

# New Brunswick Free Public Library Policy on Public Behavior

Revised, February 24, 2016

So the Library can provide an atmosphere conducive to the appropriate use of its service and facilities, the public must comply with the following rules and regulations.

1. Library users must respect the rights and privileges of all other users. Behavior that inhibits library use by others is prohibited.
2. Talking is permitted only in quiet tones and low voices.
3. Improper conduct is prohibited. Conduct will be regarded as improper if it includes one or more of the following:
  - 3.1. Creating a public disturbance.
  - 3.2. Abusive language.\*
  - 3.3. Mutilating, damaging, or defacing Library property or materials or the property of others.†
  - 3.4. Sexual acts.
  - 3.5. Smoking in any part of the building.‡
  - 3.6. Gambling and card playing. This rule excludes games that are part of Library sponsored programs or activities.
  - 3.7. Using electronic or digital devices in a manner that can be reasonably expected to disturb others.
  - 3.8. Talking or singing in a manner that can be reasonably expected to disturb others.
  - 3.9. Possession in the library of alcohol, narcotics, hallucinogens, other controlled substances, or drug paraphernalia.
  - 3.10. Illegal possession of weapons.

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\* N.J.S.A. 2C:33-4. Harassment. Except as provided in subsections d. and e., a person commits a petty disorderly persons offense if, with purpose to harass another, he: a. Makes, or causes to be made, a communication or communications anonymously or at extremely inconvenient hours, or in offensively coarse language, or any other manner likely to cause annoyance or alarm; b. Subjects another to striking, kicking, shoving, or other offensive touching, or threatens to do so; or c. Engages in any other course of alarming conduct or of repeatedly committed acts with purpose to alarm or seriously annoy such other person. A communication under subsection a. may be deemed to have been made either at the place where it originated or at the place where it was received. d. A person commits a crime of the fourth degree if in committing an offense under this section; he acted with a purpose to intimidate an individual or group of individuals because of race, color, religion, gender, handicap, sexual orientation, or ethnicity.

† N.J.S.A. 2C:17-3. Criminal Mischief. a. Offense defined. A person is guilty of criminal mischief if he: (1) Purposely or knowingly damages tangible property of another or damages tangible property of another recklessly or negligently in the employment of fire, explosives or other dangerous means listed in subsection a. of N.J.S.2C:17-2; or (2) Purposely, knowingly or recklessly tampers with tangible property of another so as to endanger person or property... (3) Criminal mischief is a crime of the third degree if the actor damages, defaces, eradicates, alters, receives, releases or causes the loss of any research property used by the research facility, or otherwise causes physical disruption to the functioning of the research facility. The term "physical disruption" does not include any lawful activity that results from public, governmental, or research facility employee reaction to the disclosure of information about the research facility.

‡ As per P.L. 2009, c.182 this includes e-cigarettes.

- 3.11. Reasonable suspicion of intoxication or being under the influence of a controlled dangerous substance.
- 3.12. Violation of any City ordinance or State regulation or statute.
4. Bare feet or a bare chest are prohibited in the library.
5. The consumption of food or beverages in areas of the Library open to the public except by recognized users of the meeting rooms is prohibited. Any food or beverages in the possession of patrons inside the library (with the exception of the meeting room) must be kept unopened in spill-proof containers or sealed packages, inside bags, or safely placed on the floor.
6. Caregivers are responsible for the behavior of vulnerable adults.<sup>§</sup> A reasonable attempt will be made within the limitations of the use of the library by others to accommodate the special needs of individuals or groups of attended vulnerable adults. The staff is not trained to provide care for vulnerable adults and a responsible adult or caretaker should accompany vulnerable adults while they are using the library. If an unattended vulnerable adult comes to the attention of staff, an attempt to contact a responsible adult or caretaker will be made. If the responsible adult or caretaker cannot be reached, the vulnerable adult will be referred to the New Brunswick police. Staff cannot monitor or prevent a vulnerable adult from leaving the building.
7. Use of the library by groups (three or more people) is only permitted in the meeting rooms. No public area of the Library will be designated for meetings and no specific areas can be shut off from public access to conduct a meeting. Small study groups, class visits, and tours may be arranged through the library. Soliciting, selling or using the Library for commercial purposes is not allowed.
8. Animals, other than those assisting disabled persons, are not permitted in the Library.\*\*
9. Parents and caregivers are responsible for the behavior and supervision of their children in the library. No one shall leave children unattended on the Library premises for any extended period of time. The library is not responsible for the consequences of caregivers forfeiting their responsibilities. Library staff may refer to appropriate authorities those children who are left unattended in the library including children who may be truant.
10. Adults not accompanied by teenagers are permitted in the HomeWork Center during after-school hours only to select materials or with the express permission of the librarian in charge.
11. Adults not accompanied by children are permitted in the Children's Room only to select materials or with the express permission of the librarian in charge of the Children's Room.

