

**A. PURPOSE**

1. The Elkhart Public Library (the “Library”) strives to provide a welcoming environment in which Library staff serve people of every background, opinion, socio-economic status, appearance and lifestyle. To do so, certain standards of behavior, decency, respect and decorum will be maintained.
2. This Code of Conduct is designed to protect the rights of individuals in the Library who use Library materials, attend programs, events and meetings and/or access services, to protect the rights of staff members to conduct Library business without interference, and to preserve and protect Library materials, facilities, and property.
3. The Library is not responsible for loss, theft, or damage to personal property.

**B. DEFINITIONS**

1. Common nuisance: The unreasonable, unwarranted and/or unlawful use of property, causing inconvenience or damage to other people or the Library facilities.
2. Harassment: Broadly defined, a course of conduct which annoys, threatens, intimidates, alarms, or puts a person in fear for their safety; it is unwanted, unwelcomed and uninvited behavior that demeans, threatens or offends the victim, staff or general public.
3. Mobility Device: A device used by individuals with mobility impairment for the purpose of transportation (this may include, but is not limited to: wheelchairs, walkers, strollers, and/or motorized scooters). A mobility device may be powered by the individual or some other source.

**C. POLICY**

1. To ensure all patrons and visitors are able to use Library resources and services effectively, and to provide a safe environment in which staff may conduct their duties and responsibilities to the Library, the Library requires all visitors to comply with all applicable federal, state and local laws as well as this and other applicable library policies.
2. To maintain a welcoming, accessible, and safe environment, containers, packages, luggage, parcels, or other items must not collectively exceed the dimensions of 26” x 18” x 12” while on Library property.
  - a. All briefcases, handbags, luggage, packages, overcoats and shopping bags may be subject to inspection by Library staff, law enforcement, or on-duty security.

- b. Mobility devices may be only used for their intended purpose within the Library.
  - c. Bicycles, shopping carts, or other large wheeled conveyances may not be brought in the Library. Bicycles must be stored and secured in the designated bicycle racks.
  - d. Skates, skateboards, collapsible scooters, hover boards, and other similar devices must be carried while on Library property.
  - e. Staff may make exceptions to accommodate library approved functions, meeting room reservations, and Library programs.
3. Behavior interfering with Library services and activities (including the ability of Library staff to perform their work and the ability of other patrons to effectively use and enjoy the Library facilities without interruption) is prohibited in all areas of the Library buildings, parking lots, and other Library property, as well as offsite Library functions or events. This includes the following:
- a. Unauthorized removal or attempted removal of materials without proper checkout or other official Library authorization; mutilation, defacement or misuse of Library property; obstruction of the use of Library equipment, resources or facilities.
  - b. Being in an unauthorized area; remaining in the Library after closing or after being asked to leave; or refusing to evacuate in an emergency or during an evacuation drill.
  - c. Disorderly or disruptive conduct, such as noisy or boisterous activities that a reasonable person would find disturbing.
  - d. Obscene or abusive language, acts, or items.
  - e. Possession, use, or being under the influence of alcohol or illegal drugs.
  - f. Use of Library furniture, equipment, technology and devices, or facilities in a manner for which they were not intended or designed, including, but not limited to, lying on furniture or the floor.
  - g. Sleeping (exceptions may be made for children attended by caregivers).
  - h. Poor bodily hygiene, or unsanitary personal conditions, behavior, or items that create or may reasonably be expected to create a nuisance to Library staff, Library patrons, and/or the general public.
  - i. Excessively strong perfume or other scents that create a nuisance or may be reasonably expected to create a nuisance to Library staff, Library patrons, and/or the general public.
  - j. Entering the Library without being fully clothed and/or wearing attire that a reasonable person would find inappropriate, suggestive, vulgar, excessively revealing, or in violation of public indecency statutes, regulations and ordinances.
  - k. Leaving personal items unattended and/or storing personal items within the Library.
  - l. Disregarding federal, state, and local laws, rules regulations, ordinances, policies and procedures, including, but not limited to, fire regulations.
  - m. Threatening or intimidating others (such as; abusive language; threats of violence; harassment; stalking, excessive staring at or following others through the building; unwanted or inappropriate touching, sexual advances, innuendo, or jokes), or

engaging in any behavior that is potentially unsafe or harmful to self, Library staff, Library patrons or the general public.

- n. Physical illnesses or behavior resulting in a threat to public health, safety, or general welfare or the health, safety or welfare of Library staff or Library patrons.
  - o. Any other behavior or items constituting a common nuisance or creating a potential safety hazard.
4. Consumption of food items in the Library is prohibited except as part of a Library-sponsored event or as allowed by the Meeting Room Policy.
5. Failure to comply with the Library's established standards of acceptable behavior may result in removal from the Library and serve as grounds for restriction of Library privileges.
6. The length of the suspension of Library privileges and/or removal from the Library premises shall depend on the nature and seriousness of the offense, the extent or nature of the disruption caused, any history or prior infractions of this policy or other Library policies, and any other relevant circumstances.
- a. If the Library staff determines it necessary to contact law enforcement to intervene and resolve matters addressed by this policy, the offender will receive a one (1) year trespass warning from the police.
  - b. Individuals who have been asked to leave the Library for more than one day for any combination of offenses shall, on the next offense, be asked to leave for a longer period of time.
  - c. People entering Library facilities or grounds before the end of the banning period may be subject to a charge of criminal trespass pursuant to I.C. 35-43-2-2.
7. Individuals banned for one year or more may submit a written appeal to the Director within ten (10) business days of the start of the ban. The Director will send a written decision within ten (10) business days of the submitted appeal. Individuals may appeal the Director's decision by submitting a written appeal to the President of the Library Board of Trustees within ten (10) days of the Director's decision. The President will send, on behalf of the Board, a written decision within ten (10) business days after the appeal. The President's decision, on behalf of the Board, is final.
8. Notice of the Code of Conduct is to be posted at all Library locations.
9. See also the following documents regarding acceptable practices while visiting Elkhart Public Library: *Unattended Children Policy*; *Internet Access Policy*; *Public Telephone Use Policy*; *Service Animals and Pets Policy*.

#### D. ADOPTION

- 1. Adopted by the Elkhart Public Library Board of Trustees: October 18, 2022
- 2. Supersedes Code of Conduct adopted July 19, 2022
- 3. Supersedes Code of Conduct adopted September 15, 2020
- 4. Supersedes Code of Conduct adopted July, 16, 2013

5. Supersedes Code of Conduct adopted August 18, 2010
6. Supersedes Code of Conduct adopted January 23, 2007
7. Supersedes Code of Conduct adopted July 17, 2001
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