

RULE NO: 161-23.21

NOTICE OF PROPOSED RULE

POSTING DATE: March 1, 2024

The Director of the Austin Public Library Department proposes to adopt the following rule (see below). This notice requests comments from the public.

EFFECTIVE DATE OF PROPOSED RULE

The rule proposed in this notice may not become effective before the effective date established by a separate notice of rule adoption. A notice of rule adoption may not be posted before April 2, 2024 (the 32nd day after the date of this notice) or after May 10, 2024 (the 70th day after the date of this notice).

If a proposed rule is not adopted on or before May 10, 2024 (the 70th day after the date of this notice), it is automatically withdrawn and cannot be adopted without first posting a new notice of a proposed rule.

REQUEST FOR COMMENTS ON PROPOSED RULES

The City requests comments from the public with respect to the proposed rule included in this Notice. Comments must be received by the contact person below no later than April 1, 2024 (the 31st day after the date of this notice).

Contact Person

Hannah Terrell
Assistant Director for Public Services
Austin Public Library

Email: Hannah.Terrell@austintexas.gov

Phone: (512) 974-7466

U.S. Mail

C/O Hannah Terrell
P.O. Box 2287
Austin, TX 78768-2287

Hand Delivery

C/O Hannah Terrell
Central Library
710 W. Cesar Chavez St.
Austin, TX 78701

TEXT OF PROPOSED RULES

Underlined text in the proposed rule indicates new language in the rule, and text that is bracketed and crossed out is the current language that would be replaced with the underlined text.

7. Food and beverages.

(A) ~~[A customer may not consume food or a beverage in the library.]~~ A customer may consume snacks and non-alcoholic beverages with a cover, cap, or lid.

(B) ~~[This does not apply to food and beverages that have been purchased in the library and that are consumed in a designated area.]~~ Snacks and non-alcoholic beverages must be consumed in a designated area.

(1) If, due to a disability, a customer must consume special food, the library will provide a reasonable accommodation for that customer to consume that food in the designated area.

(C) ~~This does not apply to water in a clear, capped bottle that is consumed away from a workstation.]~~

~~[(D) This does not apply to food brought by an adult supervising a child younger than seven years of age, and consumed by the child in a designated area.]~~

~~(E)~~ This does not apply to breast feeding or bottle-feeding an infant.

The text of the proposed rule is also available on the City of Austin's website at: http://austintexas.gov/cityclerk/notices/occ_notices.htm and on the Austin Public Library Web site at <http://library.austintexas.gov/>.

The current version of the Library Use Rules is available at: <http://library.austintexas.gov/about-library/rules>.

A copy of the complete text of the proposed rule is available for public inspection and copying at the following locations. Copies may be purchased at the following location at a cost of ten cents per page.

Central Library
710 W. Cesar Chavez St.
Austin, TX 78701

A copy may also be obtained at any branch library.

BRIEF EXPLANATION OF THE RULES

The Austin Public Library (APL) proposes an update to its Library Use Rules for public inspection and feedback. APL proposes an update to Section 7 (*Food and beverages*) in order to allow for the consumption of snacks and non-alcoholic beverages in a designated area:

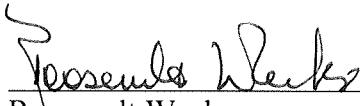
AUTHORITY FOR ADOPTION OF PROPOSED RULES

The authority and procedure for adoption of a rule to assist in the implementation, administration, or enforcement of a provision of the City Code is provided in Chapter 1-2 of the City Code. The authority to regulate library use is established in Article V (*Administrative Organization*) of the City Charter and Chapter 7-1 (*Libraries*) of the City Code. The Director of the Library Department is the City Manager's delegate.

CERTIFICATION BY CITY ATTORNEY

By signing this Notice of Proposed Rule, the City Attorney certifies that City Attorney has reviewed the proposed rule and finds that adoption of this rule is a valid exercise of the Director's administrative authority.

REVIEWED AND APPROVED:



Roosevelt Weeks
Director, Austin Public Library

Date: 2/27/2024

Anne L. Morgan

Anne L. Morgan
City Attorney

Date: 2/28/2024

This Notice of Proposed Rule was posted on the City website by the City Clerk. Date and time stamp are on the front of the notice.