

# Safe Use & Conduct

## BYLAW

Date Effective: 2022-04-04

Date Last Reviewed or Revised: 2022-03-16

Review Cycle: Every five years by SPL Board

### Purpose

*Bylaw No. 332, enacted in 1910 by City of Saskatoon Council under the authority of *The Public Libraries Act, 1996* (Saskatchewan), established Saskatoon Public Library and its Board. Under the Act, the Board "may make bylaws respecting the safety and use of its libraries, the admission of the public to its libraries, and all other matters and things connected with the library and with the management of all property under its control intended to affect persons in their use of the library and its property" [ss. 68(2)].*

The *Safe Use & Conduct Bylaw* governs the conduct of people who use and access Library spaces, services and programs for the safety of Patrons and Personnel.

### Commitment to Safety

SPL aspires to change lives through community connections, engagement and inclusivity. In order to do this, this Bylaw seeks to create a safe, welcoming environment for this vision to take place.

In keeping with the requirements of legislation, SPL has adopted a video surveillance procedure in the interests of privacy, security and to maintain a safe, welcoming environment.

### Rules for Safe Use & Conduct

#### Section 1: Behaviour & Conduct

##### **1.1 Excessive Noise & Disruption of Others**

Disrupting others in the Library by yelling or making undue or excessive noise is prohibited.

##### **1.2 Sleeping**

Sleeping is not permitted in the Library.

##### **1.3 Smoking & Vaping**

Smoking and vaping are prohibited inside the Library and within three metres of an entrance.

#### **1.4 Use of Alcohol or Drugs**

Consuming, carrying, selling or being under the influence of drugs or alcohol is prohibited on Library property.

When sanctioned by the CEO and a liquor permit has been obtained, alcoholic beverages may be consumed in designated areas.

#### **1.5 Weapons**

Carrying weapons is prohibited on Library premises.

#### **1.6 Physical Harassment**

Physical harassment is prohibited. This includes, but is not limited to: fighting, unwanted or unsolicited touching, pushing, grabbing, hitting, assault and physical violence.

#### **1.7 Verbal Harassment & Vulgar Language**

Verbal harassment or the use of vulgar language is prohibited. This includes, but is not limited to: taunts, threats, swearing or yelling at, name calling, slurs and language that demeans, discriminates against or devalues a person or group of people.

#### **1.8**

##### **Sexual Harassment & Misconduct**

Sexual harassment is prohibited. This includes, but is not limited to, sexual suggestions or comments, deliberately brushing against someone, encroaching on someone's personal space, inappropriate gestures and public nudity.

#### **1.9**

##### **Theft of Personal Property**

Stealing the personal property of others is prohibited.

#### **1.10 Other Dangerous & Unlawful Activity**

Patrons cannot engage in dangerous or unlawful behaviour or activity at the Library.

#### **1.11 Online Harassment**

Patrons cannot threaten, defame, abuse or otherwise harass those working at the Library through online commentary or correspondence.

### **Section 2: Children**

Children under the age of ten must be accompanied by a caregiver who is at least 12 years old.

During programming:

- Caregivers must accompany children under three.
- Caregivers of children aged three to five who are attending a program must remain in the Library for the duration of the program.
- Caregivers of children aged six to nine who are attending a program can leave the Library during the scheduled time of the program.

SPL is not responsible for children's use of the internet while in the Library. Children must comply with appropriate use rules outlined in Section 10.

### **Section 3: Animals**

Only service animals are permitted in Library buildings.

### **Section 4: Food & Drink**

Non-alcoholic beverages and food can be consumed in the Library, except near computers or in Innovation Labs, unless posted temporary measures state otherwise.

## **Section 5: Smudging & Ceremony**

Ceremonial combustible materials used in Indigenous ceremonies, such as sweetgrass, tobacco and sage, are permitted with prior approval from a Manager and in designated spaces.

## **Section 6: Soliciting & Advertising**

Except with the permission of the CEO, on Library property Patrons must not:

- a) Sell, offer for sale or distribute any newspaper, magazine, pamphlet, leaflet, printed material or merchandise of any kind.
- b) Beg or solicit for any purposes.
- c) Post a bill, poster or notice.

