Resolution 12-009 Revising Certain Portions of the Homer Public Library Policy Manual

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A Resolution of the City Council Revising Certain Portions of the Homer Public Library Policy Manual. City Manager/Library Advisory Board.

CITY OF HOMER
HOMER, ALASKA

City Manager/
Library Advisory Board

RESOLUTION 12-009

A RESOLUTION OF THE CITY COUNCIL REVISING CERTAIN PORTIONS OF THE HOMER PUBLIC LIBRARY POLICY MANUAL.

WHEREAS, The 2002 Homer Public Library Policy was adopted via Resolution 02-35(A) on June 10, 2002; and

WHEREAS, The Homer Public Library requires some updated, revised, and new operational policies; and

WHEREAS, The Library Advisory Board has worked on revisions and updates for the policies of the Library; and

WHEREAS, The summary of the changes is noted in Memorandum 12-016 regarding Complaint; Display and Exhibit; Unattended Children; User Conduct; Gift Acceptance Policy; and Library Card Registration Policy.
NOW, THEREFORE, BE IT RESOLVED that the City Council hereby adopts the following revisions to the Homer Public Library Policy:

COMPLAINT POLICY

Any person wishing to lodge a complaint concerning the Homer Public Library shall fill out a form provided by the Library staff stating reasons for the complaint, giving his or her full name and address, and dating and signing the form. The signed form will be held until the next regular scheduled meeting of the Homer Public Library Advisory Board for consideration. A copy of the form will be sent to the City Manager.

The person registering the complaint shall be notified of the time and place of the meeting and shall be required to attend the meeting to personally present the problem.

If the problem cannot be resolved at the meeting to the satisfaction of the person, the person may take the complaint to the Homer City Manager who may in turn refer it to the proper legal authority.

DISPLAY AND EXHIBIT POLICY
The Homer Public Library has three kinds of spaces available for displays and exhibits.
A. BULLETIN BOARDS AND INFORMATION RACKS
As a service to the City of Homer, the Library is a designated posting place for notices issued by the City. Space permitting, other public notices that meet the following guidelines will be posted.
• Official notices of borough, state, and federal agencies relevant to the Homer area.

• Notices for public meetings and fundraising events for non-profit organizations.
• Notices of educational courses sponsored by a recognized community organization (but not those publicizing instruction by individual teachers or private firms).

All notices events must be open to the general public. Notices must be dated and include the name of the sponsoring organization.
Library bulletin boards may not be used for commercial sales, announcements for political candidates or causes, religious services, or personal services.
No solicitation or active distribution of literature is permitted inside the Library or at the entrance to the Library.
Advertising literature and petitions are strictly forbidden within the Library.
The Library will not act as a distribution center for materials that deal with controversial issues, presented from a single point of view.
All decisions on posting notices are at the discretion of the Library director.
Posting of notices and/or distribution of materials do not imply endorsement by the Library or City of Homer.
B. AREAS FOR NON-PROFIT DISPLAYS AND EXHIBITS
As part of its public service and information mission, the Library makes available designated display and exhibit areas to non-profit organizations and other not-for-profit enterprises engaged in educational, cultural, intellectual, or charitable activities.
The provision of display space for public use does not constitute library endorsement of the beliefs or viewpoints advocated by the displays, or the organization responsible for the displays.
Individuals or organizations interested in posting displays or exhibits should fill out an exhibit request form (provided by the Library) to include a written description and, if possible, photos.
Exhibits shall be appropriate to community standards and shall not advocate only one side of a controversial issue.
All decisions regarding exhibits shall be at the discretion of the Library director. Due to limited space, the Library director will use his/her judgment regarding value to the community and balancing over time a variety of community interests. Regarding community interests and standards, the Library director may seek the advice and determination of the Library Advisory Board's exhibits committee or the entire LAB, but final authority rests with the director.
Duration of displays shall generally be for a maximum of three months.
Objects on display may not be offered for sale.
The Library does not accept any responsibility for loss or damage of exhibited materials. An owner may wish to obtain private insurance for valuables. Before leaving any materials or objects on exhibit, an individual in charge must sign and date a release form (provided by the Library).
C. AREAS FOR ROTATING DISPLAYS OF WORK BY ARTISTS
In the spirit of the mission statement of the Homer Public Library, rotating exhibitions and displays of artwork may be installed in the Library's public spaces in accordance with the following approved policies and procedures.
1. Responsibilities and liabilities
Artists and/or galleries that submit artwork for display in the Homer Public Library accept full responsibility for the proper installation, display and upkeep of artwork chosen for exhibition.
All installations and related processes must be approved by the appropriate staff of the Homer Public Library.
The general wellbeing, safety, maintenance, and good order of the Homer Public Library will take precedence over the agreement to mount or otherwise show exhibitions in library spaces.
Release forms: artists and/or galleries that submit artwork for display will sign a general "release form" that establishes: (a) the official responsible parties, (b) dates of exhibition, (c) specifics of exhibition, (d) insurance coverage or waiver, and (e) details of conditions of display.
The Library does not accept any responsibility for loss or damage of exhibited materials. An owner may wish to obtain private insurance for valuables. Before leaving any materials or objects on exhibit, an individual in charge must sign and date a release form (provided by the Library).
2. Selection processes
General guidelines: it is recognized that tastes and preferences in artwork vary widely and that freedom of expression and access to alternative perspectives are among the highest national values. It is also recognized that the public library is a space in which all segments of society are welcome and encouraged to participate in all its services and activities without barrier; these considerations require a community-based process and public sensitivity in the selection process for exhibitions installed in the Homer Public Library.
Community standards: exhibits shall be appropriate to community standards. A Community Artwork Selection Panel will evaluate proposed exhibitions and develop an appropriate schedule. All final decisions regarding exhibits shall be at the discretion of the Library director.
Process: the following process is intended to achieve a broad-based consensus on "community standards" for artwork on display in the Homer Public Library.

