

RESOLUTION NO. 2025-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON,
CALIFORNIA, ADOPTING A CITY COUNCIL POLICY REGARDING
MATERIALS DISPLAY AND DISTRIBUTION IN CITY FACILITIES

WHEREAS, this policy seeks to clarify and formalize standards regarding use of public areas in City facilities for materials display and distribution in City facilities.

WHEREAS, the City of Fullerton maintains multiple public facilities including City Hall, libraries, police and fire stations, community centers and recreation sites. These facilities primarily provide governmental use and the City has an interest in ensuring these locations do not transform into public forums through unmanaged distribution of private or non-governmental materials.

WHEREAS, this policy defines allowable materials, establishes designated distribution and / or display areas, and outlines a clear approval and appeal process.

WHEREAS, this policy reinforces the City's role as a neutral provider of public services while preserving the integrity and order of government-operated spaces.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FULLERTON RESOLVES AS FOLLOWS:

1. The above recitals are true and correct and a substantive part of this Resolution.
2. City Council adopts the attached City Council Policy Regarding Distribution and Display of Materials in City Facilities.

ADOPTED BY THE FULLERTON CITY COUNCIL ON APRIL 1, 2025.

Fred Jung
Mayor

ATTEST:

Lucinda Williams, MMC
City Clerk

	<p>City Council Policy</p> <p>Subject: DISPLAY AND DISTRIBUTION OF MATERIALS IN CITY FACILITIES</p>	<p>No. xx</p> <p>April 1, 2025</p>
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Related policies:

Administrative Policy #22

Library Materials Selection and Deselection Policy

Purpose

The purpose of this policy is to establish standards concerning the use of city owned facilities for the display and distribution of free non-governmental materials.

As part of the City of Fullerton’s desire to keep the public informed about matters that may be of interest to Fullerton residents, the City recognizes the value of maintaining a limited area for the distribution of informational publications which are public in nature. Because of space limitations the City must set limits and priorities for the distribution of materials. The City does not provide space for free publications from outside sources except as provided herein.

This policy establishes the types of publications that may be distributed within the designated areas. Nothing in this policy is intended, and this policy shall not be interpreted, to transform the nature of any city facility into something other than a non-public forum.

Guidelines

The following are guidelines established by the City Council of the City of Fullerton for the use of the above designated areas within city facilities for the distribution of informational material:

1. Areas Designated for Governmental Materials Only. The lobbies, foyers, and waiting rooms of all city facilities including City Hall and each department therein, the Main library and Hunt Branch library, the Community Center, Tennis Center, Police Station, Fire Station, Independent Park gymnasium, and all other park and recreational facilities are areas designated for the display and distribution of free informational governmental materials only.
2. Community Corkboard. The Main Library provides a community corkboard for display only of non-governmental materials of community interest subject to the size limitations on paragraph 5. The display or distribution of non-city or non-governmental materials does not indicate that the City endorses any cause, activity, or position set forth in the materials.

Materials may be displayed on the cork board for one week only. On the Friday of each week, the materials on display will be removed so that others have the opportunity to display their material the next week. Displays will only occur on a first-come basis. In the event that there are no more available space, the materials will not be displayed.

3. No liability. The City is not responsible for the damage, theft, or loss of any materials. This City is not responsible for returning undistributed materials.
4. Materials Selection. The City does not provide space for distribution of free publications from outside sources except as provided in paragraph 2 of this Policy or as set forth herein. Non-governmental publications may be submitted for display in a library subject to the Library Materials Selection and Deselection Policy.
5. Size. The materials must be in brochure, pamphlet, flyer, and/or business card formats, and must not exceed 8.5" x 14" in size.
6. Solely Governmental Materials. Excepting the community corkboard, no materials provided by any non-governmental organization will be permitted on or in the designated areas identified in paragraph 1 of this Policy. Acceptable materials for dissemination include City-sponsored programs and events; materials from other governmental agencies – e.g. City, County, State, and Federal; publications authored by a public utility company providing service in the City of Fullerton; information published by the League of California Cities, information and instructional materials from schools or libraries in the Fullerton area (“school” is defined by the California Department of Education at <http://www.cde.ca.gov/ds/si/ds/dos.asp>). The name of the government affiliated organization that authored the publication must be clearly identified on the publication.
7. Authority. All materials placed in the areas designated in paragraph 1 must be approved by the Public Information Officer. All items placed in the designated area of a city library must be approved by the Library Director. The City Clerk should be consulted if there is doubt about the suitability of a particular item. A decision by the Public Information Officer or Library Director denying placement of publications may be appealed to the City Manager.
8. Staff Responsibility. City staff shall be responsible for placing the materials on the designated shelves, corkboard, or area and removing outdated material. The provider may furnish any display holder it desires for its materials so long as the display holder is of an appropriate size, shape, and material and that there is sufficient display space for materials received.
9. Solely Government Speech. Other than materials provided by the City of Fullerton or Fullerton Library or as otherwise provided in this Policy or as required by law, no materials intended to be given to or seen by the public may be placed by any person or entity in any area of any city facility.
10. Removal. City staff has the right to remove and dispose of any materials that fail to meet these standards in any way. The City is not responsible for returning undistributed materials.