



## **Fullerton Public Library Code of Conduct**

The Fullerton Public Library has adopted this policy to ensure a positive library experience for everyone who visits the Library. The Library is open to all members of the general public for the purposes of reading, writing, conducting research, studying and the use of Library materials. Everyone has the right to use Library services and resources provided her or his behavior does not unreasonably interfere with the rights of other Library patrons to do the same. To that end, the Library prohibits any behavior that infringes on the reasonable expectation by Library patrons of a quiet and safe environment free of unreasonable disruption.

Patrons shall use the Library in a responsible manner to preserve and protect the Library as an essential public resource. The Library expects its patrons to abide by the following rules. These rules are expressly promulgated to maintain the Library's peaceful atmosphere, facilitate Library usage to as many patrons as possible, preserve easy access to Library materials, and protect Library property.

Failure of Library patrons to abide by the following code of conduct while on Library premises constitutes grounds for warning to cease the offending behavior, an order to immediately leave the Library premises, and/or the revocation of Library privileges and/or Library access. For purposes of this document all uses of the term Library in this Policy shall mean the Main Library located at 353 West Commonwealth Avenue, the Hunt Library located at 201 South Basque Avenue, and all temporary or mobile facilities operated or designated by the City as a library.

The following codes of conduct applies to all patrons, guests, invitees, and members of the public within or, on, or adjacent to the Library:

### **Code of Conduct: Prohibited Personal Behavior**

- Any illegal conduct as defined by local, state, or federal law.
- Interfering with or abuse or harassment of another Library patron's use of the Library and/or with the performance by Library staff of their duties. Abuse and harassment is defined to include, but is not limited to, behaving in a manner which reasonably can be expected to disturb others, harassing or annoying others through noisy or boisterous activities, extreme physical or verbal mistreatment, kicking, hitting, gestures, yelling, spitting, intimidation, battery, assaults, slurs, verbal threats, abusive language, cursing, offensive or unwanted touching, staring at another person with the intent to annoy that person, singing, talking in monologues, and following another person about the Library premises with the intent to annoy that person.
- Sleeping in the Library or sitting or lying on the floor of the Library.
- Selling, soliciting, or any other commercial activity in the Library, including but not limited to distributing or posting printed commercial material in the Library.
- Petition-signing and/or taking surveys in the Library.
- Panhandling (meaning to approach strangers and beg for money, food, or some other item) in the Library.
- Occupying more than one space during peak times of Library use
- Blocking or impeding access to the Library, including but not limited to, blocking or impeding use of Library entrances, exits, facilities, or property.
- Lack of personal hygiene, or use of perfume or fragrance, which produces an odor that constitutes a nuisance by interfering with the reasonable use of the Library by other Library patrons, or by interfering with Library staff's ability to reasonably perform their duties.
- Unreasonably loud noise (such as from talking, cell phone conversations, banging on the furniture, and use of laptops and other media devices at a volume level that disturbs others).
- Not wearing shirts and shoes (or other footwear) at all times in the Library.
- Bringing any animal into library facilities, except for service animals that are individually trained to do work or perform tasks for an individual with a disability, in compliance with ADA (Americans with Disabilities Act) regulations. Animals that are part of a library program may be allowed in library facilities with the consent of library staff.

- Possession or display of weapons, illegal substances or drugs, or alcohol.
- Smoking tobacco or any other substance (including the use of so called “e-cigarettes,” which generally include electronic inhalers meant to simulate and substitute for tobacco smoking by utilizing a heating element to vaporize a liquid solution).

### **Code of Conduct for Personal Property**

- Food is prohibited in the Library, except in designated areas (Library Café). Covered beverages are permitted outside the technology area.
- Any items brought into the Library are subject to inspection.
- Personal possessions should not take up seating or space needed by others.
- Unattended personal property abandoned in the Library will be removed and disposed of as appropriate.
- Any items brought into the Library must not obstruct pathways or deny other Library patrons the reasonable use of the Library.
- Personal items are the responsibility of the owner, and must be within the line of sight of the owner at all times. The Library is not responsible for personal items that are lost, stolen or damaged in or on the grounds of the Library.
- Bringing more than 3 containers, packages, briefcases, parcels, bundles, or wheeled conveyances into the library which singly or collectively exceed 40” X 24” X 24” in dimension is prohibited, with the exception of wheelchairs and baby carriages/strollers used for the actual transport of a person or child.
- Bringing bicycles, shopping carts, or wagons into the Library is prohibited.
- Laptop computers and other electronic devices are permitted as long as power cables are plugged in such a way that the power cables do not unreasonably disturb and/or cause potential injury to other Library patrons or staff.

