

## CHATTANOOGA PUBLIC LIBRARY

### PATRON CODE OF CONDUCT

#### I. Purpose

The Chattanooga Public Library has established this Patron Code of Conduct to ensure that library facilities are safe, welcoming and provide equitable access to materials and services for all library patrons. Appropriate library conduct includes without limitation activities such as reading, studying, properly using library materials or computers and other similar conduct normally associated with a public library. This Patron Code of Conduct shall apply to all buildings, interior and exterior, and all grounds controlled and operated by the Chattanooga Public Library (such buildings and grounds are hereafter referred to as the "Library Premises") and to all persons entering in or on the Library Premises.

Listed below are the library's rules for public behavior. The Chattanooga Public Library Board authorizes the Director or his/her designee to temporarily or permanently restrict or revoke the library privileges of any individual who violates this Patron Code of Conduct. Patrons who violate these rules may be removed from the Library Premises and excluded from all Library Premises for a period of time based on the severity of the misconduct. Authorized library staff, library security guards and/or the Chattanooga Police Department may intervene to stop prohibited activities and conduct. Failure to comply with these rules may result in withdrawal of a person's permission to remain on the Library Premises and/or a loss of library privileges. A violation of law may also result in arrest and prosecution. Persons who violate this Patron Code of Conduct may have their photographs or video captured by the Chattanooga Public Library staff.

#### II. Overview and Definitions

No individual may engage in inappropriate conduct on the Library Premises 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 on Library Premises. Patrons shall not engage in prohibited conduct set forth in this Patron Code of Conduct.

Prohibited conduct includes without limitation any individual or group activity which is unreasonably disturbing to other patrons who are lawfully using library facilities, materials and/or the Library 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 staff is authorized to contact Chattanooga Police Department to respond to unlawful conduct.

#### III. Inappropriate Conduct

Inappropriate conduct shall include without limitation the following:

- Committing or attempting to commit any activity that would constitute a crime or a violation of federal, state or local law.

- Possessing, selling, distributing, displaying or using any dangerous weapon upon the 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 any threats of violence or unlawful activities toward library staff or other library patrons; using threatening, abusive or obscene language. 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 Premises.
- Possessing, selling, distributing, consuming or being under the influence of any intoxicating beverage or controlled substance.
- Trespassing by entering or remaining on the Library Premises after having been notified by an authorized individual not to do so, and entering or remaining on the Library Premises during the time in which an individual's library privileges have been suspended.
- Refusing to follow the directions of library staff to include failing to take shelter in an emergency as directed by staff.
- Engaging in any behavior that a reasonable person would find to be disruptive, harassing, or threatening in nature to library patrons or staff including without limitation 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.
- Leaving children under the age of ten (10) unattended on the Library Premises. (See Section V. Concerning the Behavior and Supervision of Minors in Youth Services Areas of the Library).
- Engaging in any sexual contact, activities or conduct including without limitation 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.
- Selling, soliciting, surveying, distributing written materials, panhandling or canvassing for any political, charitable or religious purposes inside a library building or on the Library Premises without prior authorization of the Library Director or designee.
- Smoking or other use of tobacco products including electronic cigarettes and chewing tobacco anywhere on the Library Premises.
- Eating while using library computers or in spaces designated as free from food.
- Sleeping, lying down, napping or dozing in or on any floor, couch, table, or seat on the Library Premises.
- 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, talking loudly, arguing, yelling, cursing, using personal electronic equipment including, but not limited to, pagers, stereos, televisions, cellular telephones, computers and tablets at such a volume or making ongoing noise that is unreasonably disturbing to other library patrons, conduct that involves the use of abusive or threatening language or gestures, conduct that creates unreasonable noise, or conduct that consists of loud or boisterous physical behavior or talking.
- Emitting strong pervasive odors, including odors caused by perfume or cologne that unreasonably interferes with library user or staff comfort, safety, use, or peaceful enjoyment of the library, without limitation.
- Bringing in items, excluding personal items (purse, laptop, briefcase), that occupy floor space in excess of 14" W x 17" H x 20 L." Items are measure in totality and must be placed and fit easily into a measuring box of the above dimensions.

