

# PHOTOGRAPHY AND RECORDING POLICY

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LP11 | REVISION 2 | REVISED 05/20/2024

## I. Purpose

- A. This policy defines the Lodi Public Library’s, its patrons’, and the media’s use of any type of recording device, including but not limited to cameras and audio recording. While the Library is a public place, it is considered a “limited public forum” under federal law. Public libraries may reasonably restrict behavior in their buildings, particularly when the conduct would be disruptive to, or interfere with, other library visitors or staff or be inconsistent with the Library’s mission.

## II. Library Use of Photography and Recording

- A. Visitors to the Library or anyone participating in any Library event will be advised through signage that their presence acts as consent to being photographed or recorded, with possible reproduction, unless they indicate otherwise to Library staff or to the individual doing the recording (more on this under Section IV). Library staff may record event participants and library patrons at library programs, events, and other activities to advance the mission of the Library.
- B. Photos and recordings are used for Library publicity only and may be posted to the Library’s social media sites and website.
- C. Names will not be published with accompanying photos/recordings without permission, or in the case of children, without the parent or guardian’s permission.
- D. If you do not wish to be photographed or recorded, please talk to library staff prior to each event or program.

## III. Prohibited Use of Photos and Recordings

- A. All Library photos and recordings are copyrighted and may not be used as stock photographs or as altered recordings.

## IV. Patron Use of Photography and Recording in the Library

- A. The Library permits the use of photography and recording equipment so long as such use does not interfere with the public’s right to enjoyment of the Library for its intended purpose or violate the privacy rights of any user of the Library. The following items must also be adhered to by anyone from the public in the Library:
  - 1. Photography and recording must avoid capturing identifiable likenesses of individuals without permission. Patrons have a right to withhold permission from being photographed or recorded. All individuals photographing or recording on library property must honor requests of individuals not to be included in these activities.
  - 2. Photographing or recording minors is prohibited without the explicit permission of the parent or legal guardian of the child.

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- 3. Photographing or recording must not impede or interfere with access to any parts of the Library or library materials for patrons.
  - 4. Under no circumstances will a person be able to modify or rearrange the property of the Library for photographing or recording purposes without first obtaining specific permission from the library staff.
  - 5. Individuals wishing to take photographs or recordings of any of the library property for personal use may do so without special permission so long as it is not disruptive to others. Patrons are not allowed in spaces designated as employee only.
- B. Patron privacy is protected at Wisconsin libraries by [Wisconsin Statute 43.30](#). Visitors cannot record images of the materials that patrons are using, including any print and computer resources that patrons are reading, viewing, or browsing.
  - C. Visitors cannot film images of what patrons are checking out at the circulation desk.
  - D. Library circulation records are protected by WI Statute and the right of patrons to use library materials in confidence is also protected under state statute.

## V. News and Media Photography

- A. The Library shall grant access and permission to any media photographer who is recording a news story that directly involves the Library and its programs, provided permission is received from library staff and that all library policies are observed. Advance notice is requested when possible.

## VI. Liability

- A. The Library accepts no liability for the use of photographs or recordings resulting from the activity of any other person not under the direct supervision of the Library. Note that any persons photographing or recording on Library premises have the sole responsibility for gaining all necessary releases and permission from persons who are being photographed or recorded.
- B. The person doing the photographing or recording is solely responsible for ensuring that no copyright infringement occurs while conducting their activity. The Library undertakes no responsibility for obtaining such releases.

## VII. Rights of the Library

- A. The Library reserves the right to enforce all of the above provisions at its sole discretion.
- B. The Library's first priority is fulfilling the mission and policies of the Library and, as such, the Library has the right to terminate the activities of any person which it feels in its sole discretion are inconsistent with its mission or other policies.
- C. All Library staff are authorized to terminate photography or recording that appears to compromise the safety, security, privacy, and enjoyment of its patrons.

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## **VIII. Revision History**

- A. Policy approved April 15, 2019 (Revision 0)
- B. Policy revised July 17, 2023 (Revision 1)
- C. Policy revised May 20, 2024 (Revision 2)