



## Staff Report

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**File #:** 17-339

**Version:** 1

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**Item #:** 6. a.

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**TO:** Mayor and City Council

**THROUGH:** Steve Powers, City Manager

**FROM:** Norman Wright, Community Development Director

**SUBJECT:**

Library Code of Conduct and Children's Safety

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**ISSUE:**

Notice to Council regarding adoption of Salem Public Library Code of Conduct, Children's Safety and Unattended Child Policy, and Use of the Children's and Teen Areas Policy.

**RECOMMENDATION:**

Information only

**SUMMARY AND BACKGROUND:**

SRC Chapter 20J allows the City Manager or the City Manager's designees to promulgate administrative rules that implement, and are consistent with, the Salem Revised Code. Before an administrative rule can be made effective the public must be given notice of the proposed rule and an opportunity to comment.

Further, Council must be provided notice of the proposed rule, and may initiate review of the proposed rule. This report serves as notice to Council of the Library's proposed rules concerning conduct in the Library, children's safety and unattended children and use of the children's and teen areas.

**FACTS AND FINDINGS:**

## **Notice and Comment:**

The notice of the proposed rules were posted at the Library on the main entry breezeway bulletin board, in front of the City Manager's Office, and posted on the City's website on September 15, 2017. No comments were received as a result of the postings.

Library staff has drafted updates to the Library's "Code of Conduct", "Children's Safety" and "Children and Teen Area Use" rules. Staff has presented the proposed rules to the Salem Public Library Advisory Board which has recommended approval of the proposed rules.

## **Code of Conduct:**

The proposed rules establish that certain prohibited conduct in the Library be divided into three "levels" (Attachment 4). The primary change to the Code of Conduct is in the formatting and structure which creates a much simpler and intuitive model for enforcement. The proposed rules provide for increased enforcement based on the frequency and severity of the conduct. Consequences for violating the code of conduct range from an oral or written warning, exclusion from the Library for one day up to three years, to contacting the Salem Police Department if the conduct in question is criminal in nature.

## **Children's Safety and Unattended Child Rule:**

The Children's Safety and Unattended Child rule requires children under the age of 10 years, per Oregon Revised Statutes (ORS) 163.545 to be accompanied by a parent, guardian, or designated responsible caregiver (16 years of age or older) at all times while in the Library (Attachment 3). Caregivers must supervise and provide guidance for children during the entire Library visit. The proposed rule also provides that unattended children at the Library will be taken to the Salem Police Department if the child's attending adult is not present or unable to be reached via phone.

## **Children's and Teen Area Use Rule:**

The Children's and Teen Area Use rule specifies that these areas are specifically designed for use by the needs of younger library users (Attachment 2). The Children's area is intended for children (infants through grade 5) and their parent(s) or caregiver(s). The teen area is intended for teens (grades 6-12) and their parent(s) or caregiver(s). If an unaccompanied adult requires access to either area for access to the collections, staff will request that they limit their use to 15 minutes. Staff may make exceptions to the 15 minute time limit for unaccompanied adults who are (student) teachers, daycare providers or others who require access to these spaces for research or other educational purposes.

Danny Smith  
Interim City Librarian

## **Attachments:**

1. Notice of Proposed Administrative Rulemaking
2. Children's and Teen Area Use

- 3. Children's Safety in the Library and Unattended Child
- 4. Code of Conduct