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LIBRARY BEHAVIOR		

## APPROPRIATE LIBRARY BEHAVIOR

### **Purpose of Policy:**

Pursuant to Section 43.52(2) of the Wisconsin Statutes, the Brown County Library Board of Trustees adopts this Brown County Library Appropriate Library Behavior Policy in order to regulate the use of the library. The purpose of the Policy is to protect the rights and safety of library customers and staff members; to preserve and protect the library's materials, facilities, and property; and to maintain order in the library to render its use most beneficial to the greatest number.

By visiting a Brown County Library you are making a commitment to act courteously toward all other persons here; act respectfully with regard to public property; and follow all rules of this facility. Enjoy the library and allow others the same opportunity.

### **Definitions and Scope:**

- A. These behavior rules shall apply to interior, exterior, and all grounds controlled and operated by the Brown County Library (hereafter referred to as "Premises") and to all persons entering in or on the Premises.
- B. Listed below are the library's behavior rules. Persons violating these rules may be asked to leave the Premises and be banned from using the library for up to one week by any library staff member. Such bans will be forwarded to the Deputy Director or Administration Team for review. Adjustment of the ban or further banning from using the library for a period of time within the guidelines below will be made by the official ruling of the Deputy Director. Official written notice of a ban from the library will be sent to the last known address of the violator when possible.
- C. Customers may appeal the decision of library staff by contacting the Deputy Director. Customers may appeal the decisions of the Deputy Director by contacting the Executive Director. If they are still unsatisfied, customers may appeal the Executive Director's decisions to the Brown County Library Board of Trustees. An appeal to the Library Board must be made in writing and delivered to the Executive Director within 30 days of issuance. Upon receipt of the written appeal, discussion of the appeal will be scheduled on the agenda of the next regularly scheduled meeting of the Library Board of Trustees. Its decision will be final.
- D. Persons on library Premises during a period of banning will be criminally trespassing, and law enforcement will be notified. An exception will be made for a banned person to attend the Library Board of Trustees meeting in which his or her appeal is being discussed, or to respectfully request information about their banning.

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Please observe the following:

## Behavior Rules

- A. Any person who violates the rules in this section will be banned from using the library for up to one (1) year without first being given a warning. The incident will be reported to the appropriate law enforcement agency and to Library Administration for acknowledgement and review.
1. Committing or attempting to commit any activity that would constitute a violation of any federal, state, or local criminal statute or ordinance. This includes theft of library items.
  2. Directing a specific threat of physical harm against an individual, group of individuals, or property.
  3. Engaging in sexual conduct, as defined under Section 944.21(2)(e) of the Wisconsin State Statutes, or engaging in sexual contact, as defined under Section 939.22(34) of the Wisconsin Statutes. This includes, but is not limited to, the physical manipulation or touching of a person's sex organs through a person's clothing in an act of apparent sexual stimulation or gratification.
  4. Selling, distributing, or using illegal drugs; selling, distributing, or abusing legal drugs; or being intoxicated by any legal or illegal drug.
  5. Selling, distributing, consuming, or being noticeably under the influence of an alcoholic beverage.
- B. Any person who violates the rules in this section may be given up to one (1) warning at the discretion of library staff. Then the person will be asked to leave the Premises and be banned from using the library for at least that day and up to one (1) week by any library staff member and possibly up to six months to one (1) year upon official ruling of the Library Administration.
1. Engaging in conduct that disrupts or interferes with the normal operation of the library or disturbs library staff or customers, including but not limited to conduct that involves the use of abusive or threatening language or gestures; conduct that creates unreasonable noise; conduct that consists of loud or rowdy physical behavior or talking; or behavior that a reasonable person would find to be disruptive, harassing, or threatening in nature, including stalking, prolonged staring, or following another with the intent to annoy.
  2. Using library materials, equipment, furniture, fixtures, or building and grounds in a manner inconsistent with the customary use thereof; or in a destructive, abusive, or potentially damaging manner; or in a manner likely to cause personal injury to the actor or others. This includes running in the library.
  3. Disobeying the reasonable direction by a library staff member.
  4. Only the Brown County Library or the Friends of the Library, with approval of the Brown County Library, may solicit, petition, or distribute written materials on the Premises. All forms of solicitation, petitioning, distribution of written materials, canvassing or similar activities for any purpose is prohibited on the Premises. Notwithstanding the preceding sentences, because the Brown County Library is part of the non-partisan political fabric of the community, citizens seeking nomination for public office as outlined in Chapter 8 of the Wisconsin Statutes may solicit

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signatures outside of the library facility so long as the solicitation does not unreasonably interfere with or impede access to the library facility or the library parking lot. The citizen seeking nomination for public office is prohibited from distributing materials relating to his or her political views, party, or platform on the Premises. Exceptions can be made by the Brown County Library when working adjacently with outside organizations that have been determined to aid Brown County Library in achieving its mission, strategy, or vision.

