

Fulton County Library System

CODE OF CONDUCT POLICY

SECTION 1. INTENT This code of conduct and the rules contained herein shall apply to patrons visiting all branches of the Fulton County Library System, including the Central Branch. Library patrons are expected to be engaged in activities associated with the appropriate use of public libraries while in any of the facilities, including reading, studying, using library materials and computers, and participating in library programs.

In order to ensure public safety and security and to provide a suitable environment for appropriate library use, the Fulton County Library System will require compliance with all state and local laws. Unlawful behavior will be reported to the police immediately and arrest may result. Violation of this Code of Conduct may result in the violator being banned from all Fulton County libraries for six months, one year, or permanently.

SECTION 2. PERMISSIBLE ACTIVITIES

Patrons are welcome to:

- (a)** Ask questions of staff and receive needed information in the library
- (b)** Borrow materials by using a library card through FCLS established lending procedures
- (c)** Bring children and teens to the library for materials and programs
- (d)** Comply with House Bill 60, the Safe Carry Protection Act of 2014, when visiting libraries
- (e)** Use the materials in all public areas of the library, under the following conditions; The Fulton County Public Library System is committed to ensuring the safety of all of its patrons, with a special emphasis on the safety of children in our libraries. For that reason, the materials, services and equipment in the children's areas are intended primarily for the use of children, their parents and/or caregivers. Others needing to access materials or services specific to the children's area do so with the understanding that the library staff will determine whether or not a particular use or activity is appropriate in the children's area. Thus, patrons may be asked to use alternative areas of the library, at the discretion of the library manager or designee.
- (f)** Read, study, type, and write while using library materials

(g) Read materials held behind the desk or other off-site locations to maintain their availability and reading access for all interested patrons, who will be required to provide a valid piece of identification which will be held behind the desk until the item(s) is(are) returned

(h) Register for and use free library computers

(i) Speak quietly whenever in the library and whenever on cell phones, which should be used for calls only near restrooms and lobby areas

SECTION 3. PROHIBITED ACTIVITIES WHICH ARE CRIMINAL

Patrons are prohibited from:

3.1 Engaging in any criminal or unlawful behavior on library premises, or using any library property such as facilities, technology, or printed or digital materials to engage in such behavior, including but not limited to the following actions:

3.2 Engaging in nudity, sexual acts or behavior, using profane language or entering the library without proper attire. Proper attire is wearing apparel in conformance with the standards of the community for public places and includes wearing shirt and shoes and having clothing properly fastened. Indecent exposure is prohibited but this shall not prohibit the breastfeeding of a child in public which is permitted by OCGA Section 31-1-9

3.3 Bringing a weapon into any library unless explicitly authorized by law; box cutters, knives, machetes, scissors, razors, and shaving razors are prohibited

3.4 Changing clothes or washing clothes, bathing, or shaving in public restrooms, spending a prolonged length of time in, or misusing public restrooms, damaging the function of restroom fixtures or damaging the fixtures themselves

3.5 Consuming or possessing alcohol or illegal drugs or to be intoxicated or under the influence of alcohol or illegal drugs on library premises. However, this shall not include consuming alcohol at a library-sanctioned event.

3.6 Damaging, defacing, or destroying the inside or outside of any library structure, or damaging, defacing, or destroying, stealing or intentionally tampering with any library property, patron's property, or library staff's property

3.7 Stalking, following, or prolonged staring that could reasonably be expected to annoy, disturb or intimidate patrons or staff

3.8 Harassing staff, employees or officials of Fulton County, volunteers or Library Trustees in person, by telephone, by U.S. Mail or email, or otherwise violating OCGA Section 16-11-39.1, Harassing Communications

3.9 Engaging in any physically intimidating or assaultive behavior, or making any threats of violence or unlawful activities. The Library System has a policy of zero tolerance for threats and acts of violence. Any person engaging in such behaviors will be required to leave the library immediately.

