



**Free Direct Access Plan
For the Period 2026-2031 in Association with the Buffalo & Erie County Public Library's
5 Year Plan of Service**

**In Fulfillment of Commissioner's Regulation:
90.3 (a) through (d) (4)**

This Plan is a system-wide policy that applies to all libraries within the Buffalo & Erie County Public Library System.

I. STATEMENT OF POLICY

The Regents Commission on Library Services requires public library systems in the State of New York to include in their service plans a provision guaranteeing free use of library resources to people residing within the system's boundaries. The following Plan explains in detail the history and present practice of the Buffalo & Erie County Public Library System (the "Library" or "B&ECPL") of guaranteeing free direct access to library resources for all residents of Erie County and its commitment to continuing and improving on that principle in the 21st century.

II. FREE DIRECT ACCESS PLAN

A. Section 90.3 of the Regulations of the Commissioner of Education

The Library Free Direct Access Plan follows the Division of Library Development's Outline and Guidelines for developing a free direct access plan under the Commissioner's Regulations 90.3(a) through (d)(4), published in March 1999, and revised in February 2007.

As defined in the Commissioner's Regulation, free direct access is the ability of an individual, who resides within the boundaries of the Library's service area and who has a valid borrower's card issued by this System or any contract library (referred to as a "member library" in the Commissioner's Regulation) in the Buffalo & Erie County Public Library System, to borrow materials for home use directly from the premises of any such library on the same basis as that specified for cardholders in each individual library.

B. Buffalo & Erie County Public Library

1. Library services for all individuals residing within the boundaries of the Service Area

According to the special legislation that created the Buffalo & Erie County Public Library (Laws 1953, chapter 768), the Buffalo & Erie County Public Library Board of Trustees may contract with the trustees of any free library within Erie County registered by the Regents, or with any municipal or district body having control of such library, to furnish library privileges

to the people of the County, under such terms and conditions as may be stated in such contract.

The Buffalo & Erie County Public Library Board of Trustees contracts annually with 22 libraries serving the residents of Erie County, each of which is referred to as the "Public Library" or "contract library" within said contract. Free direct access is guaranteed under the contract as follows:

- a. In Article II, Section A of the annual contract, the contract libraries agree to furnish free library privileges to the people of the County of Erie. Note that this is an all-encompassing statement giving the residents of the County equal access to any of the 37 library locations, one bookmobile, and one Library to Go vehicle comprising the Buffalo & Erie County Public Library.
- b. In Article II, Section A(1) of the annual contract also supports the principle of free direct access when it states, "The books, pamphlets, periodicals, audio/video items, and other library materials constituting the circulating and reference library of the Public Library shall be loaned in accordance with the rules and regulations of the B&ECPL, presently in force or as amended, to any person holding a library card duly issued by the B&ECPL or any other library within the County of Erie, which, by contract with the B&ECPL, has agreed to furnish library privileges to the people of the County of Erie."
- c. In addition, the annual contract requires in Article II, Section A(4) that, "The printed books, pamphlets and other documents constituting the circulation and reference library of the Public Library shall be made available for use and distribution by the B&ECPL and other libraries within the County of Erie, which, by agreement with the B&ECPL, have contracted to furnish library privileges to the people of the County of Erie."
- d. Further, Article III, Section A(4) of the annual contract states "All such purchases of books, pamphlets, periodicals, library materials and equipment of every nature and description whatsoever shall become the property of the County of Erie or the B&ECPL provided, however, that the Public Library shall have the custody and use thereof so long as it shall continue to render public library service to the people of the County of Erie."

Library services throughout the County are free to residents. In addition, the Library provides service via libraries at the Erie County Correctional Facility and Erie County Holding Center. The Library also provides library service to the other correctional facilities in Wende and Collins through grants.

- 2. Library services to persons living within the system boundaries in an area where a member library chooses to withdraw from the system, or where a chartered and registered library was never a member of the system.**

No contract library has withdrawn from the Buffalo & Erie County Public Library, and there are no public or free association libraries in Erie County, outside of the Native American reservations, that do not contract with Buffalo & Erie County Public Library. While not part of the Library's chartered service area, residents of the Tonawanda and Cattaraugus Reservations in Erie County have free direct access to any of Library's resources.

- 3. Serious inequities and hardships**

The Buffalo & Erie County Public Library Board of Trustees has determined that there are no serious inequities or hardships affecting resident borrowers in the Library's service area.

4. Excessive borrowing

The Buffalo & Erie County Public Library Board of Trustees has determined that excessive borrowing does not occur because all Erie County residents have the same borrowing privileges.

5. Unserved or underserved populations within the Buffalo & Erie County Public Library System

The Library is chartered to serve all of Erie County. All geographic areas within the County receive library services even if there are no library buildings within a given municipality or service area of a contract library.

The Angola Public Library is chartered to serve the village of Angola. In reality, the Angola Public Library serves the town of Evans as well as any other Erie County residents who choose to use it.

The towns of Brant, Colden, Holland, Sardinia, and Wales do not have library buildings. Their residents are served by libraries in neighboring towns (or in any other community in the County that the residents of these towns choose to use) and by the Library bookmobile.

The Central Library and eight branch libraries located within the Buffalo city limits provide library service to the residents of Buffalo. The City of Buffalo does not have a separate chartered library with an independent library board, and does not contract with the Buffalo & Erie County Public Library. The 1953 special legislation that created the Library provides for representation on Library's Board of Trustees by nominees of the mayor of Buffalo.

In addition, the 1953 special legislation gives Erie County the authority to levy and raise by taxation and appropriation such sums as shall be necessary to establish, equip and maintain the Buffalo & Erie County Public Library and branches. An equalized countywide tax supports all the library locations within the Buffalo & Erie County Public Library System. Thus, all property owners in Erie County are contributing equitably to the Library locations. Each contract library's budget request is included in the Library's annual operating budget request. The contract library's budget sum for the year is part of the annual contract with that library. Contract libraries may also raise and appropriate funds from other sources to supplement funds derived from Erie County.

The municipalities in Erie County without a chartered library are receiving library services from the Library as explained above. In any of these municipalities, should the population increase to the point where a library building is warranted, and if the community expressed an interest in funding the construction of a library, the Library would respond accordingly. Currently, the low population density in these towns does not justify the establishment of a new library location and precludes designating an optimal location for a library building.

6. Modifications to the Free Direct Access Plan

The Library does not require or anticipate any modifications to this Plan.

7. Compliance with the Plan by Contract Libraries

As the Library's Plan for free direct access is included in the annual agreement between the Library and each contract library, those libraries are bound by the contract to abide by this Plan.

8. Input from Contract Libraries

Contract libraries were invited to raise questions and provide comments regarding the original development of the Library's Free Direct Access Plan by direct invitation and through an open public review process which affords all residents of Erie County an opportunity to participate.

Adopted December 16, 1999 per Resolution 99-73.

Amended September 18, 2014 per Resolution 2014-28

Amended December 15, 2016 per Resolution 2016-53.

Amended May 16, 2019 per Resolution 2019-17.

Amended December 19, 2019 per Resolution 2019-50.

Amended July 15, 2021 per Resolution 2021-25.

Amended July 16, 2026 per Resolution 2026-18.