NIAGARA FALLS PUBLIC LIBRARY	DATE EFFECTED: September 18, 2024 DATE REVISED:	PHOTOGRAPHY AND VIDEOGRAPHY POLICY
Associated Documents: Code of Conduct, Security Video Surveillance Policy		

PURPOSE

The Niagara Falls Public Library (NFPL) aims to provide clear guidelines for photography and filming on its premises while ensuring the privacy, safety, and comfort of customers, staff, and visitors. This policy ensures that all photography and filming activities respect legal requirements, library policies, and the overall experience of those using the Library.

The NFPL retains the right to cease personal photography or filming on its premises if it causes a disturbance, puts the health or safety of others in the Library at risk, violates any Library policy, breaches the law, or for any other reason that could be considered a reasonable limitation to freedom of expression as per the Canadian Charter of Rights and Freedoms.

As a gesture of respect and empathy, we encourage seeking consent before photographing or filming individuals in a public space. While it may not be legally required, this consideration helps build a community where everyone feels safe, valued and respected, contributing to a more harmonious and considerate environment for all.

DEFINITIONS

Photography: photos taken with a camera, photos taken using a phone or electronic device.

Filming: videography, video recordings, live streaming, and audio recording.

FILMING BY MEMBERS OF THE PUBLIC

The Niagara Falls Public Library (NFPL) allows personal photography and filming on its premises under specific conditions. It is strongly recommended that you obtain permission from library staff prior to photographing or filming. Please contact a Library supervisor via phone, website, or in person to secure this permission.

When photographing or filming in the Library, the following conditions must be met:

1. ***Respect for Minors, Customer, & Staff Privacy***
    - No minors may be photographed or filmed without written permission from their guardians.
    - Filming of Library customers and staff is strongly discouraged to protect their privacy and ensure their comfort. We urge all individuals to respect this guideline and avoid capturing others in their photos or videos.
    - Screens of computers, as well as materials being checked out by customers, must not be captured in photographs or filmed content without the approval of the individuals involved.

2. ***Restrictions on Filming Locations***
    - Filming or photography is not permitted in non-public spaces, such as staff offices, restrooms, or any areas where individuals have a reasonable expectation of privacy.
    - Programs occurring within the bounds of Library premises are private events. No filming or photography of Library programming is acceptable by members of the public without permission.

3. ***Customer Experience***
    - Filming or photography must not disrupt other customers' use and enjoyment of the Library space.

- Photography or filming cannot block passageways, exits, or aisles, must not violate health and safety guidelines, impede public use of the building, or interfere with Library operations.
- Personal, individual, or family photography is limited to the use of a single hand-held device.
- The use of tripods, drones, or additional lighting equipment is not permitted.

4. ***Compliance with Legal Requirements:***
    - All photography and filming must comply with the Copyright Act of Canada and any other legislation governing intellectual property rights.

By adhering to these guidelines, members of the public help maintain a safe, respectful, and welcoming environment for everyone at the NFPL.

FILMING BY NFPL STAFF

Staff members of the Niagara Falls Public Library (NFPL) are not required to obtain written consent from customers to photograph or video record them while they are engaging with library programs, services, and resources. However, staff should make every effort to inform customers when photography or video recording is taking place in a library space using the following methods:

1. ***Identification of Staff***
    - Staff members should wear a staff badge and/or library-branded shirt to clearly signify that they are NFPL employees.

2. ***Posting Signage***
   Signs should be posted in areas where photography and/or videography is taking place. The signage must include:
    - Notification that photography or videography is occurring.
    - Information about how the photos/videos will be used.
    - Assurance that no individual identification will be disclosed.
    - Instructions for anyone not wishing to be photographed or recorded to inform staff immediately.

3. ***Verbal Notification***
   Staff should verbally notify any individuals who may appear in the frame of a photo or video. This verbal notification must include:
    - Identification that the photographer/videographer is a library staff member.
    - A clear statement that a photo or video is being taken.
    - Information on the intended use of the photo or video.
    - Assurance that no individual identification will be used.
    - Instructions for anyone who does not wish to be photographed or recorded to inform staff immediately and to step out of the frame.

4. ***Respecting Customers' Preferences***
   If a customer indicates they do not wish to be photographed or recorded, staff must make every effort to exclude them from photos or videos and ensure any accidental captures are not published or shared with the public.

5. ***Use of Photographs and Videos***:
   Photographs and video recordings taken in adherence to these guidelines may be published on the Library's website, social media accounts, print materials, or any other medium deemed appropriate by the Library.

6. ***Protection of Personal Information:***
   When publishing any visual material, staff must ensure that no identifying or personal information about customers or staff is disclosed.

By following these guidelines, NFPL staff help maintain a respectful and comfortable environment for all customers while effectively documenting and promoting Library programs and services.

PROFESSIONAL FILMING

Professional filming in the Library may be subject to a fee and must ensure that the privacy of staff and customers is respected. All filming activities must adhere to the Library's Code of Conduct and comply with any additional restrictions set by the Library.

Requests for news media photography or filming, as well as commercial photography or filming, require prior approval from the Chief Librarian. These requests must be coordinated well in advance of the arrival of the filming or photography crew.

RESOURCES

1. *Canadian Charter of Rights and Freedoms, s 1, Part I of the Constitution Act, 1982, being Schedule B to the Canada Act 1982 (UK), 1982, c 11.* https://www.justice.gc.ca/eng/csj-sjc/rfc-dlc/ccrf-ccdl/
2. *Canadian Charter of Rights and Freedoms, s 2a, Part I of the Constitution Act, 1982, being Schedule B to the Canada Act 1982 (UK), 1982, c 11.* https://www.justice.gc.ca/eng/csj-sjc/rfc-dlc/ccrf-ccdl/
3. *Trespass to Property Act, R.S.O. 1990, c. T.21,* https://www.ontario.ca/laws/statute/90t21
4. *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56,* https://www.ontario.ca/laws/statute/90m56
5. *Kitchener Public Library (2024). Photography and Filming in the Library.* https://www.kpl.org/your-library/policies/photography-and-filming-in-the-library

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