

**PENINSULA PUBLIC LIBRARY****MAINTENANCE OF PUBLIC ORDER AT LIBRARY FACILITIES****I. Purpose**

The following rules, regulations and procedures are enacted by the Board of Trustees for the purpose of maintaining public order in the library facilities and surrounding sites by all library patrons, visitors and employees, as well as other licensees and invitees, in accordance with Section 262 of the Education Law of the State of New York.

**II. Conditional Permission for Use of Library Facilities**

As a condition for the use of Library premises, Library patrons, employees, visitors and other licensees and invitees who enter upon or remain at the Library facilities, agree that they shall be subject to these rules and regulations. Failure to comply with the same shall constitute grounds for the immediate ejection as a trespasser, suspension of library borrowing privileges and revocation of rights to enter upon library premises.

**III. Purpose of Use of Library Facilities**

The use of Library facilities and entry onto Library premises shall be limited to employees of the Library in the performance of their duties, and patrons and visitors to the Library facilities and offices for purposes of reading, utilization of Library public access computers, utilization of patron laptop and portable computers and video devices for online/internet access, for the selection, returning and borrowing of Library books and materials, conducting business with the Library, and attendance of educational conferences, meetings, programs and concerts authorized or conducted by the Board of Trustees or other Library personnel.

All persons entering or remaining upon Library premises for any other purpose shall be deemed to be trespassers not authorized to remain upon Library premises if engaged in conduct in violation of Library rules and regulations or in violation of law, including, but not limited to, the following:

- Causing or attempting to cause physical injury to the person or property of another
- Willfully causing or attempting to cause physical damage to Library building & equipment
- Damaging, altering, marring or defacing library books and related materials
- Engaging in any unlawful conduct in violation of the Penal Law of the State of New York, including, but not limited to:
  - displaying of obscene or pornographic materials on library public access computer video monitors, on patron video devices such as laptop computers, I-Pads, smart phones, etc., or in printed/graphic form
  - causing the retention of such obscene or pornographic material on library computers and computer hardware and media
  - transporting illegal drugs, alcoholic beverages, fireworks, firearms, switchblade or gravity knives or other weapons or contraband onto library premises
- Entering into unauthorized (non-public access) areas of the Library

- Refusing to comply with the directives of the Library Director or his/her designee or other authorized personnel
- Bringing food and beverages into the Library
- Consuming food or liquids of any nature on Library premises except as may be authorized by Library Administration during Library programs or special events, or in designated areas
- Entering the building without a shirt or other covering of their upper bodies, or without shoes or other footwear
- Entering into the Library with personal property, clothing or deficient personal hygiene resulting in the emission of a strong noxious or offensive smell or odor, including but not limited to cigarette or marijuana smoke, such that the odor is disruptive to the library patrons and their ability to enjoy the Library premises, and/or staff and their ability to perform their job responsibilities
- Engaging in the smoking of tobacco or other substances on Library premises
- Utilization of Library rest rooms (toilet room facilities) for inappropriate purposes such as bathing, laundering of clothing, shampooing of hair, and shaving
- Transporting onto Library premises more than two hand-carried handbags, each exceeding seventy (70) inches in combined height, width and length
- Placing on Library premises any personal property other than the preceding two hand-carried handbags inside or outside of the Library building
- Entering the Library while intoxicated by alcohol products or while impaired under the influence of drugs
- Harassing or annoying others through noisy or boisterous activities
- Staring at another person with the apparent intent to annoy that person
- Following another person about the building with the apparent intent to annoy that person
- Behaving in a manner which reasonably can be expected to disturb other persons.
- Raising of voices or excessive talking in the Library which interferes in other Library patrons' quiet use and enjoyment of the Library facility
- Use of loud, abusive or threatening language
- Verbally abusing Library patrons or staff
- Disrupting library functions or programs authorized by Library personnel
- Disrupting Library operations or Library staff in performance of official duties
- Sleeping in the Library or reclining on library chairs
- Placing feet on furniture, sitting on tables, or rearranging furniture
- Use audio equipment without headphones or at a volume level that is audible to others
- Bringing animals into the library unless necessary for assisting the disabled, and the animal is trained to assist the disabled
- Engaging in any business or proprietary activities with others on Library premises for which a person receives monetary compensation or in the solicitation of business or the sale of goods, products or services to others
- Conveying onto Library premises any poster, placards or similar display for purposes of advertising or soliciting business or the advertising a business or product, or political candidates' campaign advertising literature, placards and displays
- Distributing leaflets or circulating petitions within the Library or within 100 feet of the Library's entrances

