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CIRCULATION POLICY

1. ITEMS

The library circulates all materials designated as circulating items. Reference and Park City Collection materials are not circulating items.

The Library Director or their designee may make exceptions to the circulation rules based on various factors including the limited availability of the material on the subject outside of the library and the value of, or ability to, replace the material. A deposit may be required on certain items.

2. LOAN PERIOD

All circulating items may be checked out for three weeks with the exception of Unique Items which may be checked out for one week.

3. LIMITS

Resident, non-resident, student, and educator cardholders may check out fifty total items at any one time. Notwithstanding those total limits, each patron may only check out the following number of specific items:

- Ten DVDs
- Ten Magazines
- Five Unique Items
- Five Maps

Temporary cardholders may check out two items at any one time.

4. RENEWALS

Any circulating item except for Unique Items may be renewed for up to two additional three-week periods providing there are no holds pending for the item. Interlibrary Loan renewals must be approved by the Library's Interlibrary Loan staff and the lending library.

COLLECTION DEVELOPMENT POLICY

STATEMENT OF PURPOSE

The purpose of the Park City Library Collection Development Policy is to guide librarians and to inform the public about principles upon which selections are made. The policy reflects the Library's intent of providing materials to meet the needs of a diverse community.

Inclusion of any materials in the Library's collection does not represent or constitute endorsement by the Library of the opinions, points of view, or ideas presented in the material.

Definitions:

1. Materials may be any information resource regardless of format.
2. Selection refers to the decisions to acquire new materials or to retain materials already in the Library's collection. Selection does not refer to guidance in assisting a library user.

1. RESPONSIBILITY FOR SELECTION

Librarians are responsible for evaluating and selecting materials for the Park City Library. Every effort is made to create balanced and consistent collections that meet patron expectations within existing library budgets.

2. DESCRIPTION OF SELECTION PROCESS

Park City is a growing community with a solid base of year-round residents in addition to a seasonally fluctuating visitor population. Park City's residents and visitors tend to place high demands on the Library's resources. Our community values broad access to resources that represent global viewpoints and in-depth thinking. The Library provides a variety of materials in various formats in as many subject areas as possible for all ability levels, age groups, and diverse populations. The Library provides additional access through the internet and use of Inter-Library Loan.

3. CRITERIA FOR SELECTION

Library materials are selected based on the following (not necessarily in order of priority):

- Local demand
- Popular interest
- Comprehensiveness, accuracy, currency, and clarity of information
- Presentation, readability, and format
- Variety of ideas and perspectives
- Cost and availability
- Local or regional interest and initiatives
- Relationship to the existing collection and to other materials on the subject
- Availability of materials in other libraries
- Literary or artistic merit
- Contemporary significance
- Reputation and/or authority of author, artist, publisher, or producer

To assess materials based on the above criteria, staff utilizes:

- Nationally recognized and relevant pre-publication reviews
- Staff expertise
- Bestseller lists
- Recommendations and requests from current cardholders in good standing
- Reliable media reviews
- Local, regional, and national booksellers

4. COLLECTION MAINTENANCE AND DESELECTION

Materials will be removed from library collections based on the following factors:

- Diminished interest or demand
- Duplicate or surplus
- Poor physical condition
- No longer contributing to breadth or depth of collections
- Information has become invalid

Discarded materials are donated to the Friends of the Library or may be recycled.

5. ACCESS

Individuals have the right to choose the materials they access. No individual or group has the right to restrict the freedom of others to read, view, or listen to materials accessible through the library. Materials are not automatically removed from the library due to individual or group objections.

While all library computers contain filters pursuant to the Electronic Use Policy, library staff does not monitor or limit the use of materials by children in the library nor limit the materials that children check out.

The responsibility for the engagement, reading, listening, and viewing choices of children

rests with their parents and legal guardians. Adults are encouraged to be involved in their children's use of the Library and to guide their involvement with library resources based on their personal values.

Park City Library and the Library Board of Directors endorse the provisions in the American Library Association's Library Bill of Rights, the Freedom to Read Statement, the Freedom to View Statement, the Statement on Labeling: An Interpretation of the Library Bill of Rights, and Free Access to Libraries for Minors. Links to these documents are provided in the appendices.

6. HANDLING OF GIFT ITEMS

Refer to the Library Gift Policy.

7. LIABILITY

The Park City Library is not liable for any injury, loss, damage, or expense due to the use of materials and equipment.

8. RECONSIDERATION OF MATERIALS

To request the reconsideration of library materials, refer to the Library Reconsideration Policy.

Approved by Library Board, August 2023

Appendix

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| A. | The Library Bill of Rights |
| B. | The Freedom to Read Statement |
| C. | The Freedom to View Statement |
| D. | Interpretations of the Library Bill of Rights |

Appendix A

Library Bill of Rights

<https://www.ala.org/advocacy/intfreedom/librarybill>

Appendix B

The Freedom to Read Statement

<https://www.ala.org/advocacy/intfreedom/freedomreadstatement>

Appendix C

Freedom to View Statement

<https://www.ala.org/advocacy/intfreedom/freedomviewstatement>

Appendix D

Interpretations of the Library Bill of Rights

<https://www.ala.org/advocacy/intfreedom/librarybill/interpretations>

CONFIDENTIALITY OF LIBRARY RECORDS

Purpose: The Park City Library is committed to protecting the privacy and confidentiality of patrons and patron records. This policy is based on the U.S. Constitution, the Government Records Access and Management Act (GRAMA) and the American Library Association (ALA) interpretation of the Code of Ethics and the Library Bill of Rights. Staff members and volunteers shall make every effort to protect information about library borrowers, their requests for information and materials, the online sites and resources they access, and their loan transactions. This policy cannot guarantee an absolute right to privacy.

1. REFERENCES

U.S. Constitution: The courts have interpreted the Bill of Rights of the U.S. Constitution to include the right to privacy.

Government Records Access Management Act (GRAMA): Section 63-2-302(1)(c) of the Utah Code defines "Private Records" to include "records of publicly funded libraries that when examined alone or with other records identify a patron." Private Records may not be disclosed except where state law specifically allows disclosure.

Types of records considered private include:

- Registration Records - Library card application information
- Circulation Records - Check out information – Any circulation history retained in the computer in a patron's records
- Lost Library Materials and Refund Receipts - Overdue notices
- Daily Sign-In Sheets (i.e., attendance of programs, study or rental room use, or computer use)
- Interlibrary Loan Records

Professional Ethics: The ALA interpretation of the Library Bill of Rights states, "Protecting user privacy and confidentiality has long been an integral part of the mission of the libraries." ALA Code of Ethics, Article III states, "We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted."

2. REGULATIONS

2.1 No library employee or volunteer shall utilize records classified as Private Records under GRAMA for any purposes except those directly related to the discharge of their duties.

2.2 Patron records classified as Private Records under GRAMA will only be disclosed

in accordance with state and federal law.

2.2.1 Prior to any disclosure of Private Records, the Library Director or their designee will consult with the City Attorney's Office.

2.3 Confidentiality extends to reference interviews, interlibrary loan records, computer use records, event attendance records, and the location of patrons in the Library. Confidentiality is also maintained for databases and search records which the library manages.

