

CITY OF SURREY
BY-LAW NO. 13804

Surrey Public Library Facilities Regulation By-law, 1999
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- (a) WHEREAS the Council of the City of Surrey is empowered to make rules and regulations governing the management, maintenance, improvement, operation, conservation, control and use of property held by the City for public library facilities;
- (b) AND WHEREAS the general welfare of the community is enhanced by the availability and efficient use of public library facilities within the City;
- (c) AND WHEREAS the Council of the City of Surrey has established and delegated to the Library Board those administrative powers of the Council relating to property held for library purposes;
- (d) AND WHEREAS the Library Board has collaborated with the Council of the City of Surrey in the drafting of this By-law.

Under its statutory powers, including Sections 610 and 611 of the *Municipal Act*, R.S.B.C. 1996, c.323, as amended, and Part 2 and Part 5 of the *Library Act*, R.S.B.C. c.264, as amended, the Council of the City of Surrey enacts the following provisions:

INTENT OF BY-LAW

- a) to make rules and regulations to ensure that the best use is made of all library facilities within the City; and
- b) to empower the Library Board and the Chief Librarian to carry out those rules and regulations.

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Part 1
Introductory Provisions

Title

1. This By-law may be cited as "Surrey Public Library Facilities Regulation By-law, 1999, No. 13804."

Definitions

2. In this By-law,

"Board"

means the Surrey Public Library Board as established and appointed by the Council of the City.

"Chief Librarian"

means the Chief Librarian of the Surrey Public Library, or designate.

"City"

means the City of Surrey.

"Library Act"

means the *Library Act*, R.S.B.C. 1996, c.264, as amended from time to time.

"Library facility"

includes:

- (a) every Surrey Public Library branch facility, library administration office facility, technical services facility, including the interior of the buildings and the adjacent outdoor library property;

- (b) meeting rooms, training labs or classrooms, or staff-use areas within these facilities listed in (a);
- (c) storage facilities used for library purposes;
- (d) other facilities owned or controlled by the City and delegated to the custody, care, management and jurisdiction of the Board; and
- (e) any real property acquired and held by the City and dedicated and reserved by it for eventual library use.

"Liquor"

means liquor as defined in the *Liquor Control and Licensing Act*, R.S.B.C. 1996, c.267, as amended from time to time.

"Municipal Act"

means the *Municipal Act*, R.S.B.C. 1996, c.323, as amended from time to time.

"Person"

includes natural persons of either sex, associations, corporations, bodies politic and partnerships, whether acting by themselves or by an agent, employee, or servant and the heirs, executors, administrators, successors and assigns or other legal representatives of such persons.

"Vehicle"

includes all forms of conveyance for the carriage or transport of persons, passengers, goods or materials, whether drawn by animals or propelled by any mechanical device or other motive power whatsoever, and shall include bicycles, motorcycles, tricycles, rollerblades and skateboards.

Severability

3. If any Part, Section, Clause or Phrase of this By-law is held to be invalid by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of the By-law shall be deemed to have been enacted without the invalid portion.

Part 2 ***Grant of Powers***

Accept and Hold Property

4. Subject to the restrictions and requirements of the Municipal Act, the City is hereby authorized and empowered to accept and to hold any real or personal property within the City for public library use.

Collect Rentals

5. The Board shall, in addition to the responsibilities imposed upon it pursuant to this By-law, enforce and exercise all duties and powers which relate to any library facility and are imposed pursuant to any other by-law of the City, and shall exercise those powers of collecting rentals and admission fees and fines prescribed in such by-laws not proscribed by the Library Act.

Part 3 ***Application***

Library Facilities

6. Every library facility, subject to the trusts, dedications and reserves under which the library facility has been acquired and is being held by the City, shall be subject to the provisions of this By-law and the Board shall be responsible for enforcing its provisions.

Exemption

7. The regulations contained in Part 4 of this By-law shall not apply to employees, agents, contractors and volunteers of the City engaged in the performance of their duties.

Part 4

General Regulations

Advertising

8. No person shall deliver, distribute, post, paint or affix any advertisement, promotional material, poster, bill or advertising within or upon any library facility without the prior permission of the Chief Librarian.

Animals

9. No person shall bring any animal, other than a guide dog or personal assistance dog, inside any library facility without the prior permission of the Chief Librarian.

