

**CITY OF FLORENCE
RESOLUTION NO. 17, SERIES 2018**

**A Resolution Establishing a Policy for the Code of Conduct in Public City
Facilities**

RECITALS:

1. The City of Florence City Council and management team have determined there is a need to address the responsibility of all individuals inside public City facilities to behave in a manner that does not threaten the health, safety, or welfare of members of the public, staff, or City officials.
2. City of Florence recognizes that public access to certain City facilities that are open to the public is a general right of all citizens and that access to said facilities should not be unduly limited without just cause. However, the City also has a compelling interest in protecting the health, safety, and welfare of citizens, city staff, and city officials present inside City facilities.
3. The purpose of the City of Florence Public City Facilities Code of Conduct Policy is to establish guidelines to maintain a safe and secure environment for all users of the following public City facilities: City Hall, Public Works Facility, Events Center, Justice Center, Senior Center, and Florence Municipal Airport.
4. It is in the best interest of the community and the City to have a Public City Facilities Code of Conduct Policy in place to allow trained City staff members to temporarily exclude violators of said Policy from the public City facility. The Policy contains an option for timely redress to the City Manager or designee in the event an immediate accommodation is needed.

Based on these findings,

THE CITY COUNCIL OF THE CITY OF FLORENCE RESOLVES AS FOLLOWS:

1. The Public Building Usage Code of Conduct Policy, Exhibit A, is adopted by the City of Florence City Council as an administrative policy to be administered by the City Manager's Office. The Policy is applicable to all members of the public, all employees and departments, as well as any affiliated government or non-government officials.
2. This Resolution takes effect immediately upon adoption.

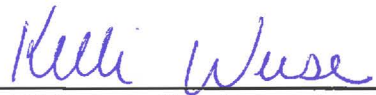
ADOPTION:

This Resolution is passed and adopted on the 17th day of September, 2018.



Joe Henry, Mayor

Attest:



Kelli Weese, City Recorder

Public City Facilities Code of Conduct Policy

City of Florence
Public City Facilities Code of Conduct Policy

I. PURPOSE

City of Florence has a compelling interest in protecting the health, safety, and welfare of citizens, city staff, and city officials present inside City buildings. City of Florence desires to provide:

- Access for all individuals to City facilities;
- For the safety of all users and staff; and
- The protection of the materials, resources, equipment, and facilities.

Therefore, the purpose of this policy is to establish guidelines to maintain a safe and secure environment for all users of the following City buildings: City Hall, Public Works Facility, Events Center, Justice Center, Senior Center, and Florence Municipal Airport.

II. APPLICABILITY

This policy is effective as of the date approved by Council (September 17, 2018) and applies to all members of the public, staff, and elected or appointed officials and establishes a general code of conduct for behavior inside and usage of public buildings only. Behavior on public grounds, including parks, or outside of the above listed City buildings is governed by other applicable laws and policies.

III. GENERAL INFORMATION

All members of the public have the responsibility to use City facilities in a manner that does not:

- Interfere with the rights of others to access or use City facilities;
- Limit or impair the ability of City staff to conduct City business; or
- Threaten the safety and security of any public City facilities.

Therefore, any activity or conduct that violates the above responsibilities is prohibited. This includes, but is not limited to, the following:

- Engaging in conduct that creates an unsafe or insecure environment;
- Engaging in conduct that makes a reasonable person feel uncomfortable;
- Engaging in or threatening conduct that may cause damage to City property;
- Obstructing access to government services;
- Entering or attempting to enter non-public areas without prior authorization from a City staff member;
- Failing to exit the building at closing or not following directions from City staff;
- Failing to wear appropriate clothing, including footwear and shirts; or
- Engaging in disorderly conduct or behavior that constitutes a crime.

Violating the above stated responsibilities may result in the violator being given a warning by City staff, being excluded from public facilities until the start of the next business day, or having

the Florence Police Department called to address the violator's behavior. A violator is not entitled to receive a warning or exclusion prior to having Florence Police Department contacted.