2.4 The lawful custodian of library records is the Director of the Park City Library and their designee.

DAMAGED, MISSING OR LOST MATERIALS DISPOSITION OF PUBLIC PROPERTY

1. PURPOSE

The library preserves and maintains its collection in usable, clean, and attractive condition for public circulation. Library patrons are responsible for the proper care of materials checked out in their name.

Items are inspected for damage during check-in. When library materials are returned and damaged beyond repair the replacement fee plus a five dollar processing fee will be added to the patron's account and the patron will be notified.

When items are returned missing a part (DVD, CD, case, etc.), a replacement fee reflecting the cost of the missing item will be added to the patron's account and the patron notified by mail. Unpaid fees may result in patron's account being blocked.

2. GUIDELINES FOR CHARGES

Library staff determines the extent of damage. In cases in which a patron disagrees with a staff member's assessment of damage charges or replacement costs, the Circulation Team Leader will review the materials and situation in question and make a final determination of charges.

2.1 If the damage is irreparable, beyond further use or circulation, the item will be withdrawn from the collection and discarded. The total replacement cost of the item plus a five dollar processing fee will be added to the patron's library account.

2.2 Missing parts

Charges will be equal to the replacement cost of missing items.

2.3 Lost Materials

When library materials are lost while checked out to a patron, a fee is charged equal to the replacement cost of the item plus a five dollar processing fee. The material is withdrawn from the library's collection according to established procedures. Should the missing item be found within three months, the library desires the return of the item and will refund the patron the exact amount paid by the patron for the lost item, not including the five dollar processing fee. After three months, there are no refunds given for lost materials.

2.4 Claims Returned Overdue Material

Through an established tracking process, the library makes every effort to determine that an item is not in the library before a statement is sent to a patron.

When a patron claims that an item is returned, the library staff will check the shelf for the item. If the item is not found on the shelf, staff will ask the patron to keep looking for the item at home and check the item in using the special status, Claims Returned. The patron will continue to have check-out privileges.

Staff will generate a Claims Returned report biweekly in order to continue checking shelves for the item for at least six weeks after the item was marked Claims Returned. After six months, the bibliographic information for the item claimed will be given to selectors either to be replaced or deleted.

Patrons will be allowed two Claims Returned items at no charge. If a patron has three or more items that they claim have been returned they will be charged the replacement cost and processing fee for those items. Borrowing privileges may be suspended until the item is returned or replacement costs and processing fees have been paid.

3. ALTERNATIVE PAYMENTS

Payments for damaged or lost materials are normally made by cash, check, or credit/debit card. The Library may accept a new copy of the missing or damaged item in lieu of a cash payment. A five dollar processing fee will be added in either case.

4. DISPOSITION OF PROPERTY

The Library will comply with state law and municipal ordinances regarding the disposition of surplus library materials. The standard practice is to contribute withdrawn materials to a used book sale, which is open to the general public. As provided in the exclusionary clause of the Park City Municipal Code, the Library Board may delegate to the Library Director the discretion to dispose of discarded materials by donating them to other government agencies and non-profit organizations.

ELECTRONIC USE POLICY

It is the intent of the Park City Library to provide access to electronic information and resources that meet the recreational, educational, and general informational needs of our diverse population. Electronic information resources allow the Library to enhance collections and services by providing access to information and educational materials worldwide.

ACCESS TO INAPPROPRIATE MATERIAL

To the extent practical and in accordance with the federal Children's Internet Protection Act (CIPA) and Utah Code section 9-7-215, the Library has a technology protection measure (filter) on all Library computers, the Wi-Fi network, and mobile hotspots to block or filter internet, or other forms of electronic communications, access to inappropriate information. Specifically, blocking is applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors. Employees of the Library are also subject to a filter device and must abide by the computer, internet, and email use policies outlined in the City's Personnel Policy and Procedures Manual.

Disabling Provision: Any person who is not a minor may request that the technology protection measure (filter) be disabled to enable access for bona fide research or other lawful purposes. Such a request can be made to any library staff member. All library staff members have the authority to disable technology protection measures (filters).

ELECTRONIC USE AGREEMENT

The use of Library computers and networks for any purpose or in any manner that violates local, state, or federal law is prohibited. Violations may be reported to law enforcement authorities and may result in prosecution as well as the loss of Library computer privileges. The following activities are specifically prohibited:

- Viewing or sending material that is obscene, pornographic, or harmful to minors.
- Unauthorized access, including hacking, and other unlawful activities online.
- Unauthorized disclosure, use, and dissemination of personal information regarding minors.
- Unlawfully engaging in any activity intended to compromise the privacy of other users or obstruct the work of others.
- Damaging the Library's computers or attempting to access internal networks or changing software or hardware settings, including security settings.
- Unlawful online harassment, including stalking.

- Unauthorized use of computer accounts, access codes, or network identification numbers or malicious cyber activity. Disruption or unauthorized monitoring of electronic communications.
- Unauthorized copying of copyright-protected material.
- Violations of software license agreements.
- Libel or slander.

Users agree to abide by the Library's Electronic Use Policy when using electronic resources, including library computers, the wireless network, mobile hotspots, or other Library devices. All liability and risk lie with the user. The Library assumes no responsibility for damages, direct or indirect, for the use of the internet including, but not limited to, damage to the user's computer equipment.

The Library has no control over information obtained through the internet and cannot be held responsible for its content or accuracy. Users agree to use appropriate discretion when viewing materials and will refrain from displaying materials on a terminal when so requested by Library staff.

The Library enforces time limits when others are waiting.

Failure to comply with this Agreement may result in the loss of Library privileges, up to and including permanent trespass from the Park City Library.

LIBRARY ASSISTANCE, ENFORCEMENT AND RECOMMENDATIONS

The Electronic Use Policy is enforced by Library staff as follows:

- The Electronic Use Policy is enforced on a complaint basis as well as monitoring by Library staff. Any verified report or observed violation of the Electronic Use Policy may result in immediate termination of that user's electronic-resource privileges.
- The Library will also take the following actions to restrict minors' access to materials harmful to minors:
 - Encourage parents to work closely with and supervise their children to ensure that children's use of electronic resources is consistent with their family's values. The Library recommends the use of computers in the Children's, Youth and Teen areas for persons under 18 years of age, or for parents or guardians using the computer with their children.
 - Assist minors in using the internet to the extent that time allows.
 - Educate, supervise, and monitor appropriate usage of the online computer network and access to the internet in accordance with this policy, the Children's Internet Protection Act, the Neighborhood Children's Internet Protection Act, and the Protecting Children in the 21st Century Act.
 - Use filtering software on the Children's, Youth and Teen computers to limit access to certain sites, in an effort to make internet content accessed at the Library match as closely as possible the types of materials selected for the Library's Juvenile Collection. The software that is installed restricts access by all patrons to internet sites

that contain visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors.

The Library cannot guarantee:

- That its filtering software and/or staff monitoring will be totally effective in filtering material not intended for children, youth, or teens.
- The security of any personal information transmitted via the internet using the Library's connection.
- The availability or accuracy of information accessible via the internet. The Internet is an unregulated medium, with access points and content which change rapidly and unpredictably.

The Library will not accept responsibility for the use of the internet by children and young people. Responsibility for the use of all Library materials, including internet resources, rests with parents or legal guardians.

The Electronic Use Policy is posted in the library, available at the information desk for review, or online at www.parkcitylibrary.org/policies.

RECONSIDERATION OF ELECTRONIC RESOURCES

To request the reconsideration of electronic resources, refer to the Library Reconsideration Policy.