## **Section 7: Unauthorized Entry & Refusal to Leave**

Patrons must not enter:

- a) Unauthorized areas of Library property.
- b) The Library on the same day they were asked by Library Personnel to leave for the day.
- c) The Library when they are suspended.

Patrons must:

- a) Leave the Library at closing time.
- b) Exit the Library immediately when they have been asked by Personnel to leave for the day.

## **Section 8: Library Property**

Patrons may not steal, vandalize, mutilate or destroy Library property including, but not limited to, buildings, grounds, Library materials, equipment and technology.

## **Section 9: Health Regulations**

Patrons must comply with applicable public health regulations, orders and other health and safety measures set by the Library or government body.

## **Section 10: Technology Use**

### **10.1 Device, Equipment & Network Usage**

Patrons must not:

- a) Use Library devices, equipment or networks for illegal or criminal purposes.
- b) Use Library devices, equipment or networks to seek access to unauthorized websites or proprietary information of any kind.
- c) Use Library devices, equipment or networks to access inappropriate content. This includes, but is not limited to, content that is sexually explicit or that depicts violence toward a group of people.
- d) Download, transmit or export illegal material or material from inappropriate sites using Library equipment or on the Library's network.
- e) Install software on Library devices or develop or use programs that infiltrate, damage or alter a computer system or network
- f) Infringe upon copyright rules in the Library or on the Library's network.
- g) Tamper with the Library's software, network, computer settings or data.

### **10.2 Time Limits**

Time limits and reservations for use of a computer vary by location. Patrons must abide by these time limits and reservation rules.

# Roles & Responsibilities

## Board

- 1) Reviews this Bylaw every five years. A resolution to amend this Bylaw requires the support of a two-thirds majority of Board members.

## Personnel

- 1) Are responsible for implementing and enforcing this Bylaw.

## Format for Notice

- 1) Any documents or information required to be given in writing under this Bylaw must be delivered by an SPL representative to the address provided by the Patron. Email and hand-delivered documentation are considered received the same day issued, while mail delivered by Canada Post is considered received three days following the posting.

# Consequences of Non-Compliance

## Contravention of Bylaw

- 1) If a Patron contravenes any provision of this Bylaw, a Library employee may require them to leave the Library for the rest of the day.
- 2) If a Patron contravenes any provision of this Bylaw, the CEO or designate may:
  - a) Suspend library borrowing privileges.
  - b) Suspend access to Library facilities for a specified period of time.
  - c) Initiate a prosecution under the *Public Libraries Act*.
  - d) Contact the Saskatoon Police Service, which may commence proceedings under the Criminal Code of Canada or other applicable legislation.
- 3) As per the *Public Libraries Act*, a Patron who commits a breach of any provision of this Bylaw is guilty of an offence under section 68(5) and is liable on summary conviction to a fine of not more than \$5,000.

## Appeals

- 1) A Patron whose borrowing privileges have been suspended or who has been suspended from entering a Library can appeal the decision to the Board.
- 2) Appeals must be made in writing. The Patron must state the grounds of the appeal and the facts relied on in its support and file it within 30 days of the decision.
- 3) The Board may allow the appellant to make oral representations in support of the appeal in a manner consistent with other requests for deputations from members of the public.
- 4) The Board may delegate the authority to hear and determine appeals to a standing or special committee of the Board.
- 5) On appeal under this Section, the Board or its committee may confirm, modify or repeal the CEO's decision, or substitute its own decision for that of the CEO.

## Definitions

- 1) **"Act"**: *The Public Libraries Act, 1996* (Saskatchewan), the provincial statute that provides for the establishment of municipal libraries in the province.
- 2) **"Board"**: Saskatoon Public Library Board as established by the City of Saskatoon Council under the provisions of the Act.
- 3) **"Bylaw"**: *Safe Use & Conduct Bylaw*.
- 4) **"CEO"**: Saskatoon Public Library CEO.
- 5) **"Library"**: SPL and its branches, permanent and temporary buildings, grounds and other spaces, including online spaces.
- 6) **"Patron"**: Any person using the Library or its services.
- 7) **"Personnel"**: SPL's permanent and temporary employees, Circulation Associates, Casuals, security guards, contractors, consultants, Board and volunteers employed by or working at SPL.