## DISRUPTIVE PATRON POLICY

**Policy Statement:** The Lewis & Clark Library is dedicated to providing access to informational and recreational materials and to providing patrons and employees the right to use materials and service without being disturbed, impeded, or endangered. The Lewis & Clark Library will provide a secure and comfortable environment to patrons and staff. Montana Public Library law (MCA 22-1-311) gives the Library Board of Trustees specific power to "exclude from the use of the library any and all persons who shall willfully violate the rules of the library." City code 5-1-32 does not allow a person "to carry on or about his person, in any place open to the public, any loaded or concealed firearm. . . "

Adopted by the Board of Trustees September, 1999
Reviewed and modified by the Board of Trustees December 2004
Reviewed and amended by the Board of Trustees June 15, 2009
Reviewed and amended by the Board of Trustees June 19, 2012

**Procedures:**

- A patron who engages in any activity which disrupts the use of library facilities by patrons or disrupts the ability of staff to perform its duties will be asked to cease such activity immediately by library personnel.

- In such instances involving minors (under the age of eighteen (18) MCA 41-1-101), or dependent adults, identification will be requested and the incident may be reported to a parent, legal guardian, or responsible adult caregiver.

- If the patron fails or refuses to comply with a request, or responds to the request in an abusive fashion, he or she will be required to leave the library premises immediately for the remainder of that calendar day. If he or she refuses to leave, the police will be summoned.

- Library personnel will record instances in which patrons are required to leave the library on an incident report. Incident reports will be filed with the Reference and Information Services Librarian, and a copy given to the Library Director. Upon the second recorded instance in which a patron is required to leave the library premises, the Director shall bar the patron from use of library premises until further notice. Parents or guardians of minors will be notified in writing after the second recorded instance in which a minor is required to leave the Library and advised of the consequences of any further recorded instances. Patrons wishing to appeal such action may do so upon written request to the Library Director.

- In the event a person who is barred from use of the Library attempts to enter the Library during a period of exclusion, the police will be summoned and informed of the prior action.

- If Library staff believe the actions of a person constitutes an immediate threat to patrons or staff, the police will be called and no warning to the patron is necessary. (Examples include, but are not limited to the commission of a crime, threat to another person, or significant damage to property of the Library or another person).

- Bringing a weapon of any kind into the Library building is expressly not permitted. Patrons bringing a weapon into the library will be asked to leave the building. If he or she refuses to leave, the police will be summoned.[1]

[1]**MCA 45-8-316. Carrying concealed weapons.** (1) A person who carries or bears concealed upon the individual's person a dirk, dagger, pistol, revolver, slingshot, sword cane, billy, knuckles made of any metal or hard substance, knife having a blade 4 inches long or longer, razor, not including a safety razor, or other deadly weapon shall be punished by a fine not exceeding $500 or by imprisonment in the county jail for a period not exceeding 6 months, or both.

[1]**MCA 45-8-315. Definition.** "Concealed weapon" means any weapon mentioned in 45-8-316 through 45-8-318 and 45-8-321 through 45-8-328 that is wholly or partially covered by the clothing or wearing apparel of the person carrying or bearing the weapon, except that for purposes of 45-8-321 through 45-8-328, concealed weapon means a handgun or a knife with a blade 4 or more inches in length that is wholly or partially covered by the clothing or wearing apparel of the person carrying or bearing the weapon.

[1]**City Code 5-1-32** A. Prohibition: It shall be unlawful, and a misdemeanor, for any person, other than a peace officer in the discharge of his duties, or a citizen in the protection of his life or that of his family or his property, or any person authorized by law: (Ord. 2719, 9-26-1994)

1. To carry on or about his person, in any place open to the public, any loaded or concealed firearm, rifle, airgun or pistol within the limits of this city, or to shoot any airgun, rifle, pistol, sling shot or bow and arrow within the limits of this city, except in those areas designated as indoor or outdoor rifle, pistol, shotgun or archery ranges as designated and approved by the city manager. (Ord. 2742, 6-5-1995)

2. To possess any firearm, airgun or pistol at a public assembly, in a city park, school, or in any publicly owned building, with the specific exceptions of:

a. Legitimate displays of unloaded firearms at shows or other public occasions by collectors and others; and

b. Persons participating in hunter or gun safety classes sanctioned by the department of fish, wildlife and parks and authorized by the city or school. (Ord. 2447, 7-27-1987)

B. Exceptions: Nothing in this chapter shall apply to a person in actual service in the military of the United States or the state, as a law enforcement officer or person summoned to his aid, nor to a revenue or other civil officer engaged in the discharge of his official duties, nor carrying of arms in one's premises or place of business, or where a concealed weapons permit has been granted to bear, concealed or otherwise, a pistol or revolver during the time of such permission. (Ord. 2670, 4-26-1993; amd. Ord. 2742, 6-5-1995)

C. Concealed Weapons: Any person carrying a concealed weapon pursuant to a valid concealed weapons permit, upon being stopped by a law enforcement officer while in possession of said weapon, must immediately advise said law enforcement officer of the location and type of weapon and show a valid permit for carrying the same. (Ord. 2626, 1-27-1992)

D. Staged Presentation: Any person who wishes to present a staged presentation using firearms containing blanks or black powder only may submit a written request to the city manager stating the time, location and duration of the presentation. If the request is approved, the manager shall forward to the chief law enforcement officer of the city a copy of the written approval to inform the city police and for posting at the location of the presentation. (Ord. 2742, 6-5-1995)