EMERGENCY POLICY

1. PURPOSE AND OBJECTIVES OF POLICY

The purpose of this policy is to define the responsibilities of Library staff in identifying and responding to an Emergency Situation.

2. DEFINITION OF EMERGENCY SITUATION

An emergency situation can be defined as an unexpected event which immediately threatens the health, safety, and welfare of library staff and patrons. Examples may include: fire, power outage, chemical release, natural gas leak, flood, earthquake and criminal activity.

3. HANDLING THE INITIAL EMERGENCY

Library Staff will be responsible for identifying and handling the initial onset of an emergency situation. All staff members have the latitude to identify an emergency situation and initiate a first response. **In case of situations requiring immediate intervention by police, fire or medical personnel, employees are reminded to first and immediately call 911.** All library staff members are required to have read and be familiar with the library's emergency procedures as outlined in the Emergency Procedure Manual.

The Librarian-In-Charge (LIC) or Building Warden, if present, will act as an Emergency Coordinator (EC) in the event of an emergency. The EC will be briefed on the nature of the emergency and assume initial responsibility for coordinating and activating the library's appropriate emergency procedures until emergency response personnel arrive on site. The EC will also inform the Library Director and LIC and library tenants of the nature of the emergency as soon as possible.

In the event of an emergency, it is the primary responsibility of the library staff present to insure the safety of library patrons and the remainder of the staff. The secondary responsibility of the library staff is to minimize any damaging effects of the emergency to property. Staff should not incur undue risk or place anyone else's personal safety at risk when fulfilling these responsibilities. Remember; people first, property second.

4. FOLLOW-UP HANDLING OF EMERGENCY

Following the initial response to the emergency, the Library Director or Librarian-In-Charge will assume responsibility for managing the emergency control procedures. The Library Director or LIC will be responsible for communicating and working with the City Manager, Emergency Program Manager, and emergency response professionals (police, fire department, etc.) in determining whether the library will remain open.

The Library Director or LIC will also be responsible for coordinating with the City's Community Engagement Manager in communicating necessary ongoing information to the media and public.

EXHIBIT AND DISPLAY POLICY

EXHIBIT AND DISPLAY POLICY

The Park City Library utilizes space in the building for collection displays, art exhibits, and a community bulletin board and brochure rack. In addition, the Library uses digital displays to highlight collections, including on the Library website and social media.

RESPONSIBILITY FOR SELECTION

Librarians are responsible for evaluating and selecting materials for displays and exhibits at the Park City Library. Every effort is made to create balanced and consistent displays and exhibits that meet patron expectations within existing library budgets.

DESCRIPTION OF SELECTION PROCESS

Park City is a growing community with a solid base of year-round residents in addition to a seasonally fluctuating visitor population. Park City's residents and visitors tend to place high demands on the Library's resources. Our community values broad access to resources that represent global viewpoints and in-depth thinking. The Library provides a variety of displays and exhibits in as many subject areas as possible for all ability levels, age groups, and diverse populations.

CRITERIA FOR SELECTION

Library displays and exhibits are selected based on the following (not necessarily in order of priority):

- Local demand
- Popular interest
- Comprehensiveness, accuracy, currency, and clarity of information
- Presentation, readability, and format
- Variety of ideas and perspectives
- Cost and availability
- Local or regional interest and initiatives
- Relationship to the existing collection and to other materials on the subject
- Availability of materials in other libraries
- Literary or artistic merit
- Contemporary significance
- Reputation and/or authority of author, artist, publisher, or

producer To assess displays and exhibits based on the above criteria, staff

utilizes:

- Nationally recognized and relevant reviews
- Staff expertise
- Recommendations and requests from current cardholders in good standing
- Reliable media reviews
- Local, regional, and national publicity

EXHIBITS

Exhibits are a means through which the public can share experiences, interests, and exchange of information.

Items are exhibited at the owner's risk. The Library assumes no responsibility for security against theft or damage of any displayed material. The Library takes no responsibility for the security or welfare of exhibits at any time, including during transport, installation, or dismantling. Before an exhibit is installed, the exhibitor must sign the Exhibit Contract. The exhibitor is responsible for the installation and de-installation of the exhibit unless otherwise arranged. Insurance coverage, if needed, is the responsibility of the exhibitor.

COMMUNITY BULLETIN BOARD AND BROCHURE RACK

A community bulletin board and a brochure rack are available to individuals, community groups, and non-profit organizations.

Items that are commercial or for business solicitation are not allowed. Job postings, housing listings, or items for sale are also not allowed. Postings larger than 11-by-17 inches are not accepted.

RECONSIDERATION OF EXHIBITS AND DISPLAYS

To request the reconsideration of a library exhibit or display, refer to the Library Reconsideration Policy.

PARK CITY LIBRARY

POLICY

LIBRARY RECONSIDERATION POLICY

Resident library cardholders in good standing, and who are 18 years and older, may request the reconsideration of library materials, programs, displays and exhibits, or electronic resources by submitting a Reconsideration Form. The form is available upon request to library staff at the Park City Library. A unique form must be filled out for each reconsideration requested.

A committee of library staff members will convene to discuss the pertinent materials. A convened committee may consider more than one reconsideration at a time. The committee members will review the resource(s) and pertinent materials and respond with a written decision(s) within six weeks of receiving each reconsideration request. Appeals to the decision may be made by submitting a written request to the Library Director, who will respond within an additional six weeks for each reconsideration request. Further appeals can be made to the Library Board, which will respond within an additional six weeks for each reconsideration request.

LIBRARY PROGRAM POLICY**PARK CITY LIBRARY PROGRAM POLICY**

The Park City Library offers programs to support the Library's Mission, Vision, and Values, and to provide opportunities for information, learning, and entertainment.

RESPONSIBILITY FOR SELECTION

Librarians are responsible for evaluating and selecting programs for the Park City Library. Every effort is made to create balanced and consistent programs that meet patron expectations within existing library budgets.

DESCRIPTION OF SELECTION PROCESS

Park City is a growing community with a solid base of year-round residents in addition to a seasonally fluctuating visitor population. Park City's residents and visitors tend to place high demands on the Library's resources. Our community values broad access to resources that represent global viewpoints and in-depth thinking. The Library provides a variety of programs in various formats in as many subject areas as possible for all ability levels, age groups, and diverse populations.

CRITERIA FOR SELECTION

Library programs are selected based on the following (not necessarily in order of priority):

- Local demand
- Popular interest
- Comprehensiveness, accuracy, currency, and clarity of information
- Presentation, readability, and format
- Variety of ideas and perspectives
- Cost and availability
- Local or regional interest and initiatives
- Relationship to the existing collection and to other materials on the subject
- Availability of materials in other libraries
- Literary or artistic merit
- Contemporary significance
- Reputation and/or authority of author, artist, publisher, or producer
- Sustainability best practices as outlined in the Sustainability Policy

To assess programs based on the above criteria, staff utilizes:

- Nationally recognized and relevant reviews
- Staff expertise
- Recommendations and requests from current cardholders in good standing
- Reliable media reviews
- Local, regional, and national publicity

Some programs may require registration for planning purposes or when space is limited. Programs may be held on-site at the Library or off-site. Programs may be canceled due to weather, low registration, or the absence of the presenter. Canceled programs are not necessarily rescheduled.