5. Leaving personal belongings unattended or placing oneself, personal belongings, or objects, including but not limited to bicycles, skateboards, or backpacks on or against the building, furniture, equipment, or fixtures in a manner that interferes with library staff or customer use of the library facility.
6. Operating roller skates, inline skates, skateboards, or other similar devices in the library building.
7. Parking vehicles on library Premises for purposes other than library use. Vehicles parked in violation of this rule may be towed at the owner's expense.
8. Smoking, vaping or other use of tobacco or nicotine products on library Premises, this includes visible tobacco and nicotine products and smoking within twenty feet of the Library or Library grounds.
9. Consuming food or drink that creates a nuisance because of odor, garbage, or spills. Non-alcoholic beverages in closed containers and small amounts of snack foods are allowed. No food or drink of any kind is allowed while using library computers.
10. Bringing animals inside the library building (with the exception of service animals, see Sec. III. D 3.), except as allowed at a library-approved event.
11. Violating the library's *Public Computer Use Policy* on the library website.
12. Bringing weapons of any kind is prohibited (except as authorized by law – see Appendix A or as allowed at a library-approved event).
13. Entering staff workspace without approval of a member of the library staff.
14. Loitering or sleeping in or on the library Premises, except as allowed at a library-approved event such as a library sleepover.
15. Improperly using library restrooms or other facilities, including but not limited to bathing, shaving, washing hair, or clothes.
16. Using personal electronic equipment in a manner or volume that disturbs others, including but not limited to mobile phones, smart phones, laptops, and head phones.
17. Leaving one or more children under the age of 9, who reasonably appear to be unsupervised or unattended, anywhere in or on the library Premises. Additionally, the library recognizes that parenting is challenging. However, parenting that is disruptive or may reasonably be construed as abuse will not be tolerated. Law enforcement will be notified if abuse is suspected.
18. Inappropriate displays of public affection.

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- C. Any person who violates rules in this section will be banned from the Premises until the problem is corrected.
1. Entering the library building with bare feet, bare chest, or other exposed body areas that are not fit for a public setting.
  2. Disturbing others because of offensive body odor or perfume and/or having infested clothing or personal effects.
  3. Improper handling or behavior of a service animal. Service animals must be trained to provide a specific service for the handler of the animal. A service animal must be tethered and controlled by the handler. If a service animal barks, lunges, misbehaves, urinates, or defecates in the library, library staff can ask that the animal be removed from the building. Library staff may not ask about the disability of the person with the animal. Instead they should ask:
    - a. Is that a service animal?
    - b. What specific services, tasks, or work has the animal been trained to perform for you?

Unless the animal has been trained to do a specific task, service, or work for the handler, library staff can ask that the animal be removed from the building. Training for a specific task, job, or service is the key component to the distinction of a service animal. The mere presence or existence of the animal as a crime deterrent and/or the provision of emotional support, well-being, comfort, or companionship does not constitute training for work or tasks under the Americans with Disabilities Act.

**Note: If it is determined that a service animal be removed from the building, the individual with a disability who uses the service animal should be given the option of continuing to enjoy the library without having the service animal on the Premises.**

### Additional Rules

- A. Requests for staff to share their knowledge of a customer being in the building will be denied. If possible, library staff will take down the requestor's name and phone number and pass that information on to the customer. The customer can then call that person back if he or she wishes.
- B. Paging customers will not be done except in extreme emergency.
- C. If the library is closing, at a regular time or in an emergency situation, and a parent or guardian of a child cannot be located in the building, the appropriate Police Department may be called.

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- D. To provide an orderly and pleasant public environment, any staff of the Library, including security staff, is authorized to determine whether a library customer is not abiding by these or other Brown County rules and regulations. The library reserves the right to respond to any and all conduct not expressly set forth herein but which is deemed by library staff to interfere with the use of the library by other customers or interfere with the performance of duties by library employees. Any customer who violates these rules and regulations may be temporarily or permanently denied the privilege of access to all Brown County Library facilities.

### APPENDIX A

Wisconsin State Statute 941.235 – Carrying firearm in public building.

(1) Any person who goes armed with a firearm in any building owned or leased by the state or any political subdivision of the state is guilty of a Class A misdemeanor.

(2) This section does not apply to any of the following:

(a) Peace officers or armed forces or military personnel who go armed in the line of duty or to any person duly authorized by the chief of police of any city, village or town, the chief of the capitol police, or the sheriff of any county to possess a firearm in any building under sub. (1). Notwithstanding s. 939.22 (22), for purposes of this paragraph, peace officer does not include a commission warden who is not a state-certified commission warden.

(c) A qualified out-of-state law enforcement officer, as defined in s. 941.23 (1) (g), to whom s. 941.23 (2) (b) 1. to 3. applies.

(d) A former officer, as defined in s. 941.23 (1) (c), to whom s. 941.23 (2) (c) 1. to 7. applies.

(e) A licensee, as defined in s. 175.60 (1) (d), or an out-of-state licensee, as defined in s. 175.60 (1) (g).

Wisconsin State Statute 175.60 – License to carry a concealed weapon.

(1) (d): “Licensee” means an individual holding a valid license to carry a concealed weapon under this section.