- Dressing inappropriately for a public building including attire that does not sufficiently cover those parts of the body considered private; failing to wear shoes or a shirt inside a library building.
- Using library materials, equipment, furniture, or buildings 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 themselves or others.
- Interfering with the safe and free passage of library staff or patrons on the Library Premises, including without limitation the placement of objects in hallways, aisles, flooring or elsewhere in a manner that impedes the free passage of such persons inside the Library Premises. Please refer to Lost and Found Policy regarding items left on the Library Premises.
- Bringing any animal into the library except service animals or animals used for educational purposes as part of pre-approved library programs.
- Leaving an animal tethered and unattended on the Library Premises.
- Bringing bicycles or other similar devices inside library buildings, including, but not limited to, vestibules or covered doorways.
- Impeding access to the Library Premises or otherwise interfering with the free passage of library staff or customers in or on Library Premises, including without limitation placing objects such as bicycles, skateboards, backpacks or other items in a manner that interferes with free passage of patrons.
- Operating roller skates, skateboards or other similar devices in or on the Library Premises.
- Placing personal belongings on or against library buildings, furniture, equipment or fixtures in a manner that interferes with library staff or patron use of the library facility, or leaving personal belongings unattended.
- Entering nonpublic areas of the Library Premises without permission.
- Using library restrooms or facilities improperly for purposes such as bathing, shaving, washing hair or changing clothes.
- Taking any library materials into restrooms.
- Bringing firearms, weapons, fireworks, or other dangerous substances on the Library Premises
- Engaging in any other activities that are inconsistent with those activities normally associated with the use of public library facilities that include without limitation reading, studying, and using library materials or computers or attending programs.
- Violating the library's rules for acceptable use of the internet and library public computers. A user accepts these rules before accessing the Internet through a library computer. Copies of these rules will be made available by staff upon request.

#### **IV. Security Gate; Inspections**

If the security gate in any library building sounds an alarm as a patron exists, the patron must return to the circulation desk to verify that the materials were handled properly by the library staff. All briefcases, handbags, backpacks duffle bags, overcoats, shopping bags, luggage, and other packages may be subject to inspection by library or security staff.

#### **V. Behavior and Supervision of Minors and Youth Services' Areas of the Library**

The Chattanooga Public Library welcomes children. Parents/caregivers are responsible for their child's safety and behavior while on the Library Premises whether the parent/caregiver is present or not.

Library employees cannot function as caregivers or babysitters. The Library is not equipped—and it is not the Library’s role—to provide long-or short-term childcare. The Library assumes neither responsibility nor liability for the actions, care, supervision or safety of minors.

For the safety and comfort of children, a responsible adult must accompany children under age ten (10) when they are using the Library Premises. This responsible individual must supervise, guide and control the behavior of his or her charge or charges at all times.

When a child is unattended or under-attended/ignored and

- the behavior of the child is disruptive or inappropriate (or)
- the child appears to be a danger to herself or himself or others (or)
- the child appears to be threatened by others (or)
- the child appears to threaten, bully or intimidate others (or)
- the child appears to be ill or upset (or)
- the child has not been met by a parent or caregiver at closing

Library staff will attempt to contact the parent or guardian of the child immediately. In the event that the parent or guardian cannot be located within a reasonable period of time, staff will contact the Chattanooga Police Department. In the event of an emergency, staff will call 911.

#### **VI. Inappropriate Use of Children’s/Youth Services Areas**

Adults are permitted in children’s areas of branch libraries or in the Youth Services Department at the downtown library only when accompanied by a child or when the adult needs to retrieve materials from the youth services area collections. If the adult is not accompanied by a child, he or she needs to locate the youth services material and then move to appropriate adult areas on the Library Premises. First floor staff at the downtown branch will assist with the retrieval of materials from the youth services area when necessary.

If an individual does not comply with staff direction or repeatedly violates this policy, the individual’s library privileges may be revoked.

- Adults and teens are prohibited from using the children’s area, unless accompanying a child twelve (12) years old or younger or needing access to the Library’s Children’s materials.
- Adults and children are prohibited from using the teen area (including the restroom located in the teen area) unless accompanying a teen age thirteen (13) – nineteen (19) or needing access to the Library’s Young Adult materials.
- Adults and teens are prohibited from using any restroom designated for children. Children’s restrooms are for the sole use of children twelve (12) years old or younger, and their caregivers.

#### **VII. Suspension of Library Privileges**

Patrons violating this Patron Code of Conduct may result in suspension of library privileges for a period of time commensurate with the severity of the offense, the patron’s history or policy violations, and any other relevant factors. Library privileges include without limitation entering the Library Premises, checking out library materials, accessing library computers, or attending library programs. Patrons engaged in conduct that poses a serious imminent risk to health or safety may be immediately expelled from the Library Premises without prior warning and with or without the assistance of library security or

local law enforcement. A suspension may be indefinite if the offense is severe. Library staff is authorized to contact the Chattanooga Police Department to respond to such situations and police may issue a criminal trespass citation.

Note: Library staff may not restrain or otherwise physically intervene in any situation that could potentially become violent.