RECONSIDERATION OF PROGRAMS

To request the reconsideration of a library program, refer to the Library Reconsideration Policy.

GIFTS

1. ACCEPTANCE OF GIFTS

The Park City Public Library encourages and is grateful for gifts of books, periodicals, money and other materials which will enrich its collections. From donated materials, the Library will select for public use those which meet the community's informational, educational, or leisure time needs per the library selection policy and mission statement. The Library may also select items which may be of particular value to the Park City Historical Society or the Park City History Museum. Once a donation is accepted by the Library it becomes the property of the Library, to be used or disposed of as the Library Director and/or the Library Board sees fit.

2. PROCESSING OF GIFTS

A gift may be disposed of if it is (a) a duplicate; (b) outdated and not of sufficient present reference or circulating value to the Library (c) in poor physical condition; (d) not in accordance with Library selection policies. Unwanted gifts may be (a) discarded; (b) offered to other libraries or institutions as a gift or exchange; or (c) sold, and the money used to buy new items.

3. PLACEMENT

The Library reserves the right to shelve gifts with other collections on the same Subject so that all collections are organized and classified according to Library standards.

4. ACKNOWLEDGEMENT

The donor will be given a receipt at the time of the donation for items received at the Library. Under certain circumstances, such as financial donations and magazine subscription donations, a letter of acknowledgement may be mailed to the donor. Book plates acknowledging donors may be placed in specific titles at the discretion of the Library Director.

5. VALUATION

The appraising of a gift to the Library for tax purposes is the responsibility of the donor. The Library may direct donors to online resources for their own appraisal purposes.

6. SPECIAL GIFTS

Money, real property and stock will be gratefully accepted if conditions attached are acceptable to the Library Director and the Library Board. Donors are encouraged to

consider making their contribution to the Library Foundation.

When the Library receives cash donations for the purchase of memorial books, materials, furnishings or equipment, suggestions may be made by the donor, with the approval of the Library Director or the Library Board in accordance with the Library's material selection policy. The interests of the deceased and wishes of the donor should be considered for appropriate gift selection.

7. GIFTS OF ARTWORK

The Park City Library does not actively solicit nor collect works of art, even those whose subject is the Miner's Hospital or the Park City Library and Education Center (at one time the Park City High School and the Carl Winters Middle School).

Donation of works of art to the Library are subject to the Library's overall policy relating to gifts. Donated art becomes the property of the Library to be used or disposed of as the Library Director and/or Library Board sees fit. Anyone donating art to the Library should clearly understand that such donation does not guarantee that the work will be hung or displayed anywhere within the Library building.

Acknowledgement by donor:

I have received and read a copy of and understand the Library's policy on gifts of art work.

Signature: _____ Date: _____

HEALTH AND CLEANLINESS POLICY

1. PURPOSE AND OBJECTIVES OF POLICY

The purpose of this policy is to maintain a healthy and clean environment for all Library users and to protect the City's investment in Library collections, equipment, facilities, and property.

2. DEFINITION OF A HEALTH AND CLEANLINESS SITUATION

A health and cleanliness situation occurs when the health and cleanliness of Library collections, equipment, facilities, property and users are negatively impacted or they are at risk of being negatively impacted.

When a health and cleanliness situation occurs, a patron's borrowing of materials or access to Library facilities may be suspended.

Examples of situations where a patron's borrowing of materials may be suspended include:

- Evidence that items on loan to a patron may have been returned with insects that are known to be damaging to library materials or that can result in pest infestations in library facilities; e.g. roaches, silverfish, lice, rodents, bedbugs, and some types of beetles.
- Evidence that items on loan to a patron may have been contaminated with biofluid.

Examples of situations where a patron's access to Library facilities may be suspended include:

- When a patron or their possessions have a pest infestation.
- When a patron or their possessions, including clothing, are contaminated with biofluid.

3. HANDLING THE INITIAL HEALTH AND CLEANLINESS SITUATION

Library Staff will be responsible for identifying and handling the initial onset of a health and cleanliness situation. All staff members have the expectation to identify a health and cleanliness situation and initiate a first response in coordination with the Librarian-In-Charge (LIC).

In the event of a health and cleanliness situation, it is the primary responsibility of the library staff present to insure the safety of library patrons and the staff. The secondary responsibility of the library staff is to minimize any damaging effects to property. Staff should not incur undue risk or place anyone else's personal safety at risk when fulfilling these responsibilities. *Remember: people first,*

property second.

4. FOLLOW-UP HANDLING OF EMERGENCY

Should it become necessary to suspend Library privileges or access to facilities of a patron in order to protect Library collections, equipment, facilities, or other users, notification of the suspension will be made by the Library Director or their designee. Access to facilities and borrowing will be restored when the suspended patron demonstrates that the situation that caused the loss of privileges has been remediated. The Library may require the patron to provide documentation from an agency approved by the Library Director, such as pest control, in order to document that the situation has been remediated.

In the event that Library collections and/or property are damaged, the patron will be charged under the terms of the Damaged Materials Policy.

Interlibrary Loan

The Interlibrary Loan (ILL) service allows libraries to borrow and lend materials with other libraries across the nation, expanding access to items that may not be available in the local library's collection. This service provides patrons access to resources that the library may not have the budget to purchase or items that are out of print or not deemed essential for the collection. The Park City Library -meets national and state ILL guidelines and adheres to vendor and lending library policies.

Eligibility and Guidelines

- Park City Library cardholders in good standing may request up to five Interlibrary Loans per month and have five ILL items checked out at a time.
- Borrowers are responsible for any lost or damaged ILL materials and lending library policies and fees.
- If a borrower continuously fails to pick up requested ILL items, they may be suspended from using the service for a period of time at the discretion of the Library Director or designee.

Loaning Park City Materials to Other Libraries

The Park City Library lends materials to participating ILL libraries across the United States. However, certain items are only loaned under special circumstances with approval from the Library Director or designee. These items include:

- Materials in high demand
- New materials
- Unique items
- Periodicals
- Microfilm
- Reference or Park City Collection materials

PATRON BEHAVIOR POLICY

1. POLICY STATEMENT

The Patron Behavior Policy exists to support the Park City Library's mission and to address user behavior that may interfere with others' use and enjoyment of the library. In order to provide all patrons and staff with a pleasant library experience, patrons are expected to respect the rights of others and to adhere to the following regulations. This policy applies to children and adults. Patrons who fail to comply, may be subject to one or more of the following consequences:

- Revocation of access to specific library services for a specified period of time;
- Expulsion from the library for a specified period of time;
- Notification to the appropriate law enforcement agency, which may result in arrest and prosecution; or
- Liability for damages to public property or injuries to library staff.

2. REGULATIONS

2.1 Show courtesy and respect to other patrons and staff by using the library in a way that will not disturb others. Abusive or harassing behavior will not be permitted.

2.2 Conversations in the library are expected to be kept at a moderate volume level. The Reading Room on the Second Floor is a designated Quiet Zone.

2.3 Treat library materials, equipment, furniture, and facilities in a safe and appropriate manner.

2.4 Do not take photographs, videos, or recordings of library patrons without their express permission. In the case of minors, permission must come from the parent or legal guardian.

2.5 To protect the safety of all library patrons and staff, observe the following rules:

2.5.1 Use of skateboards, scooters, rollerblades, and similar equipment is not allowed inside the library.

2.5.2 Bicycles must be left outside.

2.5.3 Motorized vehicles are only allowed in the library if their primary purpose is to provide necessary mobility assistance.

