

CODE OF CONDUCT

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North Douglas Library District (NDLD or District) seeks to ensure its facilities and events remain safe, clean, and orderly, and wishes to establish an enjoyable and respectful environment for all visitors. This Code of Conduct outlines expectations for visitor access to NDLD spaces for the safety of all users and District Employees.

This Code of Conduct covers behavior in spaces used while accessing District services and/or resources, including all buildings, grounds, and services that are accessed and provided remotely. This includes when a person is:

- Accessing or attempting to access District services,
- Interacting with or impacting District Employees or volunteers who are on duty and present at a location to provide District services, and/or
- Interacting with or impacting other District visitors who are accessing or attempting to access District services.

Enforcement of Policies:

The Library Director and all District Employees are authorized to interpret and enforce this policy in accordance with applicable law and to ensure appropriate behavior of all persons in District facilities. Persons found to be violating District policies will be asked to discontinue that activity. If the person fails or refuses to cease the prohibited conduct, or to otherwise comply with staff's direction in a reasonable manner, the person will be asked to immediately leave District Property in accordance with *Exclusion Criteria* outlined in the District's Code of Conduct.

Definitions:

- "District" means the North Douglas Library District.
- "District Facilities" means any building, structure, or improved property leased, managed, operated, or owned by the District.
- "District Event" includes any recreational program or special event sponsored by the District or in partnership with the District.
- "District Property" means the property, equipment and improvements, of whatever nature, owned, leased, operated or controlled by the District to provide services, and includes all District Facilities and Materials.

General Rules:

1. **Respectful behavior:** Library visitors must behave in a manner that does not disturb others' peaceful enjoyment of District Facilities and Events. This includes noise level, physical activity, personal hygiene, and perfume use. Library visitors have a responsibility to access District Facilities and/or Events in a manner that:
 1. Does not interfere with the rights of other individuals to access or use NDLD materials, resources, and services;
 2. Does not limit the ability of NDLD Employees or volunteers to conduct their duties; and
 3. Does not threaten the secure and comfortable environment of NDLD spaces.
2. **Criminal Activity:** No Person shall violate or refuse to obey any city, county, state, or federal laws, ordinances, or regulations while in District Facilities or while participating in District Events.
3. **Hours:** Regular service hours for public use are posted in a visible space in each District location and on the District's website. Some District-sponsored or -sanctioned events exceed regular service hours and are included in the District's Events Calendar. Not all District services or resources may be available during events outside regular service hours.
4. **Event or Facility Rules:** All visitors agree to abide by all District rules while attending a District Event or while visiting a District Facility. No person shall refuse to obey any District Event or District Facility rule.
5. **Direction of a District Employee:** All visitors agree to follow reasonable District Employee direction and/or requests. No person shall refuse to obey any instruction, warning, restriction, or prohibition on posted signs or notices, or communicated verbally or in writing by a District Employee.
6. **Attendance:** No person under the age of 12, nor any adult who is unable or unwilling to care for themselves, shall visit a District Facility or attend a District Event without the supervision of an age-appropriate, responsible person. District Employees shall not act as caregivers for unattended children or vulnerable adults and shall not assume responsibility from the guardians or caregivers for providing for the welfare of the person(s) in their care. For more information see NDLD's [Child Safety & Vulnerable Adult Policy](#).
7. **Sexual Conduct:** No person shall engage in sexual conduct as defined in ORS 167.060 while on District Property or at District-sponsored Events.

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8. **Authority to Protect Public Health and Safety:** District Employees, or designees, are authorized to act to protect the safety or health of the public or protect District Property. This authority includes actions that may temporarily:
 1. Permit or limit specific activities or uses in designated portions of a District Property;
 2. Designate a location within a District Property for a single use to avoid conflicts between users;
 3. Restrict access to or close an entire District Facility;
 4. Restrict access to or close a portion of a District Facility; or
 5. Exclude a person from District Property, consistent with this policy.

9. **Entrances to District Facilities:** No person or persons shall block the entering and exiting of any persons to District Facilities, except for District Employees granted authority by the Library Director - or District Board if the Director is unavailable - or identifiable and authorized emergency personnel and services.

10. **Aggressive Behavior:** No person shall use aggressive, intimidating, or assaultive behavior, as set forth in Oregon Revised Statutes Chapter 163 and 166. Prohibited conduct shall include but is not limited to: assault, bias crime, coercion, disorderly conduct, harassment, hazing, menacing, public indecency, or reckless endangerment.

11. **Property Damage:** No person shall damage, remove, tamper with, modify or deface District Property, including materials and furnishings.