The Community Artwork Selection Panel:
The Panel shall meet once a year to select works for exhibition and determine the schedule of the exhibitions.
Composition:
• One LAB member
• One member of the Friends of the Homer Public Library who is not a LAB member
• One member of the Public Arts Committee
• The Library director

Solicitation of artwork: the Library director and/or the Community Artwork Selection Panel may formally solicit artwork for display in the Homer Public Library.
Director review: in all cases, the director of the Homer Public Library will have final review authority of recommendations made by the Community Artwork Selection Panel.
3. Available spaces
General: while all exhibitions and displays of artwork are to be placed in such designated areas where they can be viewed by library visitors, no exhibitions or displays will be allowed to block or otherwise impede public access or movement in and around the library.
Main Stacks area: each wall panel/exhibit space is numbered and may be assigned individually or in groups to artwork exhibitions (single works or multiple works) according to an annual calendar plan.
Children's area: selected works may be free-standing, placed on vacant wall space, or suspended from the overhead.
Lounge area: rotating displays of three-dimensional works may be placed in fireplace niches.

Open areas: may contain free-standing works that do not interfere with movement in area.
Outdoor spaces: works and exhibitions to be displayed in outdoor spaces will also be considered by the Community Art Selection Panel.
4. Sales and commissions
Artwork on display in the Homer Public Library may not be offered for sale.
5. Exhibition Openings and other events
All exhibit-related events using the Homer Public Library grounds and interior spaces must be incorporated into the Library calendar and schedule and have the written approval of the Library director (or other established Library use approval mechanism).
No alcohol may be served on Homer Public Library grounds or within the Library (Homer Public Library Policy, II.A).
Unless the Homer Public Library has been retained for private, after-hours use, all exhibition openings and related events must be open to the public free of charge.
UNATTENDED CHILDREN POLICY

The Library welcomes children to use its facilities and services; however, the safety of children left alone in the Library is a serious concern. Responsibility for the behavior and well being of children using the Library rests with the parent (or guardian or caregiver assigned by the parent) and not with the Library's personnel. Children under the age of 12 are not considered appropriate guardians for their younger siblings in a library setting. Library staff members cannot supervise children in the Library.

If a child under 12 years of age is left unattended in the Library, and the child's behavior becomes a problem for other patrons or library staff, the library staff will attempt to locate the child's parents. If a parent cannot be reached, the City of Homer Police Department will be called to escort the child home or keep the child until parents can be located. Library employees are not permitted to remain after hours with an unattended child or to give a child a ride home. If a parent cannot be reached by the time the Library is to close, the police will be called to escort the child home or keep the child until parents can be reached.

