

	<i>Administrative Regulation</i>	
	<b>City Facility Code of Conduct &amp; Trespass Procedure</b>	
	Policy#	18.5
	Effective:	11/21/2024
	Revised:	N/A
	Owner:	City Attorney Office

**Purpose:**

To maintain an environment that promotes orderly administrative and business operations, and to take reasonable action to protect the health, welfare, and safety of all persons at City Facilities.

**Scope:**

This Administrative Regulation applies to employees, volunteers, contractors and persons visiting areas in City facilities that are open to the public.

**Policy:**

The Code of Conduct applies to and is to be enforced at all areas in City Facilities that are open to the public except where specific rules of conduct or prohibitions have been adopted for specific City Facilities.

The Code of Conduct for City Facilities are as follows:

- No person shall engage in any activity that would constitute a violation of federal, state or local law or regulation.
- No person may deface, damage, or destroy City Property or City-owned personal property.
- No person shall enter, attempt to enter, or remain in any areas of City Facilities designated as secured or restricted, or closed to public access.
- No person shall engage in activity that disrupts or interferes with the normal operation or administration of City business at City Facilities; the lawful use by City employees and authorized users at City Facilities; or City permitted activities.
- No person shall engage in lewd or obscene conduct.
- No person shall refuse or fail to obey any reasonable direction of the City Manager or designee of a City Property.

- No person shall possess any object specifically designed for and presently capable of causing, or carried with the intent to threaten or cause, bodily harm to another. Excluding persons exempt from local regulation under ORS 166.173.
- No person shall smoke or carry any lighted smoking instrument at City Property in violation of state law.
- No person shall make use City materials, equipment, furniture, or fixtures of a City Facility in a manner inconsistent with their customary or designated uses, or in a manner likely to cause property damage or personal injury to the actor or others.
- No person shall interfere or obstruct free passage of City employees or authorized visitors in or on City Facilities, including but not limited to placing objects that impede free passage.
- No person shall use City Facilities for unauthorized storage or personal property or leave personal property unattended.
- No person shall make or continue a noise disturbances. Bullhorns and megaphones are not permitted in the interior of any building on City Facilities, except as permitted by a City issued special event license.
- No person shall consume, sell, distribute, or deliver any alcoholic beverage on City Facilities, except as permitted by a City issued special event license.
- No person shall consume, sell, distribute, or deliver any controlled substances on City property. This does not prohibit a person from providing caretaking functions or assisting another in taking legally prescribed medication.
- No person may bring animals onto City Facilities, or leave animals tethered or unattended at City Facilities, except as permitted by the City Manager or designee or as allowed by City Administrative Regulations that allow employees to bring their pet to work. This does not preclude entry by service animals defined under the Americans with Disabilities Act while performing services or task the animals are trained to do or animals employed in official performance of police or rescue activities.
- No person shall solicit for or conduct business at City Facilities except as permitted by a City issued special event license.
- With the exception of mobility devices for mobility disability or medical purposes, child strollers or baby carriages, no person shall use any wheeled devices, including but not limited to unicycles, bicycles, skateboards, roller skates, motorized or nonmotorized

scooters, inside City Facilities except employees who commute via bicycle and are transporting their bicycle to their workspace or storage area. No bicycles or motorized wheel devices are allowed in the interior of any building on City Facilities except as permitted by the City Manager or designee.

- No person shall use City Facilities for sleeping, housing or shelter except as permitted by the City Manager or designee.
- No person shall use City Hall facilities for the purpose of bathing or other personal grooming such as shaving, cutting hair, brushing or flossing teeth, washing or drying clothing.
- No person shall misuse or damage the City's technology systems or network, including its telecommunication equipment and data.
- No person shall enter, attempt to enter, or remain in any areas of City Facilities for purposes other than to conduct legitimate business with City offices or tenants located at City Facilities, to enjoy the publicly accessible amenities at a City Facilities when the City Facility is open to the public, or to lawfully assemble for social or public interaction at portions of City Facilities specifically designated for such assembly.

