

## **PATRON RULES OF BEHAVIOR**

Adopted by C.A. Friday Memorial Library Board of Trustees: February 26, 1998

Revised: July 5, 2022

Supersedes: Copy Machine Policy, Theft Policy, Patron Rights and Responsibilities Policy, Theft and Vandalism Policy

### **Purpose**

The Friday Memorial Library seeks to be a dynamic and friendly hub for the community. We are a gathering place for people in the New Richmond area to learn, explore and connect. We offer books, movies and music, as well as exciting programs for all ages.

We envision a community that is engaged and active, seeking to work together to realize our shared goals and dreams.

The Friday Memorial Library has established this Rules of Behavior Policy to ensure that the library facility is safe, welcoming, and provides equitable access to materials and services for all users.

### **Overview and Definitions**

No individual may engage in inappropriate conduct on the premises of Friday Memorial Library, when using library facilities, or when participating in library programs. Patrons shall be engaged in normal activities associated with the use of a public library while in the building. Inappropriate conduct includes any individual or group activity which is unreasonably disturbing to other individuals lawfully using library facilities, materials and/or premises or is otherwise inconsistent with activities such as reading, studying, properly using library materials and other similar conduct normally associated with a public library.

When possible, staff will first educate individuals about the applicable policies before taking stronger measures to enforce those policies.

### **Library Use Guidelines**

#### Telephone use:

The Library has a public phone at the front reference desk. This phone is available at the discretion of library staff. No phones other than the front desk phone should be used by anyone other than Library staff.

For courtesy of other patrons, we ask that you put personal cell phones on silent or vibrate mode while in the Library. Further, we ask that you refrain from talking on cell phones loudly in the Library where you might interfere with other patrons or staff.

Dress:

The Library is welcoming to all and does not have a formal dress code for patrons. For safety reasons, we do request that all patrons wear shoes while in the library. Attire within the library is expected to conform with locally established standards of decency.

Odors:

Offensive odors that are strong enough to be a nuisance to others are not permitted at the Library. This includes, but is not limited to poor bodily hygiene, strong fragrances, or food that gives off a strong odor.

Copy Machine and Copyright:

The Copyright law of the United States, (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. One of these specified conditions is that the photocopy or reproduction is not to be "used for any purpose other than private study, scholarship, or research." If a user makes a request for, or later uses, a photocopy or reproduction for purposes in excess of "fair use" that user may be liable for copyright infringement. This institution reserves the right to refuse to accept a copying order if, in its judgment, fulfillment of the order would involve violation of copyright law.

The Library leases our copiers and as such are not authorized to allow patrons to provide their own paper or toner. We cannot print on any alternative surfaces.

Use of Spaces as Intended

The Library has a responsibility to the children and young people of this community. As such, there are spaces specifically set aside for use by children and their families. Adults who are not accompanied by youth may only use the youth services or young adult areas when it is necessary to use the resources specific to those areas.

The Library has set aside a history room that is intended to be used by patrons who wish to do historical research. Patrons who are using this space in a manner inconsistent with its purpose may be asked to give up that space to a patron wishing to access historical data.

Spaces designated as quiet areas in the Library are intended to be used for reading, studying, or other quiet activity.

The Library has computers set aside for anyone who needs or wants to use them. Anyone who uses the computers must agree with our Internet Use Policy upon logging in.

Patrons must leave the Library promptly at closing time and may not be in the Library when it is not open to the public.

Food:

The Library prohibits eating while using the library computers or in any spaces designated as free from food. All drinks must be in a container with a secure top. No food may be delivered to the Library without express permission from library staff or for a designated meeting or event.

Gifts, letters, notes, or personal contact to individual staff persons:

In accordance with New Richmond City Policy, the Library staff are unable to accept any gifts that are designated to an individual. Additionally, the Library will not take receipt of any letters, notes, or personal communication intended for a staff member. The Library will not give out any personal information about any staff member to anyone.

Patrons may not interfere with the staff's performance of duties in the Library or on Library property.

**Unacceptable or Inappropriate Behavior Subject to Warning, Temporary Expulsion, Suspension, and Potential Banishment from Library Property**

- Possessing lighters, candles, matches, incendiary devices, or any open flames.
- Soliciting money, rides, food, or any other goods or services from any library patron or staff member.
- Refusing to follow the reasonable directions of library staff including stalking, prolonged staring at or following another with the intent to annoy or intentionally behaving in a manner that could reasonably be expected to annoy or disturb other patrons.
- Engaging in any behavior that a reasonable person would find to be disruptive, harassing, or threatening in nature to library users or staff.
- Leaving children under the age of 8 unattended on Library premises. (Please see our Unattended Children and Vulnerable Adults Policy for more information).