In any situation involving youth safety and specifically whenever parents (or other caregivers) or law enforcement personnel are contacted, staff will complete an Incident Report. In cases of serious violations of the Unattended Children Policy, the Library will notify the Alaska Division of Family and Youth Services.
LIBRARY USER CONDUCT

The Homer Public Library is available to persons of all ages. While everyone has an equal right to access library services and facilities, no person has the right to interfere with the ability of others to use and enjoy library resources, services and facilities.

To ensure that visitors may enjoy a safe and pleasant library experience, the following rules have been established

and adopted by the Library Advisory Board and approved by the Homer City Council.

The Library director and staff are responsible for enforcing customer conduct in the Library. Anyone found to be interfering with another's use of the Library will be asked to stop the behavior or activity. If the behavior continues, the staff will ask the individual to leave the Library. Failure to leave will result in staff calling the police for assistance. Repeated or serious violations may result in denial of library privileges and permanent exclusion.

Patrons should observe the following guidelines:
• Attend to children.
• Speak in a soft voice.

No list can be exhaustive; however, any conduct which disrupts the Library is prohibited. The following behaviors are inappropriate and are not acceptable in the Library:
• Disturbing or distracting others.
• Using abusive or profane language.
• Running inside the Library.
• Using a skateboard, scooter, roller or in-line skates in the Library.
• Using cell phones to make or receive calls while in the Library.
• Bringing animals into the facility, with the exception of service animals such as dogs serving patrons experiencing disabilities.
• Bringing food or drinks other than bottled water beyond the security gates.
• Smoking in the Library.
• Circulating petitions or soliciting funds.
• Distributing or posting materials that have not been previously approved by library personnel.
• Making unauthorized or inappropriate use of library equipment (for example, computers, copiers, fire alarms, or emergency exit doors).
• Trespassing into any area closed to the public.
• Exhibiting bodily hygiene or fragrance that is distracting to users or staff to the point that it interferes with users' use of library resources or staff work.
• Using library facilities for purposes of bathing or sleeping.
• Displaying threatening demeanor toward patrons or staff.
• Possessing a weapon except as exempted under State of Alaska law (AS 29.35.145) or other applicable authority.
• Consuming or possessing alcohol or illegal drugs or being under the influence.
• Destroying or defacing library property or the property of customers or staff.
• Illegally removing library materials (theft). Theft includes but is not limited to:
o Attempts to remove materials from the Library without checking them out
o The removal of artwork, plants, or decorations from library property
o Clipping portions or sections from books and other library materials
• Committing any other illegal acts or conduct in violation of Federal, State, or local law, ordinance or regulation.

GIFT ACCEPTANCE POLICY
Gifts not retained for the collection will be added to the Friends of the Homer Public Library's book sale.
The Library director shall be authorized to accept gifts on behalf of the Library and will, in most cases, accept on her sole authority unrestricted gifts of cash or marketable securities, unrestricted donations of books and other library materials, and in-kind donations specifically designated or solicited for existing projects.
No conditions or restrictions on donations of Library materials can be honored. The Library adds gift materials to the collection with the understanding that such material is an integral part of the collection. The Library will not set up special collections and will not permit circulation restrictions or stipulations for future use. Books and other materials not deemed appropriate for inclusion in the Library collection may be offered to other libraries or institutions or offered for sale. The Library will be glad to provide a list of needed material.
Donors may place restrictions on other categories of gifts under the following conditions:
• The restriction must be compatible with the overall mission of the Library.
• The restriction shall not impede the ability of the Library to acquire gifts from other sources.
• The restriction shall not place undue burden on the Library's resources.
• The restriction shall not subject the Library to adverse publicity.

When considering any gift, the Library director may solicit the recommendation of a gift acceptance committee, a group made up of advisors knowledgeable about financial, legal, and community matters, to be chosen by the

Library director. Authority for accepting or rejecting gifts resides with the Library director, although some gifts may require further approval of the Library Advisory Board and/or the Homer City Council. Gifts that may require an opinion from the gift acceptance committee, include, but are not limited to the following:
• Any gift with recognition requirements other than those ordinarily provided by the Library or Friends of the Library.
• Cash given to create a new library program.
• Gifts of art or other valuables that will encumber the Library either financially or administratively.
• Securities which are not readily marketable. These may include closely held stock, limited partnership interests, joint venture interests, and other forms of investments that may not fall into the marketable securities category.
• Real estate. Every proposed gift of real estate must be examined on its individual merits, including, but not limited to, the title to the property and its insurability, the results of environmental investigations, and marketability. A current appraisal completed by a qualified appraiser must be provided by the donor.
• Gift annuities.
• Charitable Remainder or Lead trusts.
• Named endowment funds.
• Life insurance policies. Any proposed gift of life insurance must be examined on its merits, including, but not limited to, the type of insurance, the status (paid-up, vanished, etc.) of the policy, outstanding loan balances, and the long-term viability of the insurance company.