**Procedure:**

**1. Trespass Procedure**

- 1.1. The trespass procedures in this Section shall be used for City Property subject to the Rules of Conduct in Section 1 of this administrative regulation. If a person violates any Rule of Conduct at City Property described in Section 1 of this administrative regulation while in or upon City Property, the City Manager or designee may eject and direct the person to leave the City Property.
- 1.2. Notwithstanding this Section, if public meetings of the City Council, or of City Boards and Commissions are held in a City Property, ejection and exclusion from the public meeting must comply with the City Council's Operating Policies and Procedures.
- 1.3. In determining the appropriate length of trespass under this Section, the City Manager or designee shall consider: the seriousness of the conduct that led to the exclusion; prior instances of violations of the Rules of Conduct at City Property by the person to be trespassed; the availability of alternative means for the person to conduct business with City officials and offices; and any other facts or circumstances that the person issuing the exclusion deems relevant.

- 1.4. The notice of trespass shall be in writing, given to the person trespassed and signed by the City Manager or designee. It shall specify the dates and places of trespass. It shall contain a warning of consequences for failure to comply and information concerning the right to appeal the exclusion.
- 1.5. A person receiving a notice of trespass may appeal or ask to have the trespass period shortened by filing a written notice of appeal with the City Manager's Office within 10 days of the notice of trespass.
- 1.6. A person receiving a notice of trespass may request to access City services during the time of the trespass. The request must be in writing and must identify good cause for the desired modification. The City of Manager or designee may deny the request on any reasonable basis or if the City services may be accessed through alternate means. If the request is granted the City Manager or designee may impose specific conditions for limited entry or access to City Property and services.

## 2. Additional City Facility Rules

- 2.1. The department director with management responsibility over a City Property including but not limited to the Springfield Public Library, is authorized to adopt additional rules of conduct for the facility they manage. The additional rules of conduct shall be available to the public and deemed part of the Rules of Conduct for City Property.

### **Definitions:**

1. *"Controlled Substance"* Controlled substance shall have the meaning provided in Chapter 475 of the Oregon Revised Statutes and includes but not limited to drugs or its immediate precursor classified in Schedules I through V under the federal Controlled Substances Act, 21 U.S.C. 811 to 812, as modified under ORS 475.035/
2. *"Objects specifically designed for and presently capable of causing, or carried with the intent to threaten or cause, bodily harm to another"* include but are not limited to, any firearm, pellet gun, spring-loaded weapon, stun gun or taser, any knife having a blade that projects or swings into position by force of a spring or by centrifugal force, any knife with a blade longer than 3-1/2 inches, any dirk, dagger, ice pick, sling shot, slungshot, metal knuckles, nunchaku, studded hand coverings, swords, straight razors, tear gas, tear gas weapon, mace, pepper mace or similar deleterious agent, saps, sap gloves, hatchets or axes.
  - 2.1. The prohibitions of this Paragraph do not apply to handguns lawfully carried by persons exempt from local regulation under ORS 166.173.

- 2.2. The prohibitions of this Paragraph do not apply to public safety employees or any item possessed or used to carry out actions authorized by any contract or permit at the City Property.
3. *"Noise disturbance"* is defined under Springfield Municipal Code Chapter 5.220 and include but are not limited to operating any automatic or electric piano, phonograph, radio, loudspeaker, stereo, or sound-amplifying device, in a manner that the sound produced thereby is plainly audible.
4. "Reasonable direction of a City Manager or designee" includes:
  - 4.1. Direction to a person to obey or to cease a violation of any law or regulation;
  - 4.2. If it is otherwise reasonably related to the protection of the health, welfare or safety of the person or any other person at the City Property, or to the prevention of damage to property; or
  - 4.3. If it is reasonably necessary to preserve the peace or to prevent the disruption of City operations or permitted activities, including dangerous or threatening behavior as defined in the Code.
5. *"Smoking instrument"* includes inhalant delivery system that delivers nicotine in the form of vapor or aerosol, and electronic cigarette, personal vaporizer, or electronic nicotine delivery system.
6. *"Smoking"* is inhaling or exhaling from a smoking instrument.

**Resources:**

Legal:

1. [ORS 166.173 Authority of city or county to regulate possession of leaded firearms in public places.](#)
2. [Chapter 475 Controlled Substances; Illegal Drug Cleanup; Miscellaneous](#)
3. [SMC 5.220 Noise](#)