

MAINTENANCE OF PUBLIC ORDER AT LIBRARY FACILITIES

I. Purpose:

The Babylon Public Library is chartered by the State of New York to meet the educational, informational, cultural, and recreational needs of the community it serves. In order to ensure an atmosphere conducive to these purposes, 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 grounds by all Library patrons, visitors and employees, 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, and visitors 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 their immediate ejection as a trespasser, suspension of Library borrowing privileges and revocation of rights to enter upon Library premises for up to one year and other action as deemed appropriate by the Library Board of Trustees. The Director or his/her designee is empowered to enforce the rules and regulations promulgated by the Board of Trustees.

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 Library related purposes such as reading, selecting, returning and borrowing of books and materials, conducting business with the Library, and attendance at educational conferences, meetings, programs and concerts authorized or conducted by the Board of Trustees or other Library personnel. Any person who, while lawfully at such Library facilities, causes or attempts to cause physical injury to the person or property of another, or willfully causes or attempts to cause physical damage to books and other Library materials, or enters into unauthorized areas, refuses to comply with the directives of the Library director or other authorized personnel, willfully disrupts Library functions or programs authorized by Library personnel, damages, alters, mars or defaces Library books and related materials, transports illegal drugs, alcoholic beverages, fireworks, firearms, or weapons onto Library premises, shall be deemed to be a trespasser and in violation of these rules and regulations.

Library facilities may not be used for any commercial purposes. No goods or services may be promoted, sold or exchanged on the premises including by sample,

pictures, descriptions, etc. The library's facilities are not to be used for the advancement of commercial or profit-making enterprises.

IV. Procedures

1. While the Babylon 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 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 appropriate law enforcement agency 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 designee is not present, any Library employee in charge, upon observing and being informed of any violation of these rules and regulations, is authorized 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 appropriate law enforcement agency 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 Library 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: Persons qualified for registration as a borrower of library books and materials may have their privileges to use the Library's facilities and/or services suspended for a period not to exceed one year.

b) Library personnel: Employees are subject to the provisions of this policy, applicable portions of the Civil Service Law, New York State

"employment law;" the Education Law; and pertinent personnel policies adopted by the Library's Board of Trustees and may be disciplined, censured, suspended without pay or discharged accordingly.

c) Visitors: Said persons may be subject to the revocation of their privilege to enter upon library property for a period not to exceed one year. The Babylon Public Library Director may, at his/her discretion, notify other agencies of actions taken.

V. Appeal Procedure

I. Appeals by Library patrons, personnel, and visitors relating to suspension of Library service privileges and/or 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, Education Law and personnel policies, to the extent relevant, 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 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 fourteen (14) days of such hearing, the Board of Trustees shall render a decision in writing.

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