

Introduced by: Ms. Durham
Date of introduction: March 24, 2020

ORDINANCE NO. 20-

TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 7 (“PROPERTY MAINTENANCE CODE”), SECTION 7.01.002. (“AMENDMENTS TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE”), CHAPTER 3 (“GENERAL REQUIREMENTS”), SECTION PM 302.10. (“OUTSIDE STORAGE OF HOUSEHOLD ITEMS.”) TO PROVIDE FOR LITTLE FREE LIBRARIES AND NEIGHBORHOOD BOOK EXCHANGE BOXS

WHEREAS, New Castle County recognizes the importance of reading and strong communities in creating a high quality of life, and for building and maintaining great neighborhoods; and

WHEREAS, when children grow up in book-rich environments, literacy rates are typically high; and

WHEREAS, access to books has been cited as the number one predictor of a child’s ability to thrive in school; and

WHEREAS, access to books remains a problem in many parts of our County, especially for children living in low income areas – nearly 2/3 of children living in poverty have no books at home; and

WHEREAS, in an attempt to promote such access, New Castle County hereby recognizes the mission of non-profit organizations such as Little Free Library Ltd., which help to inspire a love of reading, to build a sense of community, and to spark a spirit of creativity by fostering neighborhood book exchanges around the world through programs such as “Little Free Libraries®”; and

WHEREAS, programs such as Little Free Libraries® and similar book sharing box exchanges allow millions of books to be circulated each year, which profoundly increases access to books for readers of all ages and backgrounds; and

WHEREAS, in New Castle County, we believe everyone deserves a book to read, and book sharing boxes such as Little Free Libraries® would provide access to books in areas where they otherwise are scarce or nearly non-existent, and thereby will motivate children and others to read, and, consequently, will help to deepen community connections; and

WHEREAS, New Castle County, in seeking to foster a sense of community and a love of reading and, thereby, increase literacy rates, hereby seeks to clarify that book sharing box exchanges are encouraged and, moreover, are permissible under *New Castle County Code*.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. *New Castle County Code* Chapter 7 (“Property Maintenance Code”), Section 7.01.002. (“Amendments to the International Property Maintenance Code”), Chapter 3 (“General Requirements”), Section PM 302.10. (“Outside Storage of Household Items.”) is hereby amended by adding the underlined language and deleting the language that is stricken, as set forth below.

Section PM 302.10. Outside storage of household items. The outside storage of items designed and manufactured to be used and stored in an enclosed building is prohibited in any residential zoning district. Such items include, but are not limited to, the following: appliances or interior furniture, housewares, exercise equipment, plumbing fixtures, irrespective of age or condition.

Section PM 302.10.1. Book sharing box exchanges. The establishment and maintenance of Little Free Libraries® and similar book sharing boxes intended for use as book exchanges, as suggested in the guidelines set forth by the non-profit organization “Little Free Library, Ltd.”, are expressly excluded from the prohibitions established by Section PM 302.10, and, as such, are allowed to be placed on private property, subject to the requirements set forth in subsections a. and b.

- a. Little Free Libraries® and similar book sharing boxes must securely protect their contents from rainfall and other weather hazards, be safely secured, e.g. to the ground or a wall, and be clearly marked in such a way to clearly indicate that the box is a book sharing box and part of a book exchange. Little Free Libraries and similar book exchange boxes may be placed on private property only by or with the permission of the property owner. Little Free Libraries® and book exchange boxes must be placed in well-lit and safe areas within eight (8) feet of a public street.
- b. By establishing a Little Free Library® or similar book exchange, the property owner is automatically establishing an easement for public access to the Little Free Library® or book exchange box. In addition, law enforcement officers shall be provided unfettered access to all Little Free Library® and similar book exchange boxes, when the circumstances so warrant.

Section 2. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Adopted by County Council
of New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: A primary goal of this Ordinance is to promote access to books for all ages, especially youth, to increase the love of reading and to combat illiteracy in New Castle County. This Ordinance aims to accomplish these goals by amending Chapter 7 of the *New Castle County Code* to allow for neighborhood book exchanges, which are commonly referred to as little free libraries.

FISCAL NOTE: There is no discernable fiscal impact.