

# CHAPTER 6 PUBLIC ORDER AND ACCIDENT REPORTS

## MAINTENANCE OF PUBLIC ORDER

### **Purpose:**

The Montauk Library is chartered by the State of New York to meet the educational, informational, cultural and recreational needs of the community it serves. 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.

### **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 immediate ejection as a trespasser, suspension of library borrowing privileges and revocation of rights to enter upon library premises.

### **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 purposes of reading, utilization of Library public access computers, utilization of patron laptop and portable computers and video devices for online/internet access, for the selection, returning and borrowing of Library books and materials, conducting business with the Library, and attendance of educational conferences, meetings, programs and concerts authorized or conducted by the Board of Trustees or other Library personnel. All persons entering or remaining on Library premises if engaged in conduct in violation of Library rules and regulations or in violation of law, as follows:

- 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 & equipment
- Damaging, altering, marring or defacing library books and related materials
- 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, I-pads, 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
- Entering into unauthorized (non-public access) areas of the Library
- Refusing to comply with directives of the Library Director or his/her designee or other authorized personnel.
- Bringing food or beverages into the Library
- Consuming food or liquids of any nature on Library premises except as may be authorized by Library Administration during Library programs or special events

- entering into the Library with personal property or clothing which emits a strong, noxious or offensive smell or odor disruptive to Library patrons or staff
- Engaging in the smoking of tobacco or other substances or the use of electronic cigarettes on Library premises
- Utilization of Library rest rooms (toilet room facilities) for inappropriate purposes such as bathing, laundering of clothing, shampooing of hair, and shaving
- Transporting onto Library more than two hand-carried handbags, exceeding seventy(70) inches in combined height, width and length
- Placing on Library premises any personal property other than the preceding two hand-carried handbags inside or outside of the Library building
- Entering the Library while intoxicated by alcohol products or while impaired under the influence of drugs
- Raising of voices or excessive talking in the Library which interferes in other Library patrons' quiet use and enjoyment of the Library facility
- Use of loud, abusive or threatening language
- Verbally abusing Library patrons or staff
- Disrupting Library functions or programs authorized by Library personnel
- Disrupting Library operations or Library staff in performance of official duties
- Sleeping in the Library or reclining on library chairs
- Placing feet on furniture, sitting on tables, or rearranging furniture
- entering the Library with bare feet or inappropriate dress
- Using audio equipment without headphones or at a volume level that is audible to others
- Bringing animals into the Library unless necessary for assisting the disabled, and the animal is trained to assist the disabled
- Distributing leaflets or circulating petitions

**Procedures:**

- 1) While the Library facilities are open, the Library Director or his/her designees, 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 East Hampton Police Department and to sign an information form 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 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 East Hampton Police Department 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 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: Residents of the school district registered or qualified for registration as a borrower of library books and materials may have their borrowing privileges and their license to enter upon Library premises suspended for a period not to exceed four years.

(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 the Library property for a period not to exceed four years.

### **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 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 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 action explaining the reasons for the continuance of the Director's action.

## **NOTICE OF MAINTENANCE OF PUBLIC ORDER**

The Montauk 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, as well as other licensees and invitees, in accordance with Section 262 of the Education Law of the State of New York.

### **PLEASE DO NOT:**

**Leave young children unattended**

**Engage in disruptive behavior (interfering with other people's use of the library) or disorderly conduct.**

**Harass people on Library property**

**Use loud, abusive or threatening language**

**Deface, destroy or tamper with Library material, property or equipment**

**Loiter or solicit on Library property**

**Put feet on furniture or sit on tables**

**Rearrange furniture**

**Have bare feet or inappropriate dress**

**Use audio equipment without headphones or at a volume that is audible to others**

**Smoke, use cigarettes, consume alcohol, partake of controlled substances, or carry weapons**

**Bring food or beverages to the Library or consume same on Library premises.**

**Bring animals into the Library unless necessary for assisting the disabled, or if the animal is being trained to assist the disabled**

**Distribute leaflets or circulate petitions**

**Failure to follow these guidelines and the directions of the Library staff will result in you being asked to leave the Library. Library personnel are authorized to contact the appropriate law enforcement agency to ensure compliance.**

These guidelines are extracted from the Library's formal Maintenance of Public order Policy, a copy of which is available upon request.

