

WANTAGH PUBLIC LIBRARY
POLICY FOR USE OF LIBRARY FACILITIES
ADOPTED BY THE BOARD OF TRUSTEES, AUGUST 28, 1995
REVISED JUNE 21, 2004
REVISED DECEMBER 20, 2010

I. PURPOSE

The following policy has been established by the Board of Trustees of the Wantagh Public Library for the purpose of maintaining public order in the Library facilities and surrounding sites for all Library patrons, visitors and employees, as well as other licensees and invitees.

II. CONDITIONAL PERMISSION FOR USE OF LIBRARY FACILITIES

As a condition for the use of Library premises, both interior and exterior, Library patrons, visitors, employees, licensees and invitees who enter upon or remain at the Library's facilities agree that they will be subject to the rules and regulations contained in this policy. Failure to comply with this policy shall constitute unacceptable behavior, which shall result in all or a combination of immediate ejection from the Library's facilities as a trespasser, suspension or revocation of Library borrowing privileges and/or Library entry privileges or other penalty or punishment which the Library Director, authorized Library personnel or their designee shall deem appropriate, or which the Board of Trustees shall deem appropriate after an appeal is heard and determined. Any Library patron, visitor, employee, licensee or invitee who fails to adhere to the rules and regulations contained in this policy shall also be subject to ejection, suspension or revocation of privileges or criminal arrest and prosecution, if applicable under the circumstances.

III. PERMISSIBLE USE OF LIBRARY FACILITIES

The use of Library facilities, entry into the Library and its surrounding premises shall be limited to employees of the Library in the performance of their duties, Library patrons, visitors, as well as other licensees and invitees to the Library facilities and offices for the purpose of reading, selecting, obtaining information, returning and borrowing of Library books and materials, conducting business with the Library, attendance at conferences, meetings, programs, exhibits, concerts, and the like, authorized or conducted by the Library. All persons entering or remaining upon the Library premises or in the Library site for any other purpose shall be deemed to be trespassers.

The following actions, conduct and behavior shall not be permitted in the Library or on any of its site or surrounding premises because it interferes with the use of the Library by others or is a health or safety hazard or because it is not consistent with the best interests of the Library, its personnel and other Library patrons. Failure to comply with the following restrictions shall result in all or a combination of arrest and the filing of criminal charges being brought against the individual, removal from the Library and suspension or revocation of Library borrowing privileges and/or Library entry privileges or other penalties or punishments which the Library Director, or other authorized Library personnel deems appropriate. The list is not intended to constitute all possible examples of improper conduct.

- Causing, threatening to cause or attempting to cause physical injury to the person or property of another, physical damage to equipment or other Library materials, or damaging, altering, marring or defacing Library books.
- Refusing to comply with reasonable directives of the Library Director, authorized Library representatives or a designee of any such person, or willfully disrupting Library functions or programs authorized by Library personnel.
- Offensive or abusive language or gestures, lewd or indecent behavior, fighting, provoking a fight or demonstrating threatening or intimidating behavior, noisy or boisterous activities that disturb others, staring at another person or following another person with the intent to annoy that person. The wearing of a mask or other device which hides his/her identity is prohibited.
- Possession of firearms, other weapons or explosives or any other item that Library personnel reasonably believes can be used as a weapon, smoking or exhibiting an open flame, i.e., lighters and matches.
- Singing or talking loudly to others or in monologues, or by behaving in a manner which can be reasonably expected to disturb others.
- Playing audio equipment so that others can hear it, gambling or playing of games, except games that are approved by Library personnel.
- Sleeping or loitering, using, possessing or being under the influence of alcohol, narcotics, hallucinogenic or other illegal drugs.
- Consuming food or beverages, spitting, panhandling, running, riding or using bicycles, roller blades, roller skates, skateboards or other sports equipment in the Library or on Library property.
- Blocking aisles so that access to Library materials and services is prevented or impaired, entering unauthorized work spaces or office areas.
- Circumventing or attempting or circumvent any Library security system, tampering with, altering, editing or damaging computer hardware and/or software. Rearranging or disarranging Library furnishings.
- Bathing, doing laundry or engaging in other unconventional use of the public restrooms, for reasons of safety and hygiene, entering the building unless wearing a shirt, pants and shoes or equivalent body or foot covering, patrons whose bodily hygiene is offensive so as to constitute a nuisance to others and/or infested or filthy clothing or personal effects that is repulsive to others in the Library.
- Bringing animals, except those specifically required for guidance purposes, onto Library property.
- Soliciting of funds, distribution of literature or promotional material, or sale or marketing of goods or services by any person or agency other than the Library, unless prior approval is received by an authorized representative of the Library.
- The Library reserves the right to examine all packages, briefcases and any other container before patrons and/or staff enter or exit the Library building, in order to maintain a safe and pleasant environment for Library staff and patrons.
- Adult patrons who are not engaged in library activities which require materials from the Children's area may be asked to relocate to other parts of the Library.
- The Library reserves the right to request proper identification for the use of selected materials on the premises. Patrons using materials in some areas may be required to adhere to additional rules and regulations established specifically for these areas.