2.6 Obey all federal, state, city, and county laws and ordinances including, but not limited to, the Utah Indoor Clean Air Act which prohibits smoking in public buildings.

2.7 Caregivers are responsible for the safety and behavior of the people they care for while in the library.

2.7.1 Unsupervised minors may be reported to appropriate authorities by library staff.

- 2.7.2 Under no circumstances will a staff member take an unsupervised minor off library property or escort a minor home.
 - 2.7.3 Library staff cannot assume responsibility for a minor's safety or behavior when the minor is unattended.
 - 2.7.4 Caregivers are responsible for supervising children ages 11 and under throughout use of the 3D printer.
 - 2.7.5 Caregivers are responsible for monitoring the games minors choose to play while using the library gaming systems.
- 2.8 Animals may not be brought into the library except for service dogs, and library employees' dogs as designated by Park City Municipal Corporation's Dog Policy. Programs that include animals such as reading dogs, educational animals, and library pets must be approved by the Library Director.
- 2.9 Food and drinks are allowed in the library, unless specified otherwise. Patrons are responsible for cleaning up their food, beverages, and containers.
- 2.10 Library staff may request to inspect patron belongings when theft is reasonably suspected.
3. APPEAL PROCESS
- Any person who is expelled from the library for 24 hours or longer, or whose access to library services is revoked for 24 hours or longer, may appeal these actions directly to the Library Director. An additional appeal may be made to the City Manager of Park City Municipal Corporation in writing to City Hall, PO Box 1480, Park City, UT 84060.

PATRON ELIGIBILITY

ID and documentation of address are required to be eligible for all cards except for Temporary Cards.

1. RESIDENT CARD

Any person residing or owning property within the 84060 Zip Code is eligible for a library card at no charge. This card is valid for two (2) years.

The following also qualify for a Resident Card at no charge:

- CITY LIMITS VISITOR - Any person visiting within the 84060 Zip Code. Must show proof of temporary residence.
- FRIENDS OF THE LIBRARY – Any Friends of the Library Board Member serving an active term.
- PARK CITY LIBRARY TENANT– Any contracted Library Building Tenant, or their employees. Proof of employment or City contract must be presented.
- CITY EMPLOYEES – Any fulltime, part-time, or seasonal employee of Park City Municipal Corporation. This is an employee benefit. Employees must show a current City ID to obtain a card.
- ROOMMATES - Any person living with a resident of 84060. Roommates can prove their residency by providing a letter from the principal roommate along with proof of residing in 84060.
- EDUCATOR- Any educator who works within the Park City School District boundaries but resides outside the 84060 Zip Code. This card is available to teachers, teacher's aids, homeschool teachers, or other school personnel who work within the Park City School District. Proof of employment or homeschooling must be presented.

2. NON-RESIDENT CARD

Any person who does not meet the qualifications for a resident card is considered a non-resident. The annual fee is Forty Dollars (\$40.00) per household. All members of the household may get a card under the same fee. Proof of address is required. This card is valid for one (1) year.

3. STUDENT CARD

Any child who resides or attends school in Summit County is eligible for a Student Card at no charge. A parent or legal guardian must complete an application for anyone under the age of eighteen (18) years old. If applying for the card in person, the child must also be present. This card is valid until the child turns 18 or June of the year the student graduates from high school, whichever comes later.

4. TEMPORARY CARD

Any person residing or owning property within the 84060 Zip Code unable to show proof of address to receive a card is eligible for a temporary card. Must show some form of picture ID. This card is limited to the checkout of two (2) items from the library at any given time. Must provide two of three types of contact information: Mail, Email, or Phone. This card may be upgraded to a Resident Card at any time upon showing ID and documentation of address. This card is valid for (6) months at no charge.

5. AUTHORIZED USE OF LIBRARY CARD

Cardholders may authorize others as designees to use their card by verbally registering their name with the library.

6. RESPONSIBILITY FOR LIBRARY MATERIALS

In all cases, the individual or organization in whose name a library card is issued assumes responsibility for the care, return, and liability of any and all library materials checked out on their card. Limit one (1) library card per individual or organization.

7. DENIAL OF SERVICE

The use of the library and its services may be denied for due cause. Such cause may include but is not limited to:

- Failure to return books or materials
- Destruction of library property
- Disruptive or criminal behavior
- Accessing of materials on computer prohibited by the library internet policy

RECOVERY AND OVERDUE POLICY

1. PATRON RESPONSIBILITY

The individual patron, under whose name materials are checked out, is ultimately responsible for the care and on time return of materials. Parents and/or legal guardians are responsible for the care and on time return of the materials checked out by minors in their care.

2. OVERDUES

2.1 Notification

The library is under no obligation to notify patrons of overdue materials. However, as a courtesy, the library may send the following notices: a first notice when the materials are two (2) weeks overdue; a second when materials are four (4) weeks overdue; and a billing notice six (6) to eight (8) weeks after the due date. The billing notice may list the replacement costs of each item plus a processing fee. Regardless of whether any notice is sent, at 8 weeks after the due date the patron's account is charged and borrowing privileges are blocked.

2.2 Recovery

In the event materials are not returned to the library, the library may apply all available legal means to recover the materials, or, in lieu of the materials, a sum of money deemed adequate to compensate for replacement and processing costs.

The replacement cost of an item shall be based on its original purchase price. In addition, a processing fee will be charged, which is an aggregate sum reflecting staff time spent in recovery procedures, time spent reordering and cataloging.

ROOM USE & RENTAL POLICY

Park City Municipal Corporation (the City) offers “Rooms” in the Park City Library which may be reserved by the public. These Rooms are owned and operated by the City, and the City Council has authorized the Library Director to administer these policies regarding public access to the Rooms. The following policies and procedures govern room rentals only. Long term tenant leases are reviewed and administered by the Special Events Department.

The City does not endorse the viewpoints or activities expressed by the participants or the policies or beliefs of the organization or individual using the Rooms (“Users”). No advertisement or announcement implying such endorsement shall be permitted, nor shall any group using the Rooms use the Building as its official address, unless approved by Library Director or pursuant to a long term tenant lease.

1. ELIGIBILITY FOR ROOM USE & RENTAL RESERVATIONS

1.1 Reservations & Deposits

Reservations shall be accepted on a first-come, first-served basis, except as pertains to long term tenant leases. Reservations will be taken no more than six months and no less than three days in advance, or as approved by the Library Director or his/her designee.

Reservations shall be requested online. Library staff will assist patrons who request aid in completing online requests. Once a request is submitted, the Library Director or designee will review the request and if approved, shall issue an approval with any conditions deemed necessary.

Payment of all necessary fees and deposits shall be required for any room reservation to be complete.

1.2 Cancellations & Refunds

Request for cancellation must be made in writing to the Library Director or his/her designee. If the cancellation is made three days or more prior to the event, the User will receive a deposit refund. Cancellations made less than three days in advance will receive a 50% refund of fees and deposit refund. Cancellation made the day of the reservation will not receive a refund. In each case, the User may be charged a cancellation fee.

1.3 Hours and Use

During times when the Library is closed, the Rooms shall only be available for use, as approved by the Library Director or his/her designee. The Library Director or his/her designee may deny the use of the Room to an applicant if the use, purpose or activity:

1.3.1 is illegal; or

1.3.2 presents health or security risks or is potentially hazardous; or

1.3.3 would interfere with Library operations; or

1.3.4 is commercial activity without proper licensing; or

1.3.5 does not comport with the Park City Municipal Corporation Land Management Code.