### **Code of Conduct for Library Property**

- All Library patrons must use the Library's property (e.g., facilities, materials, and furnishings) for its intended purpose. For example,

tables are not meant to be used as footrests, books and other reading material must not be damaged, torn or written in, and facilities must be maintained and left in a clean and orderly manner.

- Library furniture is not to be moved or rearranged without the approval of Library staff.
- Public restrooms are not to be used for food preparation, camping, sleeping, bathing, shaving, or washing of hair or clothes.
- Failure to return Library materials made available for loan, and/or to pay library fines or fees may result in the loss of borrowing privileges and/or computer use.
- Theft, defacement, or destruction of Library property is prohibited. California Education Code Section 19910 provides that it is a misdemeanor to cut, tear, write in, mark, deface, break or injure library property, and that the parent or guardian of a minor who willfully and maliciously commits any of these prohibited acts shall be liable for all damages so caused by the minor.
- Manipulating or bypassing Library software and/or computer systems, such as those that regulate computer use (e.g., software restricting computer use), as well as tampering with Library computer hardware or accessories, are prohibited. This includes, but is not limited to, violation of California Penal Code section 502 (Computer crimes).

### **Violations of Code of Conduct**

In the event a Library patron violates any of the provisions of this Code of Conduct, the Library Director or her/his designee, authorized by the Library Board of Trustees, may revoke library privileges (including library cards) and/or access to the Library for a period to be determined by the Library Director or her/his designees. Revocation of Library access shall be issued in a written determination notice issued by the Library Director or her/his designee if the revocation is to exceed more than one day.

The Fullerton Police Department may be called upon to assist in the enforcement of this policy, including but not limited to, citation or arrest for trespassing by Library patrons who fail to leave the Library after being asked to leave by the Library Director or her/his designee and/or staff and for violation of the Library Code of Conduct.

Violation of the Library Code of Conduct or violation of any local, state or federal law in the Library may be addressed in any of the following manners by Library staff:

- Verbal warning to cease the conduct in violation of the Code of Conduct (e.g., notification of the violation and reference to the Library Code of Conduct).
- An order to the patron in violation to leave the Library immediately and to not return for the rest of the day.
- Suspension of borrowing privileges for the patron in violation.
- Suspension of Library privileges including removal from and denial of access to, all Library facilities and services for a period to be determined by the Library Director or her/his designees.
- Criminal sanctions.

### **Conduct Which Warrants Immediate Order to Leave Library**

- Abusive or threatening language or gestures towards other Library patrons or staff.
- Physical interference, confrontation or aggression towards other Library patrons or staff.
- Failure to comply with any warning or request to cease conduct prohibited by the Library Code of Conduct, and/or failure to cease conduct which Library staff reasonably requests is ceased because the conduct is interfering with the reasonable use of the Library by other Library patrons.
- Illegal behavior under local, state, or federal law.

### **Appeal of Revocation of Library Privileges and/or Access**

A Library patron whose Library privileges and/or access have been revoked may appeal this action by submitting a completed Library Privileges Revocation Appeal [form](#) to the Library Director or her/his designee within ten (10) days from the delivery date of the revocation letter. A copy of the Library Privileges Revocation Appeal form and a self-addressed stamped envelope will be included with the revocation letter. An appeal is deemed submitted on the date that is three days after the completed appeal form is placed in the mail addressed to: Fullerton Public Library, c/o Library Director, 353 W. Commonwealth Ave., Fullerton, CA 92832, or on the date the completed

appeal form is scanned and emailed to: [libraryreference@cityoffullerton.com](mailto:libraryreference@cityoffullerton.com) or the date the completed appeal form is personally delivered to a Library staff member at the Library by a person whose Library privileges have not been revoked.

Upon receipt of a completed Library Privileges Revocation Appeal [form](#) the Library Director or her/his designee will transmit the appeal form along with the revocation letter and all supporting documentation to the City's Administrative Hearing Officer which is the City Manager or designee via the City Manager's office within 30 working days and will convene an Administrative Hearing within 15 days thereafter. At the Administrative Hearing, the appellant and Library Staff will both have an opportunity to present their cases verbally and introduce witnesses and documents. The Administrative Hearing decision shall be issued in writing within 10 working days after the hearing and will be sent to the address on the submitted Library Privileges Revocation Appeal Form.

Approved by the Library Board of Trustees | Date: September 26, 2024.