a verbal and/or written Notice of Trespass
- Staff will keep a record of the name of the person responsible for the breach of the Code of Conduct

A letter will be issued by the Library Manager to the person and will include:

- The period of suspension
- The reason(s) for the suspension
- A notification to the person that he or she has the right to appeal and information on the appeals process
- Notice that there could be a further review of the incident and additional action may be taken, including a possible extension of the suspension
- Contact information for submitting an appeal
- The date of reinstatement of Library privileges.

4.3 Six- or Twelve-Month Suspension

A system-wide suspension of six (6) or twelve (12) months from all Library properties and services may be applied when violence, threat of violence, vandalism, theft or persistent disregard for the Code of Conduct occurs. Repeated breaches will result in progressive extensions to the Notice of Trespass.

If you have been suspended for six (6) or twelve (12) months, you:

- Cannot visit any location of the Library
- Can appeal the decision
- Cannot use your library card to access digital resources and online services.

Some or all of the following actions may be taken by Library staff:

- Staff will inform the person of how the Library's rules were violated
- The person will be asked to leave the library
- The person will be given a verbal and/or written Notice of Trespass.

A letter will be issued by the Library CEO to the person and will include:

- The period of suspension
- The reason(s) for the suspension
- A notification to the person that he or she has the right to appeal and information on the appeals process
- Notice that there could be a further review of the incident and additional action may be taken, including a possible extension of the suspension
- Contact information for submitting an appeal
- The date of reinstatement of Library privileges.

5.0 Appeals

A person has the right to appeal a suspension of three (3), six (6) and twelve (12) months. A person who has been issued a suspension from the library may appeal the decision in writing. The contact information for submitting an appeal will be included in the suspension letter.

A person may appeal by using a form available on the Greater Sudbury Public Library website or by writing a letter with the following information:

- Name
- Address where you can be contacted / phone number / library card number (if available)
- Location and date of suspension
- Reason for appeal.

Greater Sudbury Public Library uses the following criteria when determining whether to grant an appeal:

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

6.0 *Reinstatement of Library Privileges*

Upon expiration of a Notice of Trespass, suspended individuals may be required to review the Patron Code of Conduct with Library staff before privileges are reinstated.

7.0 *Definitions*

Appeal: The process of requesting a review of a suspension from Library properties.

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

Library property: All Library branches, buildings and property of the Greater Sudbury Public Library whether leased or owned.

Mitigating factors: Factors that impact the severity of the suspension or the culpability of the act and may influence the length of suspension, including, by not limited to, the individual's age, mental or physical ability, or the circumstances of the incident.

Notice of Trespass: A warning telling a member of the public to stay off the property. It can be issued verbally or in writing.



Reinstatement: When a suspension from Greater Sudbury Public Library ends and Library privileges are restored.

Suspension: A member of the public is banned and is not allowed to enter 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 (i.e. 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, or destroy or damage to property, even in the absence of fear of immediate bodily harm.