- Engaging in excessive or disruptive conversations, making an ongoing noise, talking loudly, using personal electronic devices at such volume that is unreasonably disturbing to other library users or staff.
- Blocking pathways, doors, or aisles with personal items or leaving such items unattended on library premises. The Library is not responsible for any personal items that are lost or stolen on Library premises.
- Interfering with the safe and free passage of library staff or patrons on library premises, either by physically blocking movement with a body, or by placing objects in hallways, aisles, floors, or elsewhere in a manner that impedes free passage.
- Violating the library's rules for acceptable use of the internet and library public computers.
- Misusing the bathrooms in such a way that prevents or prohibits others from accessing them.
- Not wearing shoes in the Library.
- Misusing or excessive use of the public phone.
- Using Library property not designated for public use.
- Talking loudly on a personal device, such as a cell phone, resulting in interference with other patrons or staff.
- Sleeping, napping or dozing in or on library premises.
- Unnecessary use of the youth services or young adult areas by adults who are not accompanied by youth.
- Use of quiet areas in the Library in a manner that is loud, disruptive, or an activity inconsistent with reading, studying, or other quiet activity.
- More than two people using any one computer at a time, unless they have received express permission from a staff member.
- Using a computer in a manner that is loud, disruptive, or disrespectful.
- Remaining in Library after closing time.
- Eating while using the library computers or in any spaces designated as free from food.
- Possessing a drink in a container without a secure top.
- Having food delivered to the Library without express permission from library staff or for a designated meeting or event.
- Creating offensive odors that are strong enough to be a nuisance to patrons or staff.
- Interfering with the staff's performance of duties in the Library or on Library property. This includes engaging in conversation or behavior that monopolizes or forces the attention of staff for an inappropriate period of time, inappropriate personal comments, sexual advances, or physical and/or verbal harassment.

## **Unacceptable or Inappropriate Behavior Resulting in Immediate Expulsion and Permanent Banishment from Library Premises**

Unacceptable or inappropriate behavior shall include, but are not limited to the following conduct or behaviors:

- Committing or attempting to commit any activity that would constitute a crime or violation of City or County ordinances.
- Possessing, selling, distributing, displaying, or using any dangerous weapon as that term is defined in Wis. State Statute §939.22(10) on library premises or using or threatening the use of any other object in such a manner that it may be considered a weapon.
- Engaging in any physically intimidating or assaultive behavior. Making threats of violence or unlawful activities. The Library has a policy of zero tolerance for threats and acts of violence. Any person engaging in such behaviors will be immediately ejected from the Library.
- Possessing, selling, distributing, consuming or being under the influence of any alcoholic beverage or controlled substance.
- Engaging in any sexual contact, activities, or conduct on Library premises.
- Smoking, vaping, rolling cigarettes, chewing, or other use of tobacco products on Library property. In this instance, "Library property" means all of the inside of the Library, the walkways that lead up to the front doors, and any overhang of the Library roof.

Engaging in any unacceptable or inappropriate behavior can result in expulsion from the library and forfeiture of library privileges. Any conduct that threatens the life or safety of any person, that is illegal, or that is damaging to library property, equipment or facilities may result in immediate expulsion from the library premises. Library staff are authorized to call the New Richmond Police Department to respond to such situations.

### **Staff Response to Infractions**

Any person who violates the Rules of Behavior Policy will be handled in a professional and courteous manner by staff, but the degree of violation will determine the response. Minor violations of these rules will first result in library staff attempting to educate or warn individuals about the policies before enforcing such policies. If an individual continues to violate these policies, staff may order them to leave for the day.

If violation of these policies becomes a pattern of behavior, staff may ask patrons to leave for the day, or longer. Repeat misconduct or severe offenses (even if a single isolated event) may result in individuals being banned from the library from a week to a year. Staff will follow the established procedures below.

Staff is instructed to call the police immediately in response to any behavior that is deemed dangerous or is in violation of any federal, state, or local ordinances. Staff may also call the police if a person or group of persons either refuses to leave the library when asked or becomes difficult or confrontational when approached by a staff member.