- Electronic equipment and services shall be used in accordance with their intended purposes, as defined by the Library; the Library accepts no liability for damage to or loss of any patron's personal property.
- The Library is a limited public forum. Most areas are intended primarily for reading, study or the use of Library resources. As such, organizational meetings or social gatherings are prohibited, except in those areas designated for such purposes and only those events which are authorized by the Library may occur.
- All Library users shall obey the reasonable requests of Library staff; children under 11 years of age must be supervised by a person 14 years of age or older.
- Use of cell phone in the public areas of the library.
- Leaving unattended packages, bags or other articles in or about the Library premises.

PROCEDURES

The Library Director, authorized Library personnel or their designees and, as appropriate, the Nassau County Police Department, shall be responsible for the enforcement of these rules and regulations. Any violation thereof shall be immediately reported to the Library Director, or in his/her absence, authorized Library personnel or their designee, or the Board president, who shall thereupon immediately make inquiry of the facts and circumstances surrounding the complaint and who may thereupon either direct the person who is alleged to have violated any other rules and regulations contained herein to cease and desist the violation and/or vacate the premises. As appropriate under the circumstance, or upon refusal of such person to immediately obey the directive of said person, the Director, authorized Library personnel or their 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 individual with the appropriate violation of the law, if applicable. A report shall immediately be forwarded to the President of the Board of Trustees of the Library.

The Library shall indemnify and save harmless the Library Director, Library employees, Trustees, or their designees, from any action, claim or proceeding instituted against such person arising out of the good faith enforcement of these rules and regulations.

IV. SUSPENSION AND REVOCATION OF PRIVILEGES

- V. In addition to all of the foregoing summary remedies against any person or persons in violation of law and/or the Library's rules for proper conduct, the Library Director may at his/her sole discretion suspend the license and privilege of the disruptive patron to enter upon the premises of the Library or to participate in official Library activities and functions. The patron will be notified in writing of the suspension of his/her privileges, and will be provided with details concerning the reasons for the suspension and the procedure for appealing such suspension.

VI. APPEALS

Library patrons, registered borrowers of Library materials or other person(s) who had privileges suspended or revoked or otherwise received any type of punishment or were otherwise found to have violated any of the rules and regulations contained herein may make an appeal to the Board of Trustees. Any such shall be made in writing, by hand delivery or certified mail, return receipt requested, forwarding the writing to "President, Board of Trustees, Wantagh Public Library, 3285 Park Ave, Wantagh, New York 11793, Attention: Library Administration Office".

The notice of appeal must be submitted within thirty (30) days of any action of the Library Director, other authorized Library personnel or a designee for having violated any of the rules or regulations contained in this policy document. The Board of Trustees or its designee shall convene a hearing within twenty (20) days of receipt of the notice of appeal, at which time and place the aggrieved person shall be afforded the opportunity to present evidence, testify and cross-examine any witnesses. If the Board designates a hearing officer, the hearing officer shall submit his or her findings of fact and recommendations in writing within seven days of the completion of the hearing. Within fifteen (15) days of the completion of such hearing, the Board of Trustees shall render a written decision or, if it designated a hearing officer, consider the hearing officer's findings and recommendations, and shall uphold, overrule or modify the decision being appealed. The decision of the Board of Trustees shall be final and binding. Any decision by the Board of Trustees with respect to an appeal shall be by a majority vote of those members of the Board of Trustees present at the hearing. The Library and/or aggrieved party shall have the right, but not the obligation, to have an attorney present to represent the aggrieved party's interests. The cost of the aggrieved party's attorney, if any, shall be borne exclusively by the aggrieved party. The hearing officer (or, in the absence of a designated hearing officer, the Library's designated attorney) shall preside over the hearing and shall be solely responsible for maintaining proper decorum, order and to facilitate the procedures adopted by the Library's Board of Trustees to conduct the hearing. The Library shall have the right to appoint a separate attorney for the purpose of representing its interests if it so desires, the cost of which shall be solely borne by the Library.