

## Policy Statement

Plainfield Public Library (PPL) is a limited public forum. Rules for public behavior in the Library are intended to protect the rights and safety of Library users, protect the rights and safety of staff members, and preserve and protect the Library's materials, facilities and property.

Library users who violate these rules may be subject to the suspension of their Library privileges, be excluded from the Library and/or face legal action.

In **Kreimer v. Bureau of Police for Morristown, 958 F.2d 1242 (3d Cir. 1992)** the court found that a Library has a significant interest in achieving the "optimum safest use of its facilities" which includes authority to "circumscribe admission to and expulsion from its facility" in a reasonable manner. (id.) The Plainfield Public Library, as a limited public forum has a responsibility to protect all of its patrons' first amendment rights to access information freely. If a patron's behavior is such that it would interfere with another member of the public's ability to make use of the facility by being noisy, boisterous or otherwise disruptive, or if they have bodily hygiene issues to such a degree as to be a nuisance, the Library has a right to have that patron removed.(id.) If a Patron is not using the facility for its intended purposes, i.e. not reading, studying, or making use of Library services/materials, etc. They can also be removed, as they are not engaged in a protected activity. (id.) Should these behaviors be either repeated or egregious, the Library reserves the right to, in coordination with local law enforcement, ban a patron.

## Regulation

In situations where Plainfield Public Library staff members feel that the health, safety or security of Library users or staff members are threatened, they may take any and all appropriate action including, but not limited to, calling the police for assistance.

Library staff members may ask a Library user to leave the premises with or without prior warning, depending upon the seriousness of the violation. Library staff members may also exclude a patron or visitor from Plainfield Public Library facilities.

The Library's Administration may impose a further suspension of Library privileges. If the Director decides to impose such a suspension, the patron or visitor will be so advised in writing. Any patron whose Library privileges are suspended under these rules has a right to appeal.

## Guidelines

Library users must adhere to these Rules of Conduct and **NOT** engage in the following prohibited behavior.

### **Illegal Activities, including but not limited to:**

- Committing or attempting to commit any activity that constitutes a violation of any federal, state or local statute or ordinance.
- Engaging in sexual conduct or lewd behavior on Library premises, as defined under New Jersey Law. (New Jersey Code of Criminal Justice, Section 2C:14-4 Lewdness)
- Use of controlled substances on Library premises. (New Jersey Statutes, Section 24:21)
- Smoking or other use of tobacco inside or outside of the Library building. (Plainfield Municipal Code Section 10:6-2(3), and Plainfield Municipal Code section 10:12A-2)
- Drinking alcoholic beverages on Library premises.
- Public intoxication. (Plainfield Municipal Code Section 10:7-7)

### **Harmful, Disruptive, or Destructive behavior, including but not limited to:**

Engaging in conduct that disrupts or interferes with the normal operation of the Library, or disturbs staff and Library users. Such conduct includes:

- The use of abusive or threatening language or gestures.
- Creation of unreasonable noise.
- The use of e-cigarette or vaping devices.
- Loud or boisterous behavior or talking, on a cell phone or otherwise.
- Photographing, filming, or recording other patrons or staff without their consent.
- Using Library materials, equipment, furniture, fixtures or buildings in a destructive, abusive or potentially damaging manner, in a manner likely to cause personal injury to any person or in any other manner inconsistent with the customary use thereof.

- Disobeying the reasonable direction of Library staff members.
- Soliciting, petitioning or distributing written materials or canvassing on PPL premises for any purpose without express permission of the Library Director. Such conduct extends to any soliciting, petitioning, distributing or canvassing outside of Library premises in such a manner as to impede access to or egress from a PPL facility.
- Interfering with the free passage of PPL staff members or users in or onto Library premises including, but not limited to, placing objects such as bicycles, strollers, shopping carts or bags in such a manner as to impede free passage in or onto the premises. The Library also reserves the right to limit the size and number of items brought into the Library. Personal belongings should not be left unattended. Unattended items may be disposed of at the discretion of the administrative staff.
- Bringing bicycles and other means of transportation inside the Library building, including, but not limited to, vestibules or covered doorways, where no bicycle rack is provided.
- Use of scooters (non-mobility), roller-skates, or similar wheeled devices inside the Library building.
- Use of open flame or any burning/heating elements.
- Parking vehicles on Library premises for purposes other than official Library use. Vehicles parked in violation of this rule may be towed at the owner's expense.

**Other inappropriate behavior:**

- Speaking into electronic devices (cellular phones, computer microphones, etc.)
- Bringing animals other than service animals inside the Library building without the prior permission of Library staff.
- Consuming food or beverage in the Library, except at special meetings and events sanctioned by PPL.
- Placing feet on furniture including tables and chairs, or using furniture for a purpose other than that for which it was originally designed (e.g. sitting on tables).
- Having more than the intended number of persons in a chair/seat at one time.
- Violating the Library's Internet Use Policy.
- Sleeping on PPL premises.
- Use of PPL restrooms for bathing, shaving, washing hair.
- Use of any communication or entertainment devices at a volume that disturbs others, with or without headphones.
- Entering or inhabiting the Library building with bare or stocking feet, or bare chest.
- Disturbing others because of offensive body odor. Any person creating or emanating an odor that can be detected from four feet away, will be asked to leave the Library until the situation can be corrected.
- Unhygienic behavior such as spitting, clipping nails, or changing diapers in public areas.
- Refusing to wear personal protective equipment (PPE) such as masks or gloves when directed to do so by Library Staff where no medical exemption applies.
- Refusing to respect social distancing guidelines, where appropriate and when necessary.

Adopted by the Library Board of Trustees on June 25, 2020.