

I. Policy Statement

It is the purpose of the Wayland Free Library to provide for our library customers of all ages a safe, clean, and comfortable facility in which they may make use of all services, resources, programs which are available. To this end, the Library is responsible for establishing rules of conduct to protect the rights and safety of Library patrons, volunteers, and staff, and for preserving and protecting the Library's materials, equipment, facilities, and grounds.

II. Guidelines for Behavior

Enforcement of these rules will be conducted in a fair and reasonable manner. Authorized Library staff will intervene to stop prohibited activities and behaviors. Failure to comply with the Library's established rules, regulations, and policies could result in removal from the premises and expulsion from the Library for a period of one day to one year, or in arrest or prosecution. Violations could also result in the restriction and/or termination of Library privileges, including the use of Library computers and other equipment. Expulsion for more than one week may be appealed in writing to the Library Director and Board of Directors.

For the comfort and safety of patrons, volunteers, and staff, and the protection of Library property, the following actions are examples of (but not limited to) forbidden actions not allowed in the Library or on Library property.

- Engaging in any activity in violation of Federal, State, local or other applicable law, or Library policy.
- Use of internet for unlawful purposes as defined by federal , state and local laws
- Patrons shall respect the rights of others and shall not harass or annoy others through noisy or boisterous activities, by staring at another person with the intent to annoy that person, by following another person about the building with the intent to annoy that person, by playing audio equipment so that others can hear it, by singing or talking loudly to others in monologues, or behaving in a manner which reasonably can be expected to disturb the other person.
- Using wheeled devices inside the Library property or on Library grounds, including skateboarding, roller-skating, bicycling, scooters, and shopping carts (exceptions i.e. wheelchairs, walkers, and strollers).
- Bringing bicycles into the library or parking bicycles in a manner that interferes with free passage of others.
- Consuming food or beverages in public areas of the Library, including restrooms (except for water in closed containers as permitted by authorized library employees, drinking fountain use, baby bottles, nursing and locations where use is authorized, and at authorized events.)
- **Entering the Library barefooted, without a shirt, with offensive body odor or personal hygiene, or being otherwise attired so as to be disruptive to the Library environment.**
- Using restrooms for bathing or shampooing, doing laundry, or changing clothes.
- Carrying firearms and dangerous weapons of any type (except by law enforcement officers).
- Profane, obscene or abusive language; racial or ethnic epithets
- Being under the influence of alcohol/illegal drugs and selling, using, or possessing alcohol/illegal drugs.

- Verbally or physically threatening or harassing other patrons, volunteers, or staff, including stalking, staring, lurking, offensive touching, engaging in or soliciting a sexual act, indecent exposure.
- Excessive displays of affection including any physical contact deemed inappropriate for a public place.
- Soliciting, panhandling, proselytizing, gambling, or conducting surveys not authorized by the Library.
- Placing personal belongings so that they interfere with the free passage of library patrons or staff or leaving personal belongings in the library.
- Polling, photography or filming on library premises without prior permission from authorized library personnel.
- Stealing, damaging, altering, or inappropriate use of Library property in Library facilities or on Library grounds, including computer hardware and software, printers, copiers, phones, and other equipment.
- Trespassing in nonpublic areas, being in the Library without permission of an authorized Library employee before or after Library operating hours, or camping on Library grounds.
- Leaving children unattended under the age of 8.
- Neglecting to provide proper supervision of children.
- Fighting or challenging to fight, running, pushing, shoving, or throwing things.
- Using cell phones, pagers, and other communication devices in a manner that disturbs others. Cell phone and pager audible ringers must be turned off.
- Littering in or around library property.
- Smoking, chewing, and other tobacco use in Library facilities.
- Defacing or otherwise damaging library property
- Lying down or sleeping on any floor, table, or seat in the library
- Playing any game not provided by the library.
- Loitering as outlined in Local Law 4 1977
- Bringing pets or animals, except for service animals, into the library
- Trespassing, violating an eviction, or entering upon library property when banned.
- Public use of library business telephones except by permission of authorized library personnel

All bags and other articles are subject to inspection by library personnel. The library reserves the right to limit the size and number of items brought into the library.

Library staff may restrict adult use of children's or young adult areas within the library.

III. BANNING AND APPEALS PROCESS

Library staff members and security guards may ask a patron to leave the premises with or without prior warning, depending upon the seriousness of the violation of these guidelines for behavior. The length of the eviction shall depend upon the nature and seriousness of the offense that required removal, the extent of damage or disruption caused, any history of prior infractions of library policies, and other relevant circumstances.

When possible, any patron who has been evicted and/or prohibited from returning to the library shall be provided with written notification indicating the reasons for the ban, the time period of the ban, and the appeals process. When a minor has been banned for 30 days or more, the Library Director may attempt to contact the child's parent or legal guardian by telephone and/or send a certified letter to the child's parent/guardian.

Any patron whose library privileges have been suspended has the right to appeal the decision to the Library Director. A patron may appeal in writing to the Library Director or in person after scheduling an appointment with the Director. The Director may shorten, modify, or terminate the banning period if the information submitted by the individual warrants such modification. The Director will respond in writing and notify the individual of the appeals process. Until such time as the determination has been reviewed and/or modified by the Director or reversed on appeal by the Wayland Free Library Board, a banned individual may not enter or remain on library premises.

The Director's written determination may be appealed to the Wayland Free Library Board, if the aggrieved individual files a written notice of appeal within 10 days after he receives the Director's determination. Such notice shall be filed with both the Library Director and the Library Board President, c/o Wayland Free Library, 101 W. Naples St., Wayland, NY 14572. The Board shall hold a hearing within 30 days after the patron's notice has been filed. The appellant shall be notified at least 10 days before the hearing. Failure to appear on the assigned day of the hearing without prior notification to the Library Board President will result in the denial of the appeal.

The President of the Wayland Free Library shall conduct the hearing. At the hearing, the appellant may be represented by counsel, may present evidence, and may call and examine witnesses and cross-examine witnesses of the other party.

Within 30 days of the completion of the hearing, the Board shall issue a written decision stating the reasons therefore. The Board shall have the power to affirm or reverse the written determination or to remand it to the Library Director with instructions for reconsideration. The decision, except for remand, shall be a final determination for the purposes of judicial review.

IV. NONCOMPLIANCE WITH EVICTION OR BAN

Any person who is asked to leave the library as a result of the violation of these guidelines and refuses to do so shall be considered to be trespassing and may be subject to permanent exclusion from the library and/or arrest. Any person who enters or remains on library premises during the period in which he has been banned from the library will also be subject to arrest and prosecution for trespassing.

Approved by Board of Trustees: June 16, 2008