3.10 Committing criminal trespass by refusing to leave the library after being asked to do so by staff

SECTION 4. OTHER PROHIBITED ACTIVITIES

4.1 Bringing animals or pets into the library, except housebroken service dogs that have been individually trained to do work or perform tasks directly related to their owner's disability with verifiable documentation of the animal's service status pursuant to the Americans Disabilities Act (ADA). Such dogs must be under the control of their handlers at all times; a service dog may be removed if the animal is out of control and the animal's handler fails to gain control of the animal. Animals whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA and therefore are prohibited from being brought into the library. Animals authorized to be part of a library-sponsored program are not subject to this prohibition.

4.2 Bringing infested personal items into the library

4.3 Bringing into the library personal items that do not fit comfortably under your chair, including bedrolls, blankets, frame backpacks and suitcases (*a maximum of two bags will be permitted, each measuring no more than 12"X 24"*)

4.4 Bringing large duffle bags, shopping carts, wagons, wheeled carts and plastic bags larger than standard grocery bags into the library

4.5 Consuming food or carrying open food or beverage containers except in lobby vending areas or areas designated for such activity

4.6 Displaying disruptive behavior so as to disturb other patrons

4.7 Distributing or posting printed materials or literature not approved by library staff

4.8 Entering staff areas, offices or supply areas unaccompanied by staff

4.9 Neglecting bathing hygiene to the extent that such neglect constitutes a nuisance to others

- 4.10** Interfering with another person's use of the library or with the library staff's performance of duties
- 4.11** Leaving a child under nine years of age *unattended* in the library; however, children between the ages of 9-13 cannot be unattended for more than 2 hours (Caregivers must be at least 14 years of age.)
- 4.12** Leaving a child or young adult under the age of 17 at the library *after closing time; Remaining* in the library after closing time
- 4.13** Leaving personal items unattended (Library staff are not responsible for the personal items of the public)
- 4.14** Loitering in any area of the library and/or on library premises
- 4.15** Monopolizing library equipment, materials, facilities, outlets, or spaces such that other patrons and staff are unable to use them; no more than two outlets may be used at a time
- 4.16** Obstructing library entrances or exits
- 4.17** Panhandling, selling, or soliciting for services, money, or items
- 4.18** Playing cards or games of any kind unless part of a FCLS sponsored or approved program
- 4.19** Unapproved arranging or disarranging library furniture or using furniture in ways not intended or for unapproved purposes
- 4.20** Riding wheeled devices such as scooters and skateboards anywhere inside or outside of library property; they must be carried
- 4.21** Sleeping in the library
- 4.22** Smoking, vaping, using e-cigarettes or using tobacco products of any kind
- 4.23** Speaking loudly on cell phones or allowing a cell phone to ring excessively or repeatedly in the library
- 4.24** Taking library materials into the restrooms or removing library materials from the premises without authorization through FCLS established lending procedures
- 4.25** Taking videos and/or photos of minors without the permission of their parent or guardian, taking videos and/or photos of any individual over said individual's objection, or using cell phones, computers, or audio equipment that produce excessive noise or constitutes harassing behavior
- 4.26** Using a wheelchair, walker or stroller to transport items or personal belongings unless such apparatus is needed because of a child or disability
- 4.27** Violating the directives listed in the Meeting Room Policy and/or Internet Use Policy

SECTION 5. BANNING PROCEDURE

Failure to comply with this Code of Conduct may result in an individual being banned from one or multiple Fulton County libraries. Either repeated misconduct incidents or one single severe offense may result in individuals being banned from the library.

Notwithstanding an effective ban, any conduct that threatens the life or safety of any person or that is damaging to library property, equipment or facilities may result in immediate expulsion from the library premises by staff. Staff will call the police for illegal behavior or when an individual refuses to leave when told by staff to do so.