12. **Littering:** No person shall litter on District Property. Garbage, waste and organic debris shall not be brought to District Property for disposal. Persons may not deposit or abandon trash, waste, or other materials except in receptacles specifically provided for such purposes.

13. **Electronic and Audio Devices:** No person shall produce amplified sound or use a public address system at an unreasonable volume, except in conjunction with District-sponsored or -sanctioned activities as permitted by the Library Director or District Employee. Electronic devices should remain at a volume that does not disturb others.

14. **Wheeled Vehicles:** Mobility devices including wheelchairs, motor chairs, and walkers are allowed on District Property and in District Facilities. Bicycles, scooters, rollerblades, skateboards, and other modes of transportation that are not necessary for accessibility or mobility assistance are prohibited inside of District Facilities or at District Events.

15. **Prohibited Items for the Safety of Visitors and Employees:** The following items are prohibited to possess or use on District Property without written approval from the Library Director:
 1. Knives or blades over four (4) inches in length.

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2. Axes, machetes, scythes, and other metal implements with a sharpened edge meant for cutting.
3. Firearm replicas.
4. Spray-paint.
5. Unsecured or accessible weapons of any kind.

16. **Camping:** No person shall camp or sleep overnight on District Property, except in warming shelters or when authorized in writing by the Library Director.

17. **Fires:**

1. Fires and portable grills that utilize any form of combustible fuel are prohibited on all District Property.
2. No person shall build, light, or maintain any fire so as to constitute a hazard by its proximity to any building, structure, vegetation or flammable material.

18. **Animals:**

1. Only service animals, as recognized by the State of Oregon and the Americans with Disabilities Act (ADA), are allowed inside District Facilities or at District Events, unless permitted by the Library Director for a specific District Event or activity.
2. A service animal, as defined by the ADA, is “a dog that has been individually trained to do work or perform tasks for an individual with a disability” and is required to remain “under the control of the handler at all times.”
3. 'Emotional support' animals, which provide a sense of safety, companionship, and/or comfort, are not recognized as service animals by either the ADA or the state of Oregon.
4. No person shall harass domestic or wild animals on District Property.
5. No person shall feed wildlife.
6. No person shall release animals - domestic, exotic or native - onto District Property.
7. Handlers are responsible and liable for their animal’s actions. Animals or Handlers may be excluded from District Property if the animal is being disruptive or for failure to abide by District rules.
8. Handlers shall not allow an animal to damage the property of another, including by digging or burrowing, or to harass, threaten, injure, or fight with another animal or person.
9. No person shall tie any animal to any tree or other structure on District Property.
10. Handlers are responsible for the immediate removal, into an appropriate receptacle, of all excrement generated by their animals.

19. **Business Operations, Leafleting, Panhandling, Promotional Materials, and Organized Events:** District Property is reserved exclusively for District activities and materials unless specifically authorized by the Library Director. General promotional materials may be posted exclusively on the public bulletin board in the lobby without prior authorization. Requests for

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exceptions on District Property will be considered by the Library Director, or their designee, on a fair and equal basis, irrespective of the affiliation or ideology of the individual making the request. The preservation of District interests, including but not limited to protection of District Property and the safety of District visitors, employees, and the public will be the foremost considerations before granting or denying the request. Whether a request is approved or denied will also be determined by whether the requested activity is compatible with the normal activity of the District at the particular time and place requested. The following activities are prohibited without prior authorization in writing by the Library Director or their designee:

1. Operating a fixed or mobile concession.
2. Soliciting, selling, offering for sale, peddling, hawking, advertising, or vending any goods or services.
3. Displaying any flyers, commercial advertisements, signs, business cards, or other printed material except on the designated public bulletin board.
4. Conduct surveys, solicit, petition, or canvass for signatures, sales, charity, religious, or political purposes.
5. No person shall solicit money on District Property.
6. No person shall organize, conduct, or participate in any event or scheduled activity that is publicly advertised without prior written authorization from the Library Director or their designee.

20. Restrooms:

1. No person shall urinate or defecate on District Property except in restroom toilets.
2. No person shall use a cell phone, camera, recording device or other photographic equipment while inside a restroom facility.
3. No animals, bicycles, camping materials, or items used to prepare food for consumption are allowed in District restrooms.

21. District Facility Accessibility During Closures: All District Facilities - including lobbies and restrooms - are closed to the public outside of regular posted service hours.

