

April 4, 2023

C-18

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Request the City Attorney to prepare an Ordinance amending the Long Beach Municipal Code (LBMC) to clarify the City's authority to enforce the Long Beach Public Library Patron Rules of Conduct (Library Rules) in all Library facilities and on all Long Beach Public Library (LBPL) property. (Citywide)

DISCUSSION

The LBPL maintains safe and welcoming environments for all LBPL patrons by enforcing Patron Rules of Conduct, also known as Library Rules. Public libraries throughout the country use codes or rules of conduct to define acceptable behaviors by patrons who visit library buildings. Examples of provisions within the LBPL Rules of Conduct include: no loud noises or other disturbances; no sleeping or lying on the floor or furniture; consuming alcohol or exhibiting signs of being under the influence of drugs or alcohol is prohibited; and, no physical fighting. The Rules of Conduct are posted in all LBPL facilities and are available on the LBPL website. Primary responsibility for enforcement of Library Rules falls on LBPL staff. When staff is faced with egregious patron noncompliance, LBPB staff will enlist the support of security and/or the Police Department.

The Rules of Conduct were updated and revised in late 2019 in partnership with the City Attorney's Office to define its provisions more clearly and to include defined consequences for rule violations. Consequences for rule infractions vary commensurate to the severity of the situation, and usually involve a temporary suspension of library privileges for a minimum of one day for minor infractions, to up to one year for severe violations. Grievous infractions involving verbal or physical violence against patrons or staff or violation of state and federal laws usually result in one-year library privilege suspensions. Losses of library privileges are documented and communicated to patrons via a written letter which the Library Services Department (Department) refers to as a "library ban" or "ban letter." A library ban suspends, for a set period, the entirety of a patron's library privileges including the ability to enter an LBPL facility. Department practices dictate that when a banned patron attempts to re-enter an LBPB facility during the ban period, staff ask the patron to exit the facility. If the patron is noncompliant, staff will, depending on the situation: call upon security; contact nonemergency dispatch, if available; or, 911 for support in enforcing a library ban.

Upon further review, the Department, the City Attorney's Office and the City Prosecutor's Office have determined that an amendment to the LBMC would clarify the authority of the

HONORABLE MAYOR AND CITY COUNCIL

April 4, 2023

Page 2

City of Long Beach to enforce LBPL Library Patron Rules of Conduct. The requested amendment will affirm that any person violating a library rule promulgated by the City Manager may be subject to a suspension of their borrowing or library visitation privileges for a period not to exceed one year, as provided by the Library Rules. Persons subject to the suspension of their library visitation privileges may appeal the suspension to the City Manager or their designee, and subsequently persons aggrieved by an administrative decision of the City Manager or their designee may file an appeal with the City Council.

This matter was reviewed by Deputy City Attorney, Vanessa Ibarra on March 16, 2023 and Revenue Management Officer, Geraldine Alejo on March 8, 2023.

TIMING CONSIDERATIONS

City Council action is requested on April 4, 2023, to request an Ordinance amending sections of the LBMC for City Council approval and implementation.

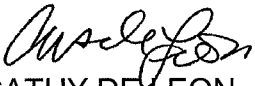
FISCAL IMPACT

There is no fiscal or local job impact associated with this recommendation. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



CATHY DE LEON
DIRECTOR OF LIBRARY SERVICES

APPROVED:



THOMAS B. MODICA
CITY MANAGER