Minors under the age of 18 must have Rooms reserved by an adult who is willing to take responsibility for any liability. Study Rooms are available to minors without adult permission.

The Library Director or his/her designee may enter the Facilities at any time to ensure there are no violations of this Policy.

1.4 Library Rooms Fee Schedule

Fees will be assessed based on the following groupings:

Group 1: Activities which are free and open to the public during Library hours. Groups such as book clubs, support groups, government institutions, Library/City partners, HOAs, and other affiliated community organizations, as approved by the Library Director.

Group 2: Activities during Library hours which are open for public participation but charge a fee for entry or activities which are closed to the public.

Group 3: Activities which are outside of Library operating hours or promote or solicit business. This includes businesses that offer initial free services/consultations/presentations, and then later charge a fee or contact attendees.

Non-profits: Receive one free contiguous rental of up to four hours, per month, which may be split between multiple Rooms within the Library's operational hours.

Room & Location	Occupancy	Group 1	Group 2	Group 3	Non-Cleaning Fine
101 (1 st Floor)	34	Free	\$25/hour	\$50/hour	\$20/hour, \$40 minimum
201 (2 nd Floor)	34	Free	\$25/hour	\$50/hour	\$20/hour, \$40 minimum
301 (3 rd Floor)	34	Free	\$25/hour	\$50/hour	\$20/hour, \$40 minimum
North Conference (2 nd Floor)	12	Free	\$20/hour	\$40/hour	\$20/hour, \$40 minimum
South Conference (2 nd Floor)	12	Free	\$20/hour	\$40/hour (unavailable outside library hours)	\$20/hour, \$40 minimum
Study Rooms 1-8 (2 nd Floor)	3-6	Free	Free	Free (unavailable outside library hours)	\$20/hour, \$40 minimum
Community Room (3 rd Floor)	85	Free	\$75/hour	\$150/hour	\$20/hour, \$40 minimum
Santy Auditorium (3 rd Floor)	516	Free	\$95/hour	\$200/hour	\$20/hour, \$40 minimum
Kitchen (3 rd Floor)	10	Free	\$20/event	\$40/event	\$20/hour, \$40 minimum

Entry Hall (1 st Floor)	43	Unavailable	Unavailable	\$300/hour (unavailable during library hours)	\$20/hour, \$40 minimum
Entry Hall Patio(1 st Floor)	90	Unavailable	Unavailable	\$400/hour (unavailable during library hours)	\$20/hour, \$40 minimum

1.5 Santy Technology Fees

1.5.1 Projection Fees: Users have two options for projection.

1.5.1.1 Users may use the in-house technology at no additional cost. Users are responsible for scheduling a training to learn to use the equipment and facilitate use during their rental. Training must be scheduled at least one week prior to the rental date(s).

1.5.1.2 Users may rent the Projection Booth and have a trained projectionist manage technology needs. The Projection Booth rents for \$500 per event rental (\$250 for Non-Profits), with a hired projectionist approved by the Park City Library. Projectionists have their own fee scale; Users pay projectionists directly. A list of approved projectionists is available upon request.

1.5.2 Lighting Fees

Stage lighting may be rented when approved by the Library Director or his/her designee. Any change in the direction of lighting must be made by a pre-approved vendor at the expense of the User. The User shall pay the vendor directly. Lighting must be returned to the original direction before vacating the rental. The Projection Booth and a projectionist must be reserved to utilize lighting.

2. FOOD, BEVERAGE, & SMOKING

2.1 Alcoholic Beverages

The use of alcoholic beverages is allowed in Rooms except Study Rooms 1-8, the North Conference Room, and the South Conference Room. The User shall make any request for permission to serve alcoholic beverages in Room(s) in writing only. The Library Director or his/her designee reserves the right to approve or deny the request. Furthermore, the User is responsible for adhering to state liquor laws as set forth in the State Code and by the Utah Department of Alcoholic Beverage Control including obtaining permits as necessary.

2.2 Food & Beverage

All food and beverage, including any brought in by Users, Caterers or Food Vendors (“Providers”), must be approved by the Library Director or his/her designee. Providers shall adhere to the following rules.

2.2.1 Rules for Food Providers

2.2.1.1 Providers are responsible for following proper permitting as required by City, County, and State laws.

2.2.1.2 Provider staff and supplies must enter and exit through locations designated by the Library staff.

2.2.1.3 Parking or loading areas for Providers must be approved by Library staff. Providers cannot block any entrance to the building.

2.2.1.4 Gas, charcoal grills, sterno, and open flames for cooking or other decorative elements are strictly prohibited inside the building. Providers are responsible for bringing their own electrical cords as needed.

2.3 Smoking

Smoking is strictly prohibited inside the building. In accordance with Utah Indoor Clean Air

Act (Utah Code Annotated § 26-38-1 et seq.), smoking (including e-cigarettes) is not permitted in public buildings, including libraries, or within 25 feet of any entrance.

3. DECORATIONS, EQUIPMENT, & SET UP

Users shall have 15 minutes prior to the reserved event time for set-up. If more time is needed, it is the responsibility of the User to reserve additional time. All decorations, signs, and equipment must be approved by the Library Director or his/her designee.

3.1 Upon arrival, it is the responsibility of the User to inspect the Rooms and report any problems immediately to the Library staff. Failure to do so may result in cleaning or damage fees.

3.2 The User must be present in order to accept or make deliveries. At no time shall the Library staff be permitted to accept or make deliveries for a User.

3.3 Any temporary structures such as stages, tents, inflatables, etc., may require a permit from the City Planning or Building Departments. The User is responsible for obtaining such permits as necessary.

3.4 Food Trucks and selling items in the parking lot or lawn is prohibited. (Park City Municipal Code 4-3-8).

3.5 The use of painter's tape and removable self-stick wall pads are pre-approved for adhering items to wall surfaces. All other adhering materials (such as nails, tacks, tape, etc.) are prohibited.

3.6 Music or other noise including amplified sound is permitted, but must be kept to a level which does not interfere with or disturb other activities in the building. The Library Director or his/her designee may revoke permission for music or other noise in order to maintain the proper functioning of the Library.

3.7 The Library Director or his/her designee may require additional insurance for the use or rental of a Room or Rooms(s) if the use will increase risk to the City.

3.8 All furniture or other temporary equipment brought into the Library shall have protective caps to avoid scratching floors and damaging walls. Movement of furniture must be done with the use of rubber-wheeled dollies or carts. All furniture must be lifted, not dragged. It is the responsibility of the User to move all furniture or equipment. Library staff will not assist with the movement of furniture or equipment unless approved in advance.

3.9 Tables and chairs shall not be moved between Rooms unless approved by Library staff.

3.10 Users are responsible for downloading and testing software needs ahead of time. If Users need special accommodations or require assistance with any of the technology, Library staff must be notified at the time a reservation is confirmed.

4. BREAKDOWN & CLEANING

All Users are responsible for completing breakdown and clean-up of their reservation with the time allotted. The Library Director or his/her designee has the discretion to charge a cleaning fine if these policies are not followed.