### **Banning Procedure**

After staff determine that a person has engaged in severe or repeated misconduct and staff has determined that the individual involved should be banned:

1. Staff will issue, or cause to be issued, a written ban letter to the individual involved notifying the individual that they are banned from the Friday Memorial Library. The letter shall indicate the reasons for the ban and the time period of the ban.
2. Staff will email (all staff email) a description of the underlying behavior, the name and description of the banned individual when a banning is executed; so that all staff are informed as soon as possible. Staff will also forward a copy of the ban letter and incident report to the Director who will officially inform all staff involved about the reasons for the ban and the length of the ban. After consultation, if the Director agrees with the reasons for the ban and the length of the ban, then the Director shall take no further action. If, after consultation with staff, the Director deems it appropriate to rescind or modify the terms of the ban, the Director shall notify the banned individual in writing, all staff, and the Library Board President, in writing, about the decision to rescind or modify the ban and specify the reasons for the rescission or modification. The Director shall also notify the banned individual of the process for appealing the ban.
3. The Director will review and may reconsider the decision to ban an individual upon written request of the individual and may shorten or terminate the banning period if information submitted by the individual warrants such modification. Director may consult with the City Attorney's Office before issuing the response to the banned individual. Until such time as staff banning letter has been reviewed and/or modified by the Director or reversed on appeal by the Library Board, the individual may not use the library.

**Alternative Juvenile Banning Procedure**

Discretionary Restricted Library Use for Juveniles: As an alternative to banning a juvenile, a supervisor and a staff member may restrict a juvenile from independent use of a specified library site for a period of 30 (first restriction) days or 90 (second restriction) days. The juvenile whose library use is restricted may use the library during the specified period only when the juvenile is accompanied by a responsible parent or guardian. The juvenile's parent or guardian must be notified of the restriction via certified mail. Failure to abide by the restriction may lead to banning of the juvenile from all library premises.

**Banning Letter:**

TO:

On \_\_\_\_\_ at approximately \_\_\_\_\_ you were observed at the Library. At that time you were:

- \_\_\_ INTOXICATED
- \_\_\_ LOUD AND DISTURBING
- \_\_\_ IN THE LIBRARY DESPITE BEING PREVIOUSLY BANNED UNTIL \_\_\_\_\_
- \_\_\_ OTHER CONDUCT (As set forth below)

COMMENTS:

Because of the behavior listed above, and/or other history of inappropriate behavioral conduct at the Friday Memorial Library, you are banned from the Friday Memorial Library until the date listed below. If you enter the Friday Memorial Library before the return date listed below, police will be called and you will subject to being arrested for trespassing under New Richmond City Ordinance (Ordinance number).

You may file a written request to Director, (address), to reconsider this ban from the Friday Memorial Library. Your written request shall set forth your reasons for reconsideration of the ban. THE LENGTH OF THIS BAN FROM THE FRIDAY MEMORIAL LIBRARY SHALL REMAIN AS

STATED IN THIS DOCUMENT UNLESS THE DIRECTOR ISSUES A WRITTEN DETERMINATION ALTERING THE TERMS OF THIS DOCUMENT.

BANNED FROM LIBRARY \_\_\_\_\_  
RETURN DATE \_\_\_\_\_  
Staff initials: \_\_\_\_\_

**Appeal Procedure**

1. Notice of Appeal. The Director's written determination may be appealed to the Board of Trustees, if the individual aggrieved files a written notice of appeal within 10 days after they receive the determination. Such notice shall be filed with: both the Library Director and the Board of Trustees President, (address). The Board shall hold a hearing within 30 days after the notice has been filed. The appellant shall be notified at least 10 days before the hearing.
2. Hearing: At the hearing, the appellant may be represented by counsel, may present evidence, and may call and examine witnesses and cross-examine witnesses of the other party. The President of the Board shall conduct the hearing and shall follow the Rules of Evidence provided in the Wisconsin Statutes, 227.08, for administrative proceedings. The staff shall record all of the proceedings on tape.
3. Decision. Within 30 days of the completion of the hearing, the Board shall issue a written decision stating the reasons therefore. The Board shall have the power to affirm or reverse the written determination or to remand it to the Director or designee with instructions for reconsideration. The decision, except for remand, shall be a final determination for the purposes of judicial review.

If an individual is banned from the Library, for any period of time, they will lose all borrowing privileges including all online services.

Further, any patron whose privileges to use the Library have been denied may not enter the Library.