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<sup>§</sup> A vulnerable adult is a person over age 18 who has an infirmity or dysfunction that significantly impairs their ability to provide for their own care or manage their behavior without assistance.

\*\* NJSA 10:5-29. Handicapped, blind, or deaf person; accompaniment by service or guide dog; use of public facilities; liabilities. Any handicapped, blind or deaf person accompanied by a service or guide dog trained by a recognized training agency or school is entitled, with his dog, to the full and equal enjoyment, advantages, facilities and privileges of all public facilities, subject only to the following conditions: a. A handicapped, blind or deaf person, if accompanied by a service or guide dog, shall keep such dog in his immediate custody at all times;...c. A handicapped, blind or deaf person who has a service or guide dog in his possession shall be liable for any damages done to the premises of a public facility by such dog.

12. No one shall sell or distribute any item on the Library premises. Solicitation of contributions or signatures, or the conducting of surveys or the solicitation of opinions for interviews is prohibited.
13. All Library materials must be charged out in accordance with established procedures before being taken from the Library.
14. All briefcases, handbags, notebooks, carryalls, overcoats, luggage, packages, and shopping bags are subject to inspection at any time by Library staff.<sup>††</sup>
15. Library staff may request users who are disruptive to identify themselves.
16. Failure to comply with one or more of the Library's regulations may result in exclusion from the library or suspension of Library privileges.
17. Implementation. The librarian in charge of an area will decide when to request a patron to leave. Patrons will be warned first unless their behavior presents a danger to library patrons or staff or unless their behavior involves intentional damage.

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<sup>††</sup> NJSA 2C:20-14. Taking person into custody for probable cause for belief of willfully concealing library material; arrest without warrant; probable cause for belief of theft; immunity from liability: a. A law enforcement officer, a special officer, or an employee of a library facility who has probable cause for believing that a person has willfully concealed library material and that he can recover the material by taking the person into custody, may, for the purpose of attempting to recover the material, take the person into custody and detain him in a reasonable manner for reasonable time. Taking the person into custody shall not render the law enforcement officer, the special officer, or the employee of a library facility civilly or criminally liable. b. Any law enforcement officer who has probable cause for believing that a person has committed the offense of theft of library material may arrest the person without warrant. c. An employee of a library facility who causes the arrest of a person for theft of library material, as provided for in this act, shall not be civilly or criminally liable where the employee has probable cause for believing that the person arrested committed the offense of theft of library material. L.1985, c. 373, 2C:20-15 Sign; posting: In order to prevent the theft of books and library material, state law authorizes the detention for a reasonable period of time any person using these facilities who is suspected of committing a theft of library material.



# New Brunswick Free Public Library

To: Library Director  
From: \_\_\_\_\_  
Date: \_\_\_\_\_  
Subject: Inappropriate Behavior Report

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On \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m., a Patron/Staff Member was behaving in the following way: \_\_\_\_\_

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

in the \_\_\_\_\_ area of the Library.

I took the following actions: \_\_\_\_\_

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

I felt the behavior was inappropriate because: \_\_\_\_\_

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

The incident was observed by: \_\_\_\_\_

They observed: \_\_\_\_\_

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

The patron was (give name and description): \_\_\_\_\_

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

I took the following actions to prevent a reoccurrence of the incident: \_\_\_\_\_

\_\_\_\_\_