4.1 All Rooms must be cleared, cleaned and vacated 15 minutes prior to Library closing unless Users have prearranged their event to go past closing time. Users are responsible for being aware of closing times. Any User that has not cleared, cleaned and vacated the Room 15 minutes prior to closing will be charged after-hours fees as stated in the *Fee Schedule* above.

4.1.1 Removal of plaques, art, tables, chairs, podiums or other items or equipment from the Rooms is strictly prohibited. Rooms, tables, chairs and other equipment should be placed back in their original state at the end of a reservation.

4.1.2 All approved signage, decorations or other temporary items must be removed by the end of rental period. Storage of any goods by persons or groups using the Rooms is not allowed.

4.1.3 Any damage caused to the Room(s) or equipment, including beverage or food accidents, must be immediately reported to Library staff. Cleaning or damage fees may apply.

4.1.4 Tables and countertops must be wiped down, and chairs and tables stacked/arranged appropriately. It is the responsibility of the User to remove and dispose of trash. Users must clean the whiteboard before vacating the Room.

4.1.5 It is the responsibility of the individual or organization who reserves the space to be courteous to the next reservation and to be aware of the time that they must vacate the Room and return it in its original, clean state on time.

4.1.6 Users are responsible for notifying Library staff if cleaning supplies are needed.

4.1.7 Users must return the key issued to them. Failure to do so will result in paying for the replacement costs.

4.1.8 The User must inform Library staff when vacating the Room.

5. FILMING & PHOTOGRAPHY

Users must review Library Policy and [City filming and photography permit guidelines](#) if they wish to photograph or film inside the Rooms. It is the responsibility of the User to obtain filming or photography permits, if necessary.

6. CAPACITY & PERMITS

In order to ensure the health, safety and welfare of Users, visitors and Library patrons, and City Staff, capacity shall not exceed the posted requirements in each Room.

6.1 It is the responsibility of the User to obtain any additional City, County or State permits or approvals that may be necessary.

6.2 Some events may require security due to attendance. The Library Director or his/her designee will determine appropriate security, which must be paid for by the User.

7. PARKING

The Park City Library is located in a residential area. Limited, non-exclusive parking is available next to the Library and surrounding area for those who utilize the Rooms. It is the responsibility of all Users to obey and follow all posted signs and restrictions. Park City is not responsible for damage or loss of vehicles on City property.

7.1 Users shall refer to the [Park City website](#) for information regarding walkability and transit schedules to alleviate parking pressures in the area. Carpooling and/or ridesharing is highly encouraged for those who do choose to use drive to the Library.

7.2 The Library Director or his/her designee may require a User to have a parking and transportation plan.

7.3 All deliveries for Room reservations must be prearranged. It is the responsibility of the User to inform Library staff at the time that the reservation is confirmed if deliveries will be required.

8. SUPPLEMENTAL POLICIES & SPECIAL CONDITIONS

The following spaces within the Park City Library are unique. Special conditions of spaces are as follows:

8.1. Entry Hall

8.1.1 Separate groups may make reservations for the Entry Hall and Entry Hall Patio at

the same time. If the Entry Hall Patio is rented by a separate group, the Library Director or his/her designee will determine entry access to the Library.

8.2 Entry Hall Patio

8.2.1 Separate groups may make reservations for the Entry Hall and Entry Hall Patio at the same time. If the Entry Hall is rented by a separate group, the Library Director or his/her designee will determine entry access to the Library.

8.2.2 Any outdoor use, music or noise must end by 10:00 p.m. as pertains to the Park City Noise Ordinance (Park City Municipal Code 6-7) unless approved by the Library Director or his/her designee.

8.2.3 Rental of this space does not include the field.

8.2.4 The Library Director and his/her designee shall do their best to help the User plan for alternatives regarding inclement weather situations, however they are not required to provide alternative space (the User rents their space at their own risk of inclement weather).

8.3 Study Rooms

8.3.1 The Study Rooms are available in two-hour increments per day. Users may continue occupying longer if no one is waiting.

8.3.2 Cannot be reserved in advance.

8.3.3 A phone number is required for use.

8.4 North & South Conference Rooms

8.4.1 The North & South Conference Rooms may be used as a backup Study Room if vacant and all Study Rooms are occupied, or at the discretion of Library Staff. At that time, the Rooms will follow all Study Room policies.

8.5 Jim Santy Auditorium

8.5.1 Users are responsible for obtaining licensing as may be required for showing films, movies, music or other recorded items.

8.5.2 Use may require additional staff at the discretion of the Library Director or his/her designee at a fee to be incurred by the User.

8.5.3 Renters are responsible for obtaining licensing as may be required for showing films, movies, music or other recorded items.

8.6.4 Shall not conflict with the daily operations of the Library or tenants of the Building, unless approved by the Library Director or his/her designee.

8.6 Community Room

8.6.1 Shall not conflict with the daily operations of the Library or tenants of the Building, unless approved by the Library Director or his/her designee.

9. DAMAGES & LIABILITY

The City is not liable for any loss or damage to any equipment owned or rented by User while on City property. Users will be held responsible for any damage to City property caused by anyone attending the activities organized by the User.

Any conduct occurring on City property which is unlawful or inappropriate shall result in the immediate termination of the use and forfeiture of all deposits and fees, and may result in fines and criminal charges being instituted.

10. APPEALS PROCESS

An applicant aggrieved by an administrative decision about the use of the Rooms may appeal the decision in writing to (1) the Library Director, if rental occurred on the second floor, or (2) the Economic Development Manager, if rental occurred on the first or third floors. Appeals must be filed within five business days of the action that gave rise to the grievance. The Library Director

or Economic Development Manager will render a determination based on findings within five business days. Appeal of the Library Director or Economic Development Manager's determination may be made in writing to the City Manager. The City Manager's determination is final.

SUSTAINABILITY POLICY

The Park City Library is dedicated to inspiring awareness and a sense of environmental stewardship for the community by providing information, resources, and tools about environmental sustainability. In part, the Library strives to minimize the Library's own impact on the environment and promote a sharing economy.

Library management and staff should strive to engage in procedures and programs that minimize pollution and waste, conserve energy and water, protect habitat, support renewable energy, buy environmentally friendly products, and encourage environmentally preferable transportation. These efforts will extend to contractor and vendor relationships. The Library will attempt to improve its energy efficiency and purchase renewables whenever possible.

Approved by Library Board March 15, 2023

THEFT AND THEFT BY DEFACEMENT OF LIBRARY MATERIALS POLICY

1. PURPOSE

The purpose of this policy is to protect library property and to describe actions the library may take against those suspected of defacement or theft of library materials, equipment, or facilities.

1.1 All library materials must be properly checked out to an eligible borrower before they can be removed from the library.

1.2 Theft or destruction of library materials is a crime in Utah pursuant to Utah Code (U.C.) Section 76-6-801 et seq.

2. LIBRARY THEFT and LIBRARY THEFT BY DEFACEMENT

It is considered library Theft or Library Theft by Defacement if a person:

- Willfully and without authority removes any library materials from the premises of a library facility; or
- While on the library premises, willfully conceals library materials on his person or among his belongings for the purpose of converting the materials to his personal use and depriving the owner of those materials; or
- Intentionally or recklessly mutilates, destroys, writes upon, injures, defaces, tears, cuts, or otherwise damages library materials; or
- Fails to return any library materials which have been lent to said person by the library facility, within thirty (30) days after demand has been made for the return of the library materials; or Fails to pay the replacement value of the materials within thirty (30) days, after being notified, if the materials are lost or destroyed.

