

RULES OF CONDUCT GOVERNING THE USE OF THE NASHVILLE PUBLIC LIBRARY

INTRODUCTION

The Board of the Nashville Public Library welcomes visitors and encourages them to use its resources. The Board also acknowledges the necessity to maintain an environment in which patrons and staff can be free from harassment, intimidation, threats to their safety and well-being, and protects library resources and facilities from damage. To provide safeguards against such behavior and damage to property, the Library Board has adopted the following *Rules of Conduct*, which specify the type of activities or behavior that is not permitted on library premises.

These rules of conduct shall apply to all buildings, interior and exterior, and all grounds controlled and operated by the Nashville Public Library (such buildings and grounds are hereafter referred to as the “premises”) and to all persons entering in or on the premises.

Listed below are the library’s rules of conduct. Persons who violate these rules may be ejected from the premises and excluded from all library premises for the time prescribed below.

RULES OF CONDUCT - CLASS I OFFENSES

Any person engaging in the following prohibited behavior will be given a written warning for the first offense. If the person violates these rules for a second time, they will be asked to leave the premises for the remainder of the day. Third and subsequent offenses can result in an expulsion from thirty (30) days up to one (1) year depending upon the number of repeat offenses.

1. Distributing or posting printed materials and literature that have not been approved by the library.
2. Soliciting, petitioning, canvassing on library premises except as approved by the library.
3. Participating in a gang or gang-related activity. Gang-related activity includes, but is not limited to: the display or possession of gang symbols or paraphernalia, gang recruitment, gang initiation, and gang intimidation.
4. Eating and drinking or placing open containers of food or beverages on tables, carrels and the floor (except as may be permitted and provided in designated areas) in library facilities.
5. Smoking or other uses of tobacco in library facilities including rest rooms, or outside library facilities in any area likely to interfere with other patrons’ access to the library facility or where smoke may infiltrate inside the building.
6. Sleeping, placing head on table for prolonged periods of time; congregating on library premises in a manner which obstructs access or interferes with use of library facilities or services or where such activity may result in an unsafe or intimidating environment; lying or sitting on floors, tables or planters; lying on benches; school age students being on library premises during school hours excluding home school students or school sponsored visits.
7. The use of skates, skate boards and/or roller blades or similar devices on library premises.

8. Using library materials, equipment, furniture, fixtures 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.
9. Bringing animals or pets, other than those assisting persons with disabilities, into the library facility. Leaving animals tethered and unattended on library premises.
10. Creating loud noises and/or disturbances which interfere with staff and or other patrons' use and enjoyment of the library including, but not limited to, by verbal utterances or with electronic devices.
11. Using obscene or abusive language or gestures in a manner which reasonably can be expected to annoy or disturb other patrons or library staff.
12. Leaving children under seven (7) years of age unsupervised.
13. Leaving children or young adults in library facilities after closing time (see library's policy regarding children remaining at the library after closing time).
14. Misuse of rest rooms. Misuse includes shaving, washing clothing and bathing (other than face and hands).
15. Bringing large items that take up excessive space (packages, duffel bags, suitcases, etc.), onto library premises without the prior approval of library personnel. Excessive space shall be defined as an item or group of items exceeding 2.5 ft. in length, or 2.5 ft. in width, or 2.5 ft. in height.
16. Being on library premises between one (1) hour after official public closing time and one (1) hour before official opening time except for returning library materials to after-hours book drops and attending special events authorized by the library.
17. Leaving personal items unattended for longer than thirty (30) minutes, including but not limited to: bags, suitcases, electronic devices and other personal belongings. Items left longer than thirty (30) minutes may be taken to lost and found and inventoried for security reasons.
18. Bringing bicycles, shopping carts or similar devices into library buildings including vestibules and covered doorways.
19. Entering the library with no shoes or shirt.
20. Disturbing others because of offensive odor of the body, clothes or belongings.
21. Violations of posted Library policies, procedures or guidelines.