IV. ENFORCEMENT

a. General Staff Procedures

Individuals observed violating the above policy by engaging in prohibited conduct may first be given a warning by City staff and afforded a reasonable opportunity to cease or correct the offending behavior. If the behavior is not corrected, City staff may tell the individual to leave the facility immediately.

Individuals asked to leave the facility by City staff will be given Public City Facility Code of Conduct Violation Form. The Form contains a description of the prohibited conduct that forms the basis for being asked to leave and is witnessed by another City staff member. The Form also contains a statement of the possible consequences of failure to immediately leave the facility.

If City staff tells the individual to leave the facility, the individual must leave the facility immediately upon receipt of the Violation form and may not return to the facility until the start of the following business day.

Failure of the individual to comply with the staff request that the individual leave the facility will result in staff contacting the City of Florence Police Department to resolve the matter.

If staff asks an individual to leave a City facility for reasons under this policy, said staff member shall document the incident and submit such documentation to their department supervisor/manager immediately, with copy to the Human Resources department and City Manager.

b. Immediate Safety and Security Concerns

If City staff has a reasonable concern for immediate safety and security of individuals or City property, staff should immediately contact the Police Department to handle such matters. An individual will not be given a warning or provided with an opportunity to correct the behavior prior to staff contacting the Police Department, if the violation of this policy includes any of the following:

- Conduct punishable as a felony;
- Controlled substances or alcoholic beverages offenses (including possession of marijuana in a public place);
- Actions actually or likely to result in personal injury or property damage;
- Unlawfully possessing a firearm or other weapon; or
- If the individual was previously warned, cited, or excluded for the same conduct on City Property.

V. APPEAL PROCESS

An individual that has been expelled and needs an immediate redress of their rights shall be provided with the contact information for the City Manager (or designee). The City Manager (or designee) has the responsibility to make reasonable accommodations for the individual, only if immediate accommodations are required. All decisions by the City Manager are final.

VI. NON-DISCRIMINATORY APPLICATION

All actions taken to enforce this policy will be based upon ensuring access to facilities, safety and security of the public and staff, and the protection of City property. No action will be taken that can be construed to discriminate against anyone because of any protected class. City staff will implement the policy with dignity, respect, and awareness to all. City staff will encourage appropriate behaviors before asking an individual to leave the City facility.

Approved:



Erin Reynolds, City Manager

September 17, 2018
Date

City of Florence

Public City Facility Code of Conduct Violation

Pursuant to the City of Florence City Council Resolution Number ____, Series 2018, you are immediately excluded from the following City of Florence property until the start of the next business day:

- City Hall
- Events Center
- Municipal Airport
- Public Works
- Justice Center
- Senior Center

This document shall serve as a **Notice of Exclusion** and is effective until either the next business day or unless modified by the City Manager (or designee).

On: __/__/__ at __ a.m. p.m. at the above selected facility you were witnessed engaging in the following conduct or act(s) checked below:

- Creating an unsafe or insecure environment
- Damaging or threatening to cause damage to City property
- Entering or attempting to enter non-public areas without prior authorization from a City staff member
- Failing to wear appropriate clothing, including footwear and shirts
- Making staff uncomfortable
- Obstructing access to government services
- Failing to exit the building at closing or not following directions from City staff
- Behavior that constitutes a crime

Explanation:

You may only return to the premises indicated above prior to the start of the next business day if you successfully exercise your right to appeal this exclusion notice with the City Manager (or designee). City Manager will only consider appeals which require immediate redress. To contact the City Manager, please call 541-997-3437. Decisions by the City Manager are final.

If you fail to obey this notice of exclusion, you may be arrested or cited for the crime of Trespass – Premises (ORS 164.245).

Name/Title of Person Issuing Exclusion Notice: _____ Date: _____

Name / Title of Witness: _____