2.1 A person will be presumed to have intended to convert the library property to his own use if he willfully conceals the property among his own belongings while in, or in the immediate vicinity of, the library.

2.2 Borrowers may be detained by library employees for a reasonable period of time and items inspected if a library security system alarm sounds or if a library employee otherwise has probable cause to believe a person of has committed Theft or Theft by Defacement of library materials or property. Appropriate authorities, including law enforcement, may be contacted.

- 2.3 These actions may result in criminal or civil action, loss of library privileges and may also require making restitution

Approved by Library Board, February 2017

APPENDIX

U.C.A. § 76-6-801. Acts constituting library theft.

A person is guilty of the crime of library theft when he willfully, for the purpose of converting to personal use, and depriving the owner, conceals on his person or among his belongings library materials while on the premises of the library or willfully and without authority removes library materials from the library building with the intention of converting them to his own use.

U.C.A. § 76-6-802. Presumption of intent.

A person who willfully conceals library materials on his person or among his belongings while on the premises of the library or in its immediate vicinity is prima facie presumed to have concealed library materials with the intention of converting them to his own use. If library materials are found concealed upon his person or among his belongings, or electronic security devices are activated by the person's presence, it is prima facie evidence of willful concealment.

U.C.A. § 76-6-803. Mutilation or damaging of library material as library theft.

A person is guilty of the crime of library theft when he intentionally or recklessly writes upon, injures, defaces, tears, cuts, mutilates, destroys, or otherwise damages library materials.

U.C.A. -6-803.30. Failure to return library material as library theft -- Notice -- Failure to pay replacement value -- Written notice.

(1) A person is guilty of library theft when, having possession or having been in possession of library materials, he:

(a) fails to return the materials within 30 days after receiving written notice demanding return of the materials; or

(b) if the materials are lost or destroyed, fails to pay the replacement value of the materials within 30 days after being notified.

(2) Written notice is considered received upon the sworn affidavit of the person delivering the notice with a statement as to the date, place, and manner of delivery, or upon proof that the notice was mailed postage prepaid, via the United States Postal Service, to the current address listed for the person in the library records.

U.C.A. -6-803.60. Detention of theft suspect by library employee -- Purposes.

(1) Any employee of the library who has probable cause to believe that a person has committed library theft may detain the person, on or off the premises of a library, in a reasonable manner and for a reasonable length of time for all or any of the following purposes:

(a) to make reasonable inquiry as to whether the person has in his possession concealed library materials;

(b) to request identification;

(c) to verify identification;

(d) to make a reasonable request of the person to place or keep in full view any library materials the individual may have removed, or which the employee has reason to believe he may

have removed, from its place of display or elsewhere, whether for examination, or for any other reasonable purpose;

(e) to inform a peace officer of the detention of the person and surrender that person to the custody of a peace officer; or

(f) in the case of a minor, to inform a peace officer, the parents, guardian, or other private person interested in the welfare of the minor as soon as possible of this detention and to surrender custody of the minor to this person.

(2) An employee may make a detention under this section off the library premises only if the detention is pursuant to an immediate pursuit of the person.

U.C.A. § 76-6-803.90. Liability -- Defense -- Probable cause -- Reasonableness.

In any action for false arrest, false imprisonment, unlawful detention, defamation of character, assault, trespass, or invasion of civil rights brought by any person detained by an employee of the library, it is a defense to the action that the employee of the library detaining the person had probable cause to believe that the person had committed library theft and that the employee acted reasonably under all circumstances.

76-6-804. “Book or other library materials” defined.

The terms “book or other library materials” as used in this act include any book, plate, picture, photograph, engraving, painting, drawing, map, newspaper, magazine, pamphlet, broadside, manuscript, document, letter, public record, microfilm, sound recording, audiovisual materials in any format, electronic data processing records, artifacts, or other documentary, written or printed materials regardless of physical form or characteristics, belonging to, on loan to, or otherwise in the custody of the following:

- (1) any public library;
- (2) any library of an educational or historical society;
- (3) any museum; or
- (4) any repository of public records.

U.C.A. § 76-6-805. Penalty.

Any person violating the provisions of this act shall be subject to provisions of Section **76-6-412**.

U.C.A. § 76-6-412. Theft -- Classification of offenses -- Action for treble damages.

- (1) Theft of property and services as provided in this chapter is punishable: (a) as a second degree felony if the:
 - (i) value of the property or services is or exceeds \$5,000;
 - (ii) property stolen is a firearm or an operable motor vehicle;
 - (iii) actor is armed with a dangerous weapon, as defined in Section 76-1-601, at the time of the theft; or
 - (iv) property is stolen from the person of another;

(a) as a third degree felony if:

- (i) the value of the property or services is or exceeds \$1,500 but is less than \$5,000;

- (ii) the actor has been twice before convicted of any of the offenses listed in Subsections (1)(b)(ii)(A) through (1)(b)(ii)(C), if each prior offense was committed within 10 years of the date of the current conviction or the date of the offense upon which the current conviction is based and at least one of those convictions is for a class A misdemeanor:
 - (A) any theft, any robbery, or any burglary with intent to commit theft;
 - (B) any offense under Title 76, Chapter 6, Part 5, Fraud; or

(C) any attempt to commit any offense under Subsection (1)(b)(ii)(A) or (B);

(iii) in a case not amounting to a second degree felony, the property taken is a stallion, mare, colt, gelding, cow, heifer, steer, ox, bull, calf, sheep, goat, mule, jack, jenny, swine, poultry, or a fur-bearing animal raised for commercial purposes; or

(iv) (A) the value of property or services is or exceeds \$500 but is less than \$1,500;

(B) the theft occurs on a property where the offender has committed any theft within the past five years; and

(C) the offender has received written notice from the merchant prohibiting the offender from entering the property pursuant to Section 78B-3-108;

(v) the actor has been twice before convicted of any of the offenses listed in Subsections (1)(b)(ii)(A) through (1)(b)(ii)(C), if each prior offense was committed within 10 years of the date of the current conviction or the date of the offense upon which the current conviction is based and the value of the property stolen is or exceeds \$500 but is less than \$1,500; or

(vi) the actor has been previously convicted of a felony violation of any of the offenses listed in Subsections (1)(b)(ii)(A) through (1)(b)(ii)(C);

(b) as a class A misdemeanor if: (i) the value of the property stolen is or exceeds \$500 but is less than \$1,500;

(ii) (A) the value of property or services is less than \$500;

(B) the theft occurs on a property where the offender has committed any theft within the past five years; and

(C) the offender has received written notice from the merchant prohibiting the offender from entering the property pursuant to Section 78B-3-108; or

(iii) the actor has been twice before convicted of any of the offenses listed in Subsections (1)(b)(ii)(A) through (1)(b)(ii)(C), if each prior offense was committed within 10 years of the date of the current conviction or the date of the offense upon which the current conviction is based; or

(c) as a class B misdemeanor if the value of the property stolen is less than \$500 and the theft is not an offense under Subsection (1)(c).

(2) Any individual who violates Subsection 76-6-408(1) or Section 76-6-413, or commits theft of property described in Subsection 76-6-412(1)(b)(iii), is civilly liable for three times the amount of actual damages, if any sustained by the plaintiff, and for costs of suit and reasonable attorney fees.