22. Substances, Food, and Beverages:

1. No person shall bring in or consume any food or beverages, excluding plain water or as provided as part of a District Event.
2. No person shall be under the influence of alcohol or other intoxicants while on District Property or while attending District Events.
3. **Smoking:** Smoking is prohibited within any space or area where smoking is prohibited by law or ordinance.
 1. "Smoking" means electronic smoking devices, tobacco, marijuana, Bidis, cigarettes, cigarillos, cigars, clove cigarettes, nicotine vaporizers, nicotine liquids, hookahs, kreteks, pipes, chew, snuff, smokeless tobacco, and any burning or smoldering substance in any form.

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2. "Electronic Smoking Devices" means an electronic or battery operated device that delivers vapors for inhalation. Electronic Smoking Devices includes every variation and type of such devices whether they are manufactured, distributed, marketed or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor.
4. **Alcohol and Marijuana:** No alcoholic beverages or marijuana are allowed in District Facilities or Events.
5. **Drugs:** No person shall sell, buy, use, or have in possession any drug or narcotic prohibited by state law while on District Property or attending District Events.

Exclusions:

Definitions

- "Excluded Person" means a person excluded from all or part of District Property, Facilities and/or Events.
- "Notice of Exclusion" means a notice issued excluding an individual from all or part of District Property, Facilities and/or Events for a determined period of time.

Exclusion Criteria

Temporary Suspensions (as determined by Library Employees) and Extended Exclusions (as determined by the Library Director or designee) are based on the following criteria:

- The severity of the offense,
- Whether or not this is a repeated offense,
- Whether the conduct poses a continuing disruption and/or threat to the comfort or safety of other visitors and/or District Employees,
- The level of disruption created by the conduct whether or not involvement by authorities was required to address the situation.

Exclusion

1. **Notice of Exclusion:** In order to ensure the safety of all District Employees and visitors, a District Employee may direct a person to leave a District Facility or Event if there is probable cause to conclude that such person is in violation of any provision of this policy. In addition to any penalties provided for violation of federal, state, or local laws, any District Employee, or other person as designated by the Library Director, may issue a Notice of Exclusion from all or part of District Property, Facilities and/or Events for violation of this policy. Every effort will be made to respond to potentially difficult circumstances of visitor behavior in a timely, respectful, direct, and open manner that is consistent and fair.
 1. **Temporary Suspensions & Verbal Warnings:** Temporary suspensions, as issued through a verbal warning from a District Employee, shall be effective for a maximum period of fourteen (14) calendar days. During a temporary suspension the person may continue to use digital resources but are not allowed on District Property or to attend District Events. For verbal warnings, a copy of the Code of Conduct may be provided to the person upon request.
 2. **Extended Exclusions & Written Notices:** Behavior that significantly disrupts or interferes with the normal operation of the District, District Employees, and/or District activities, may result in an extended exclusion from District Property, Facilities, and/or Events. A Written Notice will be provided to the person by the Library Director and shall be effective for a cumulative minimum of six (6) months. A copy of the Code of Conduct will be provided to the person with the Written Notice. After the exclusion period expires, it is the person's responsibility to approach the Library Director to regain District

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access and privileges. During an extended exclusion, the person may continue to use digital resources but are not allowed on District Property or to attend District Events.

2. **Suspensions and Exclusions Are Effective Immediately:** A Notice of Exclusion shall be effective immediately upon issuance and shall remain in effect until the exclusion expires or is terminated or otherwise modified by the Library Director. The appropriate authority will be summoned if a person fails to leave or if their behavior escalates.
3. **Exclusion and Trespass:** An Excluded Person may not enter or remain upon any part of District Property from which the person is excluded or participate in any District Event during the stated period of the exclusion. An Excluded Person who enters or remains in any District Property from which the person has been excluded, or who participates or attends any District Event from which the person has been excluded, may be charged with Criminal Trespass in the Second Degree, ORS 164.245.
4. **Compound or Repeated Infractions:** Should a person commit multiple offenses at one time or repeat infractions, the Library Director and Board may, after review, increase the time period of the Exclusion.

Appeal Procedure

Any person excluded from the District, whether through Temporary Suspension or Extended Exclusion, may appeal the exclusion through the following procedure. During the appeal process, the exclusion shall remain in effect in accordance with the terms of the Notice of Exclusion.

1. **Request for Administrative Review:** An Excluded Person may request an administrative review of the exclusion. The request must be delivered in writing via US Mail of the Library Director within thirty (30) calendar days of the Excluded Person's receipt of the Notice of Exclusion at either:
 - North Douglas Library District
Attention: Library Director
205 West A Avenue/PO Box 128
Drain, OR 97435
 - OR
an official email address provided to the Excluded Person by a District Employee.
 - OR
an official NDLD book drop location, in a sealed envelope with "Attention: Library Director."
2. **Conduct of Administrative Review:** The purpose of the administrative review is to offer the Excluded Person an opportunity to have the Notice of Exclusion reviewed in an expeditious and informal process.
 - a. Administrative Reviews shall be conducted by the Library Director. The Administrative Review will be conducted in person as soon as reasonably practicable to accommodate

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the schedules of the Excluded Person and the Library Director. The Administrative Review may be conducted by telephone if an in person review is not practicable.