Damage

10. No person shall, within any library facility:
 - a) remove, cut, break, injure, or deface any library equipment, displays or library materials;
 - b) damage or deface any structures, walls, furniture or fixtures;
 - c) injure, deface or destroy or remove any notice, sign, rule or regulation posted or affixed to anything by order or permission of the Board or the Chief Librarian; or
 - d) use a structure or equipment for purposes for which it has not been designed or in a way which will contribute to its damage or the injury of others.

Dress

11. No person shall enter or be in a library facility without proper attire, which includes footwear and shirt.

Excluded Persons

12. No person who has been excluded from a library facility by the Board or the Chief Librarian shall enter or attempt to enter any library facility without the prior permission of the Chief Librarian.

Fires

13. No person shall set fire or cause a fire to be ignited within a library facility so as to threaten the library facility.

Hours and Dates of Operation

14. The Board may advertise precise hours and dates a library facility will be open to the public, and no person shall use any library facility contrary to those hours and dates without the prior permission of the Chief Librarian.

Identification

15. No person within a library facility shall refuse to produce identification when requested to do so by the Chief Librarian or any employee of the library facility.

Interference

16. No person shall willfully or maliciously hinder, deter, or interrupt, or cause to be hindered, deterred or interrupted the Board, the Chief Librarian, or the employees, agents, contractors or volunteers of any library facility in the exercise of any of their duties.

Liquor

17. No person shall be in an intoxicated state within any library facility at any time, and no person shall consume liquor within any library facility without the prior permission of the Chief Librarian.

Loitering

18. No adult person shall loiter in a children's use section of a library facility unless in the role of guardian or parent accompanying a child.

Nuisance

19. No person shall, within a library facility:
- (a) behave in a disorderly or offensive manner, or in a manner objectionable to other persons or the general public;
 - (b) molest or injure any other person;
 - (c) interfere with the free use and enjoyment of the library facility by any other person;
 - (d) threaten any other person;
 - (e) behave in a manner contrary to posted rules and regulations;
 - (f) participate in illegal or unethical behaviors;
 - (g) create any undue disturbance or alarm that will cause or tend to cause panic, excitement or any hazard, annoyance or interference with other persons;
 - (h) congregate in a manner objectionable to other persons; or
 - (i) play amplified music without the prior permission of the Chief Librarian.

Refusal to Leave

20. No person shall refuse to leave a library facility immediately upon being requested to do so by the Chief Librarian or any employee of the library facility.

Sale of Goods or Services

21. No person shall sell or expose for sale any refreshments or any article or thing or offer any service for a fee within a library facility without the prior permission of the Board or Chief Librarian.

Vehicles

22. No person shall:

- (a) operate a vehicle within the interior of a library facility, other than a motorized scooter, child stroller or other conveyance for the disabled;
- (b) park a vehicle other than in a designated area of a library facility and in accordance with posted signs or as otherwise directed by the Chief Librarian;
- (c) operate a vehicle within a library facility in a manner hazardous to others or to the library facility.

Weapons

- 23. No person shall carry or discharge any firearm, fireworks, airgun, sling shot, catapult, knife or other weapon or dangerous toy within a library facility.

Part 5

Permission to Act

Conditions

- 24. Every person who receives the permission of the Board or Chief Librarian to act in a manner which would otherwise be contrary to the provisions of this By-law shall at all times act in strict accordance with the conditions imposed by the permission.

Indemnity

- 25. Every person who receives the permission of the Board or Chief Librarian to act in a manner shall indemnify and save harmless the City, the Board and their elected and appointed officials, employees and agents, from and against any and all claims, demands, suits or compensation arising, directly or indirectly, from the granting of the permission.

Part 6
Offences and Penalties

Offences

26. Every person who violates any of the provisions of this By-law or who suffers or permits any act or thing to be done in contravention of this By-law, or who neglects to do so or refrains from doing any act or thing which violates any of the provisions of this By-law, shall be liable to the penalties hereby imposed and each day that such violation is permitted to exist shall constitute a separate offence.

Penalties

27. Any person who violates any of the provisions of this By-law shall upon summary conviction, be liable to a penalty of not less than \$50 and not more than \$2,000 plus the cost of the prosecution, or to a term of imprisonment not exceeding three (3) months, or both.

Other Enforcement

28. Prosecution of a person pursuant to this Part 6 of the By-law does not exempt the person from the enforcement provisions of Section 47 of the Library Act.

Part 7
General Provisions

Commencement

29. This By-law shall come into force on the date of final adoption hereof.

PASSED FIRST AND SECOND READINGS on the 19th day of July, 1999.

PASSED THIRD READING on the 20th day of September, 1999.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 6th day of March, 2000.

_____MAYOR

_____CLERK

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