

Olean Public Library Photography and Videorecording Policy

Adopted 10-21-2021; Amended 7-19-2023

Purpose

This policy sets guidelines that balance the privacy rights of Library staff and patrons with the reasonable use of cameras for photography and recording on Library property. For the purposes of this policy, “recordings” includes video, audio, and live-streaming. “Photography” includes still images. “Specialized equipment” refers to larger equipment that could impede foot traffic or create a similar disturbance to library operations.

Photography and Recordings by Library Patrons

While the Library is a public place, it is considered a “limited public forum” under federal law. Public libraries may reasonably restrict the exercise of free speech rights in their buildings, particularly when the conduct would disrupt or interfere with other visitors or staff, or be inconsistent with the Library’s mission.

The Library maintains an environment that allows patrons to freely access library information and resources. This requires the Library to maintain policies that protect the privacy of its patrons and staff members as well as ensuring their freedom from harassment, intimidation, and threats to their safety and well-being. In order to provide appropriate safeguards against such behavior and enforce policies and procedures addressing that behavior when it occurs, the Library has adopted the following policy regarding the taking of photographs or videos inside the Library building.

I. General Policy

Subject to the preceding paragraphs, permission is not required for taking photographs or videos in public areas of the Library building for personal, noncommercial use if no tripods, lights, or other specialized equipment is used; however, there may be locations and/or areas where the taking of photographs or videos is restricted or prohibited. Taking photographs or videos of, or in, restrooms and areas reserved for staff-use-only is prohibited.

Additionally, persons taking photographs and videos shall not:

- (i) compromise a patron or staff member’s right to privacy,
- (ii) harass, intimidate, or threaten a patron or staff member, or
- (iii) block library aisles, walkways, stairwells, doors, or exits.

II. Guidelines

The Library has these basic guidelines for photographers, whether professional or amateur:

- (i) Filming, photography, or use of other recording devices may not interfere with the provision of services or anyone's enjoyment of the Library.
- (ii) The photographer will honor the requests by anyone in the Library who does not wish to be photographed or recorded.
- (iii) Minors may not be photographed or recorded without the consent of a parent or guardian, except by Library staff during Library-sponsored programs and except incidentally in group or crowd photos.
- (iv) The use of tripods, stand-alone lighting equipment and microphones or other accessories is not permitted without the permission of the Library director. Requests must be made at least 24 hours in advance.

III. Exterior Photography and Videos

Taking photographs and videos outside of the Library building and/or of the Library grounds does not require permission, except at Library-sponsored programs, in which case the same rules apply that govern photography and videorecording inside the Library building. Such activity may not impede the ingress or egress of patrons or staff to or from the building or violate Library policies.

IV. Commercial Photography and Videos

The Library may permit use of its facilities for the taking of commercial photographs or videos if the project does not interfere with the mission of the Library and is in accordance with the rest of this policy. Prior permission must be sought at least one week in advance.

V. Photography and Videos of Materials and Resources

The Library permits the taking of photographs and videos of its publicly-available collections. However, patrons are solely responsible for obtaining consent or other permission when taking photographs or videos of copyrighted materials.

VI. Library Photography, Videos, and Recording

Library staff may take photos, videos, and audio recordings at the Library and during Library events to use in its publicity materials and on its website and social media sites. The Library reserves the right to document its services and the public's use of the Library building and grounds. These photographs, videos, and audio recordings may be copied, displayed, televised, and published (including on any Library website or social media site). Any individual that does not wish the Library to use a photograph or video of them or their child should inform a Library staff member prior to or while such photographs or videos are being taken. The Library may request that individuals sign a Photo/Video Release Waiver.

VII. Library Board Meetings

Any person may record the proceedings of Library Board and other meetings required to be open to the public. The recordings may be made by tape, film or other means and shall not disrupt the meeting or create a safety hazard.

VIII. Liability

Persons involved in taking photographs or videos are solely liable for any injuries to persons or property that result from their activities on Library property. They also have sole responsibility for obtaining all necessary releases and permissions required by law from persons who can be identified in any photograph or video or for copyrighted materials. The Library undertakes no responsibility for obtaining these releases or permissions.

IX. Right Subject to Compliance with Policy

The Library reserves the right to ask any individual or group violating this policy to cease the taking of photographs or videos.