### **Unattended Children at the Montauk Library**

All children below fourth grade level must be accompanied and supervised by a parent or responsible care giver while in the library.

Parents or care givers, not the library staff, are responsible for the behavior and supervision of their children while using the library.

The staff has the authority to request the parent or care giver to remove a disruptive child from the premises.

The Montauk Library does not assume responsibility for children's safety or behavior when they are in the library.

Parents or care givers will be notified if their children are left unattended and require supervision.

If parents/care givers are unavailable, proper authorities will be contacted.

All patrons must leave the library promptly at closing time. Children who require transportation must call their parent/guardian for a pick-up ride before the library closes. The Montauk Library cannot be responsible for children who remain outside the library after closing time.

### **Lost Child at the Library**

All Staff will be alerted of a lost child.

Circulation staff will not allow anyone to exit the building with a child until identification is made.

One staff member will be sent to the lower level and one to the mezzanine. All desks, tables, storage units, and restrooms will be opened and inspected.

One staff member will walk around the outside of the entire building and shed, looking in all gardens and parking areas.

The police will be notified after staff and parent is certain the child is not on the library premises.

### **Sex Offenders**

The Suffolk County Police Department, or other departments, may send notification to the Montauk Public Library when a sex offender is to be released to a residence within the Montauk School District, commonly referred to as "Megan's Law." The Library may receive notification including: name, address, class of offender, crime of conviction, photograph, Modus operandi, type of victim special conditions imposed, etcetera.

Upon receipt of sex offender documentation the Library Director will relay information received to all pertinent individuals associated with the Library and deemed by the Director to be in a position to appropriately utilize such information.

Neither the Library, nor the Board of Trustees, nor any of the staff, volunteers, contractors, etcetera of the Montauk Public Library assume any legal liability or responsibility for the accuracy, completeness or usefulness of any information disclosed. Nor is there any legal liability or responsibility that the use of such documents would not infringe rights of privacy.

**Threat of Violence**

In the event of a person present in the library posing a threat of violence, the staff's first responsibility is for their own safety. Any action taken should reflect this, and not further escalate the situation or endanger themselves or others. Experts in safety suggest that an initial reaction of loud shouting and screaming is an effective deterrent, but this is not necessary. If time and circumstances permit, a staff member should activate the "Pull Box" as he/she exits the building to alert authorities.

**MONTAUK LIBRARY**  
**ACCIDENT, DISTURBANCE, VANDALISM, VIOLENCE REPORT**

Please complete all information as it applies to the particular incident.

**Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_

**Name of patron or employee involved in accident:**

\_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone Number:** \_\_\_\_\_

**Staff Present:** \_\_\_\_\_

**Nature of Accident/ Disturbance:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**People Involved/ Witness:**

\_\_\_\_\_  
\_\_\_\_\_

**Action Taken:**

\_\_\_\_\_  
\_\_\_\_\_

**Police Phoned: YES** \_\_\_\_ **NO** \_\_\_\_ **Time** \_\_\_\_\_

**Time Police Arrived:** \_\_\_\_\_

**Additional Comments:**

\_\_\_\_\_

**Signature of Staff member Handling Incident:**

\_\_\_\_\_

(Return completed form to Library Director.)

**NOTE: If violence is involved, the police must be notified.**

**If accident victim refuses medical treatment or police notification, they must sign the following:**

**MONTAUK LIBRARY**  
**WAIVER OF POLICE NOTIFICATION**  
**AND/OR MEDICAL TREATMENT:**  
(2 copies: 1 for Library records, 1 for incident victim)

Name, address and phone number of person(s) involved in incident:

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Date and time of Incident:

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Library Staff member reporting incident:

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Brief Description of incident:

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I, \_\_\_\_\_, acknowledge being involved in the  
above incident which took place at the Montauk Library and state that I have refused  
police notification \_\_\_\_  
medical treatment \_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Address: \_\_\_\_\_

Phone # \_\_\_\_\_

Witness \_\_\_\_\_



