

RESOLUTION NO. 23303 (N.C.S.)

**A RESOLUTION ESTABLISHING NOTICE OF WITHDRAWAL GUIDELINES FOR
FACILITIES MANAGED BY THE LIBRARY AND COMMUNITY SERVICES
DEPARTMENT**

WHEREAS, the City of Salinas owns facilities which are open to the public; and

WHEREAS, while the vast majority of persons who use the City facilities are law-abiding, use the facilities for the purposes intended and respect the rights of other to use those facilities, there are a small minority of persons who misuse the facilities or who are generally disruptive in their use of facilities; and

WHEREAS, to address those instances where a group or an individual misuses City facilities or are generally disruptive in their use of City facilities, in 1983, the City Council approved Resolution No. 11475 (N.C.S.) relating to withdrawal of consent to remain on City facilities owned by the City; and

WHEREAS, the Library and Community Services Department manages a number of facilities throughout the city which are open to users on a daily basis; and

WHEREAS, from time-to-time users of facilities managed by the Library and Community Services Department misuse the facilities and/or create general disruptions which negatively affect other users of the facilities; and

WHEREAS, to address such instances at the facilities managed by the Library and Community Services Department, the City Council finds it necessary to establish guidelines for the withdrawal of consent for use of the facilities.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Salinas, as follows:

SECTION 1.

- A. The City of Salinas, Library and Community Services Notice of Withdrawal Guidelines attached hereto as Attachment A are hereby approved.
- B. The City Manager and his/her designee are hereby authorized to enforce the Notice of Withdrawal Guidelines by notifying a person that consent to remain on the facility has been withdrawn whenever they have made a determination that such person has willfully disrupted the orderly operation of such facility. Such determination shall be documented in writing with a copy of such determination either hand-delivered or mailed to the person subject to the withdrawal of consent, if the person's name and address are known.
- C. Whenever consent is withdrawn for thirty (30) days or more, the person from whom consent has been withdrawn may submit a written request for a hearing on the

withdrawal. Such request must be submitted in writing to the Library and Community Services Director, on a form provided by the City, within five (5) calendar days from the time consent was withdrawn. The City Manager shall grant such a hearing no later than five (5) days from the date of receipt of such request and shall cause written notice of the time, location, and date of such hearing to the person making the request.

- D. Any person whose consent to use a facility has been withdrawn pursuant to this Resolution, who has not had such consent reinstated, and who willfully and knowingly enters or remains upon such facility during the period for which consent has been withdrawn, is guilty of an infraction and shall be subject to prosecution pursuant to the Salinas Municipal Code. This Paragraph D does not apply to any person who enters or remains on such facility for the sole purpose of applying to the City Manager for the reinstatement of consent or for the sole purpose of attending a hearing on the withdrawal.
- E. The City Manager is hereby authorized to update the Notice of Withdrawal Guidelines as he/she determines necessary.

SECTION 2.

All resolutions and parts of resolutions in conflict herewith are hereby repealed as of the effective date of this Resolution and shall not be effective with respect to facilities managed by the Library and Community Services Department.

PASSED AND APPROVED this 1st day of July 2025, by the following vote:


AYES: Councilmembers Barajas, Barrera, D'Arrigo, De La Rosa, Salazar, Sandoval and Mayor Donohue

NOES: None


ABSENT: None

ABSTAIN: None

APPROVED:

Signed by:

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Dennis Donohue, Mayor

ATTEST:

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Patricia M. Barajas, City Clerk

City of Salinas, Library & Community Services

Notice of Withdrawal Guidelines

Duration 1st Offense	2nd Offense*	3rd Offense*	Rule Violation Type
			Category A (Library Specific Violations)
Warning	7 days	30 days	Failure to comply with a reasonable staff request
Warning	3 days	30 days	Disruptive behavior
Warning	3 days	7 days	Sleeping or lying down
Warning	3 days	7 days	Smoking or vaping/tobacco use on property
Warning	3 days	7 days	Soliciting or conducting survey
Warning	3 days	30 days	Camping
			Category B (Serious Library Specific Violations)
60 days	90 days	1 year	Returned during active exclusion
60 days	90 days	1 year	Harassment (discriminatory, obscene, profanity)
60 days	90 days	1 year	Restroom misuse
60 days	90 days	1 year	Remain on property following Notice of Withdrawal (i.e. refuse to leave)
			Category C (Drug or alcohol possession or use)
90 days	180 days	1 year	Alcohol possession or signs of influence
90 days	180 days	1 year	Drug activity – signs of influence
			Category D (Violation toward person(s) or property)
180 days	1 year	1 year	Threat or intimidation of others
180 days	1 year	1 year	Property damage – library property
180 days	1 year	1 year	Property damage – personal property
			Category E (serious violation toward person(s) or property)
1 year	1 year	1 year	Assault/fighting
1 year	1 year	1 year	Bomb threat
1 year	1 year	1 year	Drug possession, sale or use
1 year	1 year	1 year	Indecent exposure or lewd act
1 year	1 year	1 year	Malicious fire alarm activity
1 year	1 year	1 year	Robbery

Notice of Withdrawal Guidelines, Continued

Duration 1st Offense	2nd Offense*	3rd Offense*	Rule Violation Type
			Category E (serious violation toward person(s) or property)
180 days	1 year	1 year	Theft of library property over \$250
180 days	1 year	1 year	Theft – personal property
1 year	1 year	1 year	Threat against staff or patrons
60 days	90 days	1 year	Trespass in non-public (staff only) area
1 year	1 year	1 year	Carrying firearms or weapons

*Means second (or third) violation of the same rule within a one-year period

***Multiple Notices of Exclusion must be served consecutively, not concurrently