#### IV. Procedures

1. While the Library facilities are open, the Library Director or his/her designees, in the first instance, shall be responsible for the enforcement of these rules and regulations. Any violation thereof shall be immediately reported to the Library Director or his/her designee who shall thereupon immediately make inquiry of the facts and circumstances surrounding the complaint, and who may thereupon either direct the trespasser to cease and desist the violation or vacate the premises. Upon the refusal of such person to obey the directive of the Library Director or his/her designee, such Library Director or designee is hereby authorized and directed to make a complaint to the Nassau County Police Department and to sign any information as necessary charging said trespasser with the appropriate violation of the Penal Law. The Library Director shall forthwith make a report to the Board of Trustees.
2. When the Library is not open to the public, or when the Library Director or his/her designees are not present, any Library employee is authorized and directed, upon observing and being informed of any violation of these rules and regulations, to make inquiry of the facts and circumstances surrounding the violation and any such employee may either direct the trespasser to cease and desist the violation or vacate the premises. Upon the refusal of such person to obey the directive of the employee, such employee is hereby authorized and directed to make a complaint to the Nassau County Police Department and sign any information as necessary charging said violator with the appropriate violation of the Penal Law. Subsequently, such Library employee, at the first opportunity, shall make a written report of the facts and circumstances surrounding the enforcement of these rules and regulations to the Library Director.
3. The Library shall indemnify and save harmless the Director, his/her designee, or any Library personnel, from any action, claim or proceeding instituted against such person arising out of the enforcement of these rules and regulations by such Library personnel.
4. In addition to all of the foregoing summary remedies against the trespasser and/or person in violation of law and these rules and regulations, the Library Director may thereafter, in his/her sole discretion, take the following action with respect to the following categories of persons:
  - a) Library patrons: Residents of the school district registered or qualified for registration as a borrower of library books and materials may have their borrowing privileges and their licenses to enter upon Library premises suspended for a period not to exceed four years.
  - b) Library personnel: Employees are subject to the applicable provisions of the Civil Service Law and Education Law and may be disciplined, censored, suspended without pay, or discharged accordingly.
  - c) Visitors, licensees and invitees: Such persons may be subject to the revocation of their licenses to enter upon Library property and borrowing privileges for a period not to exceed four years.

## V. Appeal Procedure

1. Appeals by Library patrons and registered borrowers of library materials, and visitors, licensees and invitees, relating to suspension of borrowing privileges and revocation of their privileges to enter upon Library premises shall be made to the Board of Trustees. Appeals by Library personnel subject to the provisions of the Civil Service Law and Education Law may be made to the Board of Trustees.
2. Each person, not an employee of the Library, shall have the right to submit a written notice of appeal to the Board of Trustees within thirty (30) days of any action of the Library Director suspending borrowing privileges and/or revoking their license to enter upon Library premises. The Board of Trustees, or their designee, shall convene a hearing within thirty (30) days of submission of such notice of appeal, at which time and place the aggrieved shall be afforded the opportunity to present evidence, testify and cross examine witnesses. Within thirty (30) days of such hearing, the Board of Trustees shall render a decision in writing either restoring the aggrieved person's library privileges or confirming the Library Director's actions explaining the reasons for the continuance of the Director's action.

Adopted: 6/31/2016

Amended: 2/23/2023