- b. The Excluded Person shall represent themselves at the review, unless the Excluded Person is a minor or otherwise incapable of representing themselves due to a physical or mental disability or impairment, in which case the Excluded Person may be represented by a person designated by the Excluded Person as their representative and mutually agreed to by the Library Director.
- c. Upon conclusion of the Administrative Review the Library Director, in their discretion, shall either:
 - i. Uphold the exclusion in accordance with the terms of the Notice of Exclusion;
 - ii. Modify the terms of the exclusion; or
 - iii. Terminate the exclusion.
- d. An Administrative Review is a prerequisite to appeal a Notice of Exclusion. If an Excluded Person fails to timely request an Administrative Review, or fails to appear at an Administrative Review, the review proceeding shall be dismissed and the exclusion shall remain in effect in accordance with the terms of the Notice of Exclusion.

3. **Request for Hearing Following Administrative Review Decision:** Following an Administrative Review, an Excluded Person may appeal the exclusion if it has been sustained in whole or in part. Such request must be delivered in writing to the Library Director within thirty (30) calendar days of the Excluded Person's receipt of the Administrative Review decision at either:

North Douglas Library District
Attention: Library Director
205 West A Avenue/PO Box 128
Drain, OR 97435

OR

an official email address provided to the Excluded Person by the Library Director.

OR

an official NDLD book drop location, in a sealed envelope with "Attention: Library Director."

4. **Contents of Request for Hearing:** A written request for a Hearing following an Administrative Review decision must contain the following:
- a. A copy of the Notice of Exclusion;
 - b. A written request for a hearing;
 - c. A statement setting forth the reason(s) the exclusion is wrongful, unfair or improper, or prohibited by law;
 - d. The Excluded Person's current contact information, including: address, telephone number, and email address, if available.

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- e. The Excluded Person may request a Hearing in private. If no request is made, the Hearing will be in public at the next regular meeting of the Board of Directors.
5. **Conduct of Hearing:** The purpose of the Hearing shall be to determine whether the exclusion issued pursuant to the Notice of Exclusion, and upheld through the Administrative Review decision, is wrongful, unfair, or improper.
- a. If the Excluded Person requested a private Hearing, the Hearing shall be with two elected Board members and a District Employee, designated by the Board. If the Excluded Person did not request a private Hearing, the Hearing shall be in public at the next regular meeting of the Board of Directors.
 - b. A private hearing shall be scheduled no later than fifteen (15) business days after receipt of the written request, unless a hearing within that timeframe is not practicable, in which case a hearing shall be scheduled as soon as reasonably practicable. Written notice of the Hearing, whether private or in public at the next regular meeting of the Board, shall be given to the Excluded Person, which shall include the time and location of the Hearing.
 - c. The Excluded Person shall appear at the Hearing in person, unless conducted by telephone at the election of the Director or Board of Directors. The Excluded Person may - but is not required to - have legal counsel. If the Excluded Person does not have legal counsel, the Excluded Person shall represent themselves at the Hearing, unless the Excluded Person is a minor or is otherwise incapable of representing themselves due to physical or mental disability or impairment, in which case the Excluded Person may be represented by a person designated by the Excluded Person as their representative and mutually agreed to by the Library Director:-
 - d. The Excluded Person shall have the burden of proving that the exclusion is wrongful, unfair, or improper, or that the Notice of Exclusion is prohibited by law.
 - e. Evidence shall be limited to that which goes to prove or disprove whether the exclusion is wrongful, unfair, improper, or prohibited by law. The District representatives may rely upon any relevant evidence that a reasonable person would rely upon in making an important decision or conducting personal business.
 - f. Upon conclusion of the Hearing, the Board, or their designee, shall either:
 - i. Deny the appeal and uphold the exclusion in accordance with the terms of the Notice of Exclusion except as otherwise modified by the prior Administrative Review;
 - ii. Modify the terms of the exclusion; or
 - iii. Grant the appeal and terminate the exclusion effective immediately.
 - iv. The decision of the Board is final.
 - g. If an Excluded Person fails to timely request a Hearing or fails to appear at the Hearing, the appeal proceeding shall be dismissed and the exclusion shall remain in effect in accordance with the terms of the Notice of Exclusion, except as otherwise modified by the Administrative Review.