The Library's acceptance of a non-monetary gift does not guarantee its retention as Library property in perpetuity. All non-monetary gifts are subject to disposition. Because of limited space, as a general rule the Library is unable to accept donations of art, furnishings, or other tangible personal property given on condition that they be retained by or displayed at the Library. The Library does not accept for deposit materials that are not outright gifts. The Library reserves the right to decline any gift that interferes with its ability to fulfill its mission or that unduly encumbers either the Library or the City of Homer.
The Library cannot legally appraise gifts for tax purposes. Donors will be provided a signed a dated gift statement as a receipt (please see attached form).
HOMER PUBLIC LIBRARY
IV. LIBRARY CARD REGISTRATION POLICY
All library loan transactions require the use of a valid library card. The first card is free. Replacement cards cost $5.00 each. Permanent library cards are renewed every two years. A patron may not have more than one valid Homer Library card. Individuals applying for any card must comply with the identification requirements set out below.
A. PERMANENT CARDS
A permanent card is issued to adults who complete and sign the proper application form, and demonstrate proof of identity and local residency mailing address, and provide a personal reference. Completion of the application form affirms that individuals have accepted responsibility for the proper use of their library cards library materials and resources. A permanent card allows patrons to check out up to 12 items at a time.
To obtain a Permanent Card you must:
1. Apply in person.
2. Supply proof of identity.
3. Supply proof of residency or land ownership in the Homer Public Library service area.
4. Supply proof of mailing address in the Homer Public Library service area.

1. Apply in Person
2. 1. Proof of Identity
Photo Identification is required to ensure that the person applying for the a library card is the applicant. Acceptable proof of identity for a permanent card includes:
• Alaska Valid Driver's License.
• Alaska issued Government Issued Photo Identification Card.
• Social Security Card.
• Voter Registration Card.
• Alaska Sport or Commercial Hunting or Fishing License.
• School Identification Card.
• Military or other official government identification.

3. 2. Proof of Local Residence Proof of Residence or Land Ownership in the Library Service Area
Applicants must fulfill the requirements listed in 3a. or 3b.
Proof of local residence is also required. "Local" is defined as residence within:
The Homer Library Service area includes:

• City of Homer.
• City of Kachemak.
• City of Seldovia.
• Anchor Point voting precinct.
• Diamond Ridge voting precinct.
• Fritz Creek voting precinct.
• Halibut Cove
• Kachemak Bay voting precinct.
• Port Graham voting precinct.
• Ninilchik voting precinct.
• Nanwalek.

3a. Applicants must reside at a permanent address within the Library service area
Acceptable proof of local residence includes:
• Alaska Driver's License with local address.
• Alaska Identification Card with local address.
• Voter registration card with local address.
• Alaska Sport or Commercial Hunting or Fishing license with local address.
• Military Identification Card.
• Preprinted checks from a local bank imprinted with local address.
• Official government issued document showing local address.
• Evidence of cancelled mail addressed to the applicant at a local address.
• A tax receipt showing physical address.
• A utility bill showing physical address.

-OR-
3b. Applicants must own property within the Library service area.
Acceptable proof of local land ownership consists of a current real estate property tax receipt, which may be printed from the Borough website: www.borough.kenai.ak.us.
4. Proof of Local Mailing Address in the Library Service Area
Acceptable proof of local mailing address includes:
• Preprinted checks from a local bank imprinted with local address.
• Official government-issued document (excluding a driver's license) showing local address. A mailing address on a driver's license is not sufficient.
• Evidence of cancelled mail addressed to the applicant at a local address, postmarked within the last 30 days.

Important Notes:
• General Delivery is not an acceptable address for a permanent card.
• Seasonal residents who own property within the city limits are eligible for a permanent card.
• Proof of change of address is required when mail has been returned.
• Patrons who move out of the service area and who no longer meet the requirements of a Permanent Card are eligible for a Temporary Card.
3. Permanent Library Cards for Juveniles
Persons under 18 years of age are considered juveniles.
Requirements for a Permanent Juvenile library card:
1. A parent or responsible party must apply for a juvenile library card in person.
2. Proof of identity for parent or guardian.
3. Proof of a valid local mailing address for the parent or guardian.

