

PUBLIC BEHAVIOR ON LIBRARY PROPERTY

STATUTORY AUTHORITY

The Board of Trustees of The Smithtown Library hereby adopts the following rules and regulations governing public behavior on Library property and promulgates penalties for violations under the authority of NY Education Law § 260.

RULES AND REGULATIONS

COVID-19 Safety. All Library patrons and visitors on Library property are to adhere to the rules and regulations outlined in the Library's *COVID-19 Re-Opening Safety Plan*. The rules and regulations in the *COVID-19 Re-Opening Safety Plan* are to supersede those set forth in this policy and will be enforced for such period as the Board of Trustees deems necessary.

- 1. Behavior and Conduct:** No person, either individually or in concert with others, shall:
 - a. Fail to comply with the lawful directives of Library supervisors or staff.
 - b. Behave in a manner that may be considered as harassment (sexual or otherwise). This includes engaging in unwelcome sexual advances, verbal or physical conduct of a sexual nature, and viewing material of a pornographic nature. This also includes staring at another person or following another person about the premises such that the other person could reasonably be considered to be annoyed or disturbed.
 - c. Sleep for a prolonged period of time.
 - d. Emanate unreasonable noise, use abusive or obscene language, make obscene gestures, or undertake an act of violence or breach of the peace on Library property.
 - e. Possess, sell or use: alcohol, cannabis in any form, illicit narcotic substances, controlled substances (without a prescription) or dangerous weapons or instrumentalities on Library property.
 - f. Willfully misuse, mar, deface, damage or destroy Library property or equipment.
 - g. Disrupt, interfere with, or attempt to prevent the orderly conduct of lectures, patrons, staff, meetings, or public events conducted at the Library.
 - h. Engaging patrons or staff in conversation which could reasonably be considered to be annoying or disturbing.
 - i. Make excessive noise or undertake acts that are distracting or disruptive to an environment conducive to reading and study. Normal conversational noise levels are permitted for reference and circulation services only. Headphones may be used, but noise from headphones must not be audible to others. Snoring is not permitted.

- j. In areas of the Library designated as “silent” study spaces, no talking or whispering is allowed.
- k. No running, dancing or physical exercise is permitted within the Library unless undertaken in conjunction with a Library sponsored program.
- l. Unauthorized use of Library parking areas is not permitted.

2. Proper Dress, Foods and Beverages; Animals:

- a. **Dress/Hygiene.** Presence within the Library shall require acceptable foot and bodily coverings; hygiene that is not disturbing to patrons or staff is to be observed.
- b. **Foods and Beverages.** The eating and drinking of small snacks and covered drinks similar to those made available in the Library micro-market is permitted, except in computer areas.
- c. **Animals.** Except for service animals, no animals shall be brought into the Library. (see policy 700-15 Service Animals)
- d. **Smoking:** No smoking of any nature is permitted in Library buildings or on Library grounds. This includes but is not limited to, e-cigarettes, e.g., vaping.

3. Loitering; Trespassing:

- a. **Loitering.** NY Penal Law Section 240.35 provides in relevant part that any person who loiters in or about a building in violation of rules and regulations is guilty of disorderly conduct. It is expected that all patrons will engage in activity that is related to Library functions.
- b. **Trespassing.** NY Penal Law Section 140.05 provides in relevant part that any person who unlawfully enters into or remains unlawfully in or upon the premises is guilty of trespass. This includes individuals who have been notified by the Library that they are prohibited from entering Library property.

4. Punitive Action: Violation of any of the Rules and Regulations, as adopted by the Trustees of The Smithtown Library, may result in the following:

- a. Immediate ejection from the Library’s property.
- b. Prohibition of entry upon Library property for a stated term.
- c. Civil and/or criminal prosecution.
- d. Impositions of those penalties deemed appropriate by the Library Board of Trustees.

5. Distribution of non-library materials, gathering of signatures for petitions, etc.: The following activities are permitted only when authorized by the Library’s Board of Trustees or Library Director:

- Distribution of non-Library related leaflets/fliers/materials.
- Solicitation of opinions through interviews or surveys on Library property.

Policy 700-10

- Solicitation of or the gathering of signatures for petitions on Library property.
- Solicitation of donations.
- Selling products or services.

Policy 700-10

Adopted: 08/13/86

Last Revised: 5/16/2023