The following process shall be followed when an individual is being banned from one or more library locations:

- (1) **Ban Letter Issued** A written letter from the Library Director or his or her designee will be sent by U.S. Certified Mail to the FCLS's last known address of the individual, notifying the individual that he or she is banned from one or more libraries of the Fulton County Library System. The ban letter will indicate the reasons for the ban, the effective date of the ban, which will be effective immediately, the length of the ban, and the process for filing an appeal. If FCLS has no address for the recipient of the ban letter, the ban letter and other notices regarding the ban will be delivered by other means such as email or posted on the library premises.
- (2) **Branch Managers Notified; Director Either Agrees with Ban, Modifies Ban or Rescinds Ban** A copy of the ban notice will be emailed to the Library Director, all branch managers, and group administrators to notify them of the ban, including a description of the underlying behavior, the name and a physical description of the banned individual, and the time period of the ban. This notification should be provided on or prior to the effective date of the ban. If the Library Director agrees with the reasons for the ban and the length of the ban, then the Director shall take no further action. If, after consultation with staff, the Director deems it appropriate to rescind or modify the terms of the ban, the Director shall notify the banned individual in writing, as well as all branch managers and group administrators. The Director shall also notify the banned individual in writing of the process for

appealing a modified ban. The ban shall remain in effect during the appeal process.

- (3) **Alternative Juvenile Banning Procedure with Discretionary Restricted Library Use for Juveniles:** As an alternative to banning a juvenile, a branch manager and a staff member may restrict a juvenile from use of a specified library site without their parent or guardian present for a period of 30 days for the first offense and 90 days for a second offense. The juvenile whose library use is restricted may use the library during the specified period only when the juvenile is accompanied by their parent or guardian who is not banned. The juvenile's parent or guardian must be notified of the restriction in writing by U.S. Certified Mail. Failure to abide by the restriction may lead to banning of the juvenile from all library premises.

SECTION 6. BANNING PENALTIES

6.1 WARNING A warning will be given for up to three violations of Section 4 which do not involve public safety or damage to property. A record shall be kept in the office of the Library Director or in a central location as determined by the Library Director of all such warnings issued.

6.2 Banned for Six Months A 6-month ban shall be imposed for:

- (a) the third violation of Section 4, Other Prohibited Activities, whether the three violations occurred on the same day or over a period of time; or
- (b) any Section 4 violation which involves public safety or damage to property; or
- (c) a single criminal violation of Section 3, Prohibited Activities Which Are Criminal

6.3 Banned for One Year or A Permanent Ban shall be imposed for:

- (a) any serious violation or violations in Section 3 which relate to public safety and security; or
- (b) multiple violations of Section 4

SECTION 7. APPEAL PROCESS FOR BEING BANNED FROM LIBRARIES

(1) Notice of Appeal

The banned patron (appellant) may appeal a ban by sending a written notice of appeal to the Fulton County Library System Board of Trustees (Library Board) within 10 days after the effective date of the ban. A copy of the written notice shall also be sent by the appellant to both the Library Director and the Chair of the Library Board, in care of Fulton County Library System, One Margaret Mitchell Square, Atlanta, GA 30303. If a modification of the ban by the Library Director does not resolve the appeal, the Library Board shall hold a hearing on the appeal at whichever of its next regularly scheduled meetings is at least 10 days following the Library Board Chair's receipt of the Notice of Appeal. Postponement of the hearing shall be granted within the discretion of the Library Board Chair for good cause only.

(2) Hearing

The hearing shall be presided over by the Chair of the Library Board and shall conclude after a reasonable amount of time as determined by the Chair of the Library Board. The appellant may present documentary information and verbal statements for the Library Board's consideration. The hearing shall be administrative in nature and strict rules of evidence shall not apply. The proceedings shall be recorded by the Library Board's official reporter.

(3) Decision

Within 30 days of the completion of the hearing, the Library Board shall issue a written recommendation to the Library Director as to whether the ban should remain, be modified or reversed. The Library Director shall have the power to affirm the original decision to ban the appellant or follow the recommendation of the Library Board. The Library Director shall notify the Library Board in writing of the final decision within 14 days of their receipt of the Library Board's recommendation, but if the Library Director rejects the recommendation of the Library Board, s/he must include an explanation for the rejection with the notification to the Library Board. The Library Director's decision to affirm and/or follow the recommendation of the Library Board shall be final and notice of the same shall be provided to the appellant, branch managers and group administrators.

This policy approved the 15th day of December, 2021



Chip Joyner, Chair, Fulton County
Library Board of Trustees