Proof of identity of a parent or legal guardian is required, along with proof of a valid local mailing address. A parent's library card information on record is sufficient to demonstrate proof of identity and address, provided it is current and in good standing. A minor may take the application form home for a parent/legal guardian to sign if the parent/legal guardian has an existing valid permanent application on file. Verification of the parent/legal guardian's signature on the minor's application with the signature on the parent/legal guardian's application form is required before issuing the minor's card. By signing the juvenile's application, the parent/legal or guardian accepts responsibility for library materials and services used by a the juvenile, as well as the juvenile's conduct on library premises. Juveniles may check out up to 12 items at a time on a permanent card. The parent or guardian's library record must be in good standing before any new cards will be issued.
B. TEMPORARY CARDS

Temporary cards are issued to visitors people who plan to be in the local area for a short period of time. service area for six months or less or do not have proof of local residency. A temporary card is issued for six months at a non-refundable charge of $10.00. Completion of the application form affirms that individuals have accepted responsibility for the proper use of their library card. A temporary card allows patrons to check out up to two items at a time.
There are two types of Temporary Cards:
• A Standard Temporary Card allows up to 2 checked out items
for a non-refundable fee of $10.00.
• A Family Temporary Card allows up to 12 checked out items
for a fee of $50.00, $40.00 of which is refundable.
Family Temporary Card Refund Procedure:
Upon patron's departure from Homer, $40.00 of the deposit will be refunded, less outstanding fines or fees. The $10.00 non-refundable portion covers administrative costs of the deposit program. Refunds will be issued via check by the City of Homer during the second check-run of the month. Patron must inform library staff of departure, and forwarding address should be on the application. If deposit is not requested within sixty days after the six-month expiration date, it will be considered a donation to the Friends of the Homer Library.
Requirements for Temporary library cards:
1. Must apply in person.
2. Proof of identity.
3. Proof of permanent residence address.

1. Apply in Person
2. 1. Proof of Identity for Temporary Cards
Photo Identification is required to ensure the person applying for the library card is the applicant. Acceptable proof of identity for a temporary card includes:
• Valid Driver's License.
• Social Security Card.
• Voter registration card.
• Military or other official government Issued Photo identification.
• School Identification Card
• Military Identification.

3. Proof of Permanent Residence for Temporary Cards
Proof of permanent residence is required. A local address may be given in addition to a permanent address if available. Acceptable proof of permanent residence for a temporary card includes:
• Valid Driver's License showing permanent address.
• Any official government-issued document showing permanent address.
• Evidence of cancelled mail addressed to the applicant at their permanent address postmarked within the last 30 days.
A local address may be given in addition to a permanent address if available.
Important note: General Delivery is not an acceptable permanent address for a temporary card. General Delivery or "c/o" is acceptable as a secondary local address only in addition to a permanent address.

2. Temporary Cards for Juveniles
A temporary card may be issued to a minor under the age of eighteen, provided the application form is completed and signed by the applicant and parent, or person standing in place of the parent, who willingly assumes the responsibility for the minor and any misuse or abuse of the privileges of the library card. Proof of identity of the parent or responsible party is required, along with proof of a valid permanent mailing address.
Persons under 18 years of age are considered juveniles.
By signing the application for a Juvenile Temporary Card, the parent or guardian accepts responsibility for library materials and services used by the juvenile as well as the juvenile's conduct on library premises. Juveniles may check out two items at a time on a Juvenile Temporary Card. If the parent or responsible party has a library card, that library record must be in good standing before a Juvenile Temporary Card will be issued to the juvenile.
Requirements for a Juvenile Temporary library card:
4. A parent or responsible party must apply in person.
5. Proof of identity for parent or responsible party.
6. Proof of a valid local mailing address for the parent or responsible party.

Exceptions to the above requirements may be made at the discretion of the Library Director.
PASSED AND ADOPTED by the Homer City Council this 23rd day January, 2012.

CITY OF HOMER

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JAMES C. HORNADAY, MAYOR

ATTEST:

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JO JOHNSON, CMC, CITY CLERK

Fiscal Note: N/A

Resolution Files Resolution 12-009

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