#### **VIII. Loss of Library Privileges:**

Incident reports will be kept on file by the Personnel Officer for violations of this Patron Code of Conduct. After an individual has engaged in severe or repeated misconduct, the staff will recommend to the Personnel Office that the individual involved should lose his or her library privileges. At that time

1. The Personnel Officer will consult the Library Director. If, after consultation with the Personnel Office and, when necessary, members of the staff, the Director agrees with the decision to rescind the individual's library privileges, the Personnel Officer will issue, or cause to be issued, a written notification to the individual involved informing the individual that he or she has lost his or her library privileges at all Chattanooga Public Libraries for a period of time up to one (1) year. The letter shall indicate the reasons for the loss of privileges and the corresponding time period. A copy of this letter will also be given to the Chairperson of the Chattanooga Library Board of Directors.
2. The Personnel Officer will officially inform all staff at all locations of the individual's name and his or her misconduct when a decision is made to impose a loss of privileges.
3. The Director shall notify the individual of the process for appealing the loss of privileges decision, but all conditions of the loss of privileges decision will be in full force and effect once the written notification has been issued unless reversed at any requested appeal hearing.
4. The Director will review and may reconsider the decision to impose a loss of privileges upon written request of the individual and may shorten or terminate the disciplinary period if information submitted by the individual warrants such modification. The Director may consult with the City Attorney's Office before issuing the response to the individual. Until such time as the loss of privileges 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.

#### **IX. Alternative Juvenile Procedure:**

Juveniles who violate the library's behavior policies may be restricted by library staff from use of a specified library area or face a loss of library privileges depending upon the severity of the misconduct. 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. Failure to abide by the restriction may ultimately lead to the loss of library privileges for that juvenile for up to one (1) year.

Library patrons who wish to request a reasonable modification of this Code of Conduct because of a disability or health problem may contact the Library's Director's office at 423-757-5029.

Approved by Chattanooga Public Library Board of Directors January 20, 2015

Revised and approved by Chattanooga Public Library Board of Directors on January 12, 2016

## LOSS OF LIBRARY PRIVILEGES NOTIFICATION

TO:

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

\_\_\_\_\_ INTOXICATED

\_\_\_\_\_ LOUD AND DISTURBING

\_\_\_\_\_ IN THE LIBRARY IN SPITE OF HAVING LIBRARY PRIVILEGES SUSPENDED

\_\_\_\_\_ DEMONSTRATING OTHER CONDUCT THAT VIOLATES THE CHATTANOOGA PUBLIC  
LIBRARY PATRON CODE OF CONDUCT (SEE BELOW)

COMMENTS:

Because of the inappropriate conduct listed above, and/or other history of inappropriate conduct at any Chattanooga Public Library, your library privileges are suspended until the date listed below. If you enter any Chattanooga Public Library before the return date listed below, police will be called and you will subject to being arrested for trespassing.

You may file a written request to appeal the loss of your library privileges to Director, Chattanooga Public Library, 1001 Broad St. Chattanooga, TN 37402 to reconsider this decision. Your written request shall set forth your reasons for appeal. **THE LENGTH OF YOUR SUSPENSION SHALL REMAIN AS STATED IN THIS LETTER UNLESS THE DIRECTOR ISSUES A WRITTEN DETERMINATION ALTERING THE TERMS OF YOUR SUSPENSION.**

DATE LIBRARY PRIVILEGES SUSPENDED \_\_\_\_\_

PRIVILEGES RESTORED DATE \_\_\_\_\_

Staff initials: \_\_\_\_\_

## Appeal Procedure

1. Notice of Appeal. The loss of privileges decision may be appealed to the Director of the Library and the Library Board, if the aggrieved individual files a written notice of appeal within ten (10) days of being notified of the loss of privileges. Such notice shall be filed with: both the Library Director and the Library Board Chairperson, c/o Chattanooga Public Library; 1001 Broad St., Chattanooga, TN 37402.

The Director will review and may reconsider the decision to impose a loss of privileges upon written request of the individual and may shorten or terminate the disciplinary period if information submitted by the individual warrants such modification. The Director may consult with the City Attorney's Office before issuing the response to the individual. Until such time as the loss of privileges 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. The Library Director will notify the Library Board of Directors of the appeals decision.

Should the Library Director uphold the loss of privileges decision, the aggrieved individual may Appeal the Library Director's decision to the Library Board of Directors.

The Board shall hold a hearing within sixty (60) days after the notice has been filed. The appellant shall be notified at least thirty (30) 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 Chairperson of the Board shall conduct the hearing. The staff shall record all of the proceedings.
3. Decision: Within thirty (30) days of the hearing, the Board shall issue a written decision about the appeal. The Board shall have the power to affirm or reverse the loss of privileges decision or to remand it to the Director or designee with instructions for reconsideration.

Appeals Procedure approved and amended by the Chattanooga Public Library Board of Directors on October 16, 2019.