RULES OF CONDUCT - CLASS II OFFENSES

Any persons engaging in the following prohibited behavior will be suspended from all Nashville Public Library premises for a period of ninety (90) days. Subsequent violations by that person will result in a suspension of up to one (1) year depending upon the number of repeat offenses.

22. Directing a specific threat of physical harm against an individual, group of individuals or property.
23. Intentionally damaging, defacing, destroying, or stealing property belonging to the library, a patron or employee.
24. Intentionally engaging in harassing or threatening behavior towards other patrons or library employees for the purpose of annoying, intimidating or causing fear to the recipient.
25. Bringing any firearm and/or weapon onto library premises. This prohibition does not apply to law enforcement personnel on official duty.
26. Public intoxication or possession, consumption of alcohol and illegal drugs on library premises.
27. Entering library premises while on suspension for patron conduct rules.

RULES OF CONDUCT - CLASS III OFFENSES

Any person engaging in the following prohibited behavior will be suspended from all Nashville Public Library premises for a period of one (1) year and the library will pursue criminal charges. If the person is convicted or pleads guilty to criminal charges, the patron will be suspended for five (5) years or for the length of the sentence imposed by the court, whichever is longer, pending review and approval by the Library Director.

28. Physical assault of a customer or employee
29. Engaging in sexual conduct including but not limited to indecent exposure or 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.
30. Intentionally damaging, defacing, destroying or stealing property belonging to the library, a patron or employee resulting in felony charges

PATRON'S RIGHT TO APPEAL CERTAIN ACTIONS TAKEN BY LIBRARY STAFF OR ADMINISTRATION

The Board of the Public Library of Nashville and Davidson County (the "Board") recognizes a responsibility to make all reasonable efforts to facilitate the enjoyment of library facilities by all library patrons. The Board also recognizes that a library patron's disorderly conduct or other serious violations may require library personnel to take immediate action for the protection of other personnel and patrons.

For these reasons, the Board hereby delegates to the Manager of each Library facility the authority to suspend from all Library Facilities as noted in the rules.

Any suspension imposed under this policy shall be issued in writing and given directly to the patron at the time of the incident. In the event the patron leaves the premises before the notice is issued or if the patron refuses to receive the notice, the notice will be held at the location of the incident until the patron returns or in the case where the patron refuses to receive the notice, the notice will be retained as documentation of the suspension at the location where the incident took place. The notice shall state the length and reason for the suspension and the effective date of the suspension. The notice shall also include a statement informing the patron that patron may appeal the suspension greater than one day by submitting a written request for reconsideration to the Appeal Panel, to the address provided to the patron in the notice of suspension within seven (7) days from the date the patron receives notice of the suspension. If the patron timely appeals the imposition of the suspension, the suspension shall be stayed pending the outcome of the Appeal Panel and Executive Director on the matter. The Appeal Panel shall consider the request for reconsideration within a reasonable time from the date it receives notice of the patron's appeal. In the event special circumstances exist, for example, a documented immediate need for access to the library for educational purposes, the Appeal Panel shall consider the request for reconsideration in an expedited manner.

The Board further instructs the Executive Director of the Library to appoint an Administrative Appeal Panel to review appeals from patrons seeking to challenge a suspension imposed by a library Manager issued under this policy. The Appeal Panel shall be reconstituted for each such appeal and shall consist of three senior library employees of the Public Library of Nashville and Davidson County system. It shall be the duty of the panel to consider the appeal for which it is appointed under such rules as the Director, with the advice of the Metropolitan Department of Law, shall provide for appeals generally and to make a recommendation to the Executive Director to uphold, modify or rescind the suspension. The Director will consider the recommendation of the Appeal Panel and such other materials as deemed necessary and make a final decision, which will be issued in writing to the patron. The Board authorizes the Director to take measures necessary for the implementation of this policy.