TO: **BILLINGS PUBLIC LIBRARY BOARD**

FROM: **BILL COCHRAN, LIBRARY DIRECTOR**

RE: **FY15 POLICY REVISION RECOMMENDATIONS**

MEETING DATE: **APRIL 17, 2014**

Staff recommends replacement of the current Customer Behavior policy with new language as follows. As a practical matter to permit implementation on July 1, 2014, he City Attorney's Office has already reviewed and approved the changes incorporated in this draft. Should the Board revise the changes, the changes will be reviewed by the City Attorney's Office as quickly as possible, to permit any changes recommended for legal reasons to be considered by the Board at its May meeting.

CUS-1 Customer behavior

It is the responsibility of all customers and staff members to maintain a pleasant, appropriate, and safe library atmosphere. It is important that behavior which interferes with the ability of others to enjoy the Library in such an atmosphere not be permitted and equally important that behavior which does not interfere with this ability be tolerated.

According to Billings Montana City Code (BMCC) Sec. 16-106. "Exclusion of Patrons".

"All persons who willfully violate the rules of the library or the ordinances of this city may be excluded from the library and the use of its facilities."

Billings Public Library is committed to providing a secure, clean and supportive environment for use of its resources and services. To achieve this, the Library has established the following standards of behavior. The term "Library" used throughout this section is defined as any Library building, building grounds and parking lots, and vehicles.

Hygiene

An individual whose personal hygiene is so offensive as to constitute a nuisance to other individuals, or who is barefooted, or who is without a shirt, shall be required to leave the building. When the problem is corrected, the individual may re-enter the Library.

Minor Disruptive Behaviors

The following minor disruptive behaviors are prohibited in the Library.

Persons who violate one of these policies, or who exhibit similarly disruptive behavior, shall receive a verbal warning and/or an order to leave the Library for the remainder of the day. A person who commits multiple and/or serial violations of one or more of these policies, shall be

prohibited from entering the Library or otherwise using its services for a period of 30 days, upon penalty of a charge of criminal trespass

1. Speaking, to oneself, to other patrons, to staff, or on a cell phone, above a normal speaking voice.
2. Sleeping, except in the case of small children or other dependent persons.
3. Causing unreasonable, intentional noise.
4. Chasing, running, and playing, especially on or near furniture, shelves, stairs, or the water feature. Parents or chaperones of children who violate this policy will receive the same warnings and penalties as the children.
5. Permitting distressed children to cry continually in such a fashion that disrupts the ability of others to use the Library.
6. Using public restrooms or Library facility for bathing, shaving or laundering purposes
7. Taking Library materials into a restroom.
8. Tampering with arrangement of library materials that makes finding or using them difficult or impossible for all practical purposes.
9. Using Library computers for longer than the permitted time period.
10. Blocking aisles or walkways with personal belongings.
11. Bringing bulky items into the Library that take up excessive space in excess of 45 total linear inches (Linear inches = length + width + depth). This restriction does not apply to musical instruments or items used for personal mobility, such as walkers, strollers or wheelchairs. Other exceptions may be made on a case by case basis by library staff.
12. Smoking closer than 25 feet from outside entrances.
13. Eating food in any area of the Library outside of the Café or meeting rooms.
14. Beverages in spill-resistant containers are generally permitted throughout the Library, except for the Computer Classroom, Digital Learning Lab, Montana Room, Genealogy Room or Digitization Room, or as otherwise signed
15. No beverages are permitted in the the Computer Classroom, Digital Learning Lab, Montana Room, Genealogy Room or Digitization Room.
16. Littering.
17. Bringing sealed containers of alcohol into the Library, without a permit from the City.

<u>Major Disruptive Behaviors</u>

The following disruptive behaviors are prohibited in the Library.

Persons who violate one of these policies, or who exhibit similarly disruptive behavior, shall be prohibited from entering the Library or otherwise using its services for a period of 30 days, upon penalty of a charge of criminal trespass. A person who commits multiple and/or serial violations of one or more of these policies, shall be prohibited from entering the Library or otherwise using its services for a period of 1 year, upon penalty of a charge of criminal trespass.

1. Attempted theft, damage or mutilation of library materials or facilities, while in the Library.

2. Smoking or using tobacco products in any part of the library.
3. Intoxication or incapacitation by drugs or alcohol which creates a risk to the person in question or to others.
4. Taunting, stalking, following, challenging or provoking another individual.
5. Using abusive, threatening or menacing language or gestures.
6. Entering non-public areas of the Library, without permission from staff.
7. Hindering or impeding or preventing the movement of an individual into, out of or about a Library facility or vehicle.
8. Gambling, panhandling, or soliciting is not permitted. Sale of non-library materials is permitted only when sponsored by the Library.
9. Refusing to leave the Library when directed to do so, or at closing.
10. Bringing a firearm, knife with a blade longer than 3", or other weapon into the Library. This rule in no instance applies to law enforcement officers and other officials provided for in law.

Criminal or Dangerous Behaviors

All criminal and dangerous behaviors are prohibited in the Library.

A person who commits a crime in the Library or violates any of the following policies shall be prohibited permanently from entering the Library or otherwise using its services, upon penalty of a charge of criminal trespass, and the Library may file criminal charges against the person.

1. Threatening to attack or physically attacking another person is prohibited.
2. Indecent exposure, public lewdness, and voyeurism is prohibited.
3. Child abuse is prohibited.
4. Intentional destruction of large quantities of library materials or of furnishings or equipment, or of a building or vehicle, is prohibited.
5. Theft of Library, staff or another person's property is prohibited.
6. Making bomb threats against Library property, or from Library property.
7. Aiming or discharging a firearm within the Library is prohibited.

A Library user who has been prohibited from entering the Library shall have all privileges, including remote access to online resources, revoked for a period of time equal to the length of time they are prohibited from entering the Library.

A Library user may appeal a penalty to the Library Director, in writing, within seven days of notification of a penalty. The Library Director shall uphold or overturn the penalty within seven business days of receipt of the appeal by the Library Director. The penalty shall be enforced until the Library Director has decided on the appeal.

A Library user may make a final appeal of a decision by the Library Director upholding a penalty, to the City Administrator, in writing, within seven days of notification of the upholding of the penalty by the Library Director. The City Administrator shall uphold or overturn the penalty within seven business days of receipt of the penalty by the City Administrator. The penalty shall be enforced unless and until the City Administrator overturns it. The decision of the City Administrator is final.

RESTRICTIONS ON USE OF CHILDREN'S AND TEEN PIT AREAS

To encourage the use of the Children's Services area and the Teen Services area by their intended audiences, and to enhance the safety of the minors who comprise these audiences, the use of these areas is restricted to minors, parents/guardians, teachers, or other chaperones who accompany them.

Other adults may enter these areas to browse and/or retrieve materials, or to briefly tour the areas, but they may not remain in the area otherwise to, for example, sit, read or use computers. Adults not accompanying minors should check in at the Children's Services Help Desk before entering the Children's Services area, or the Second Floor Help Desk before entering the Teen Area.