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. **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 the following purposes:

1. reading, selecting, returning and borrowing Library books and materials
2. using Library public access computers
3. using patron laptop and portable computers and video devices for online/internet access
4. conducting business with the Library
5. attending educational conferences, meetings, programs, art exhibits, 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 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 Damage and Injury**

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 and equipment, willfully damaging library materials

**Conducting Business or Campaigning**

- Engaging in any business or proprietary activities 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
• Distributing leaflets or literature of any nature for candidates to public office, or circulating petitions for such candidates within the Library or upon Library premises.

Harassing Others
• Annoying others through noisy or boisterous activities, abusive or threatening language, staring, using audio equipment without headphones or at a volume level that is audible to others, singing, or following that person.
• Disrupting library functions or programs
• Using the Library’s toilet rooms for inappropriate purposes such as bathing, laundering of clothing, shampooing of hair, and shaving
• Entering into the Library with personal property, clothing, or deficient personal hygiene resulting in an offensive odor disruptive to Library patrons and staff

Trespassing
• Entering into unauthorized (non-public access) areas of the Library

Violating Decorum
• Entering the building shirtless or shoeless
• Having food and beverages at the Library’s computer workstations.
• Entering the Library while intoxicated by alcohol or drugs
• Placing feet on furniture, sitting on tables, or rearranging furniture
• Bringing animals other than registered service animals into the library

Violating the Law
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, iPads, 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
• Smoking tobacco or other substances on Library premises

Refusing to comply with the directives of the Library Director and authorized personnel.

Reviewed: 1/17/2017
Adopted: 1/17/2017
IV. PROCEDURES

1. While the Farmingdale Public Library facilities are open, the Library Director or his/her designee, 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 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 necessary to charge 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 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 shall make a written report of the facts and circumstances surrounding the enforcement of these rules and regulations to the Library Director or his/her designee within 24 hours.

3. The Library shall indemnify and save harmless the Library Director his/her designee or any Library personnel or Trustees, 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 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 suspended for a period not to exceed one year.

   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 for a period not to exceed one year.
V. APPEAL PROCEDURE

1. Appeals by Library patrons and registered borrowers of Library materials 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. Appeals by visitors, licensees and invitees 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 or revoking their license to enter upon Library premises. The Board of Trustees, or their designee, shall convene a hearing within twenty (20) 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 reason for the continuance of the Director’s action.

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Adopted: 11/14/95
Reviewed: 5/17/2011