

Meeting Room Policy of the Rutherford Public Library

Introduction

Rutherford Public Library has one publicly available meeting room, also referred to as the Auditorium. This policy is for the use of the Auditorium by outside groups and does not apply to Library programs, groups affiliated with the Borough of Rutherford, or approved Rutherford Public Library-affiliated groups such as the Friends of the Library of Rutherford and the Rutherford Public Library Foundation. The name "Auditorium" refers only to the meeting room itself and does not extend to the outside courtyard, which belongs to the Borough of Rutherford and cannot be reserved.

The Board of Trustees of the Rutherford Public Library reserves the right to change any or all of the Meeting Room Policy without notice. The Director is responsible for the administration of this policy, for establishing administrative procedures for its implementation, and for making it available to the public. Only the Board of Trustees of the Rutherford Public Library may approve appeals or exceptions to the policies stated in this document. The Library may limit meetings for any particular organization to promote the accessibility of the Auditorium to a wide variety of Rutherford community groups. The Library endorses the American Library Association's statement on meeting rooms (Addendum). The Board of Trustees of the Rutherford Public Library does not endorse the views of any group using the meeting room.

Mission Statement

The Rutherford Public Library provides a meeting room for public use. The Meeting Room Policy is developed in accordance with the Library's mission, to provide equal access to information, resources, entertainment, support, and space to members of the Rutherford community. The Meeting Room is available to all Rutherford nonprofit groups on equal terms regardless of opinion or affiliation.

Failure to Comply

Failure to comply with this policy and the accompanying procedures may result in denial of future use of the Library Auditorium, financial liability for damages, and/or immediate removal from the room.

Appeal

A group denied permission to use the Auditorium may file an appeal in writing, setting forth the reasons for the appeal in accordance with this policy, to the Board of Trustees at least one (1) week prior to a regular Board meeting. A copy must be sent to the Director. The Trustees will review the appeal and notify the organization of its decision in writing. The decision of the Board of Trustees is final.

Eligibility

The Library Director will review all requests for meeting room use and determine eligibility prior to granting approval. The Director will refer to the Board of Trustees any request that in their

opinion presents a substantial question. The Board of Trustees will be the final authority in granting or refusing permission to use the Library's meeting room. The Rutherford Public Library Auditorium is for use on a reserved-only basis. In order to accommodate as many requests as possible, groups are limited to four (4) uses of the Auditorium per calendar year.

Fees

There is no charge for use of the Auditorium. Donations to the Library are welcomed and appreciated. No fees or donations may be charged or solicited from persons attending meetings in the meeting room. Exceptions may be made for meetings sponsored by the Rutherford Public Library or its affiliated organizations.

Waiver

The Library does not assume liability for personal injury or damage to personal property, which occurs as a result of the actions of the sponsors or participants in meetings scheduled at the Library. A Hold Harmless Agreement needs to be signed by the person responsible for the group and an adult witness. Library staff may not serve as witnesses. If Library equipment is to be used, a Hold Harmless Agreement for the equipment must also be signed.

Reservations

Reservations must be made by an adult member of the group. The person applying shall be the contact person, unless specified otherwise, and is the only person authorized to make changes to room arrangements. All groups must submit a completed Meeting Room Application to the Library Director. These requests will be considered in the order received. Reservations may be made no more than 60 days in advance of the scheduled event and are on a first-come, first-served basis. In order to accommodate as many requests as possible, groups may make no more than four reservations per year. Library sponsored programs will have preference over all outside events. Groups must notify a Library staff member if a meeting has been canceled. The Library reserves the right, with 24-hour notice, to cancel permission to use a meeting room and or/to substitute facilities. The Library is not responsible for last-minute cancellations due to emergency closings.

Hours

The Auditorium is available during regular Library hours only. Groups must vacate the room 15 minutes before closing.

Unscheduled Closing

If the Library is closed due to inclement weather or an unforeseen emergency, use of the Auditorium is automatically canceled. If this happens, as much notice as possible will be given to the group contact person on record with the Library. Closings are recorded on the Library voicemail, social media accounts, and website when possible.

Activities

While using the meeting room, no admission may be charged; no products or services may be advertised, solicited or sold. The meeting room shall not be used for entrepreneurial or commercial purposes, for the solicitation of business, for profit or for fundraising (except for

fundraising by the Library or Library-associated organizations). No goods or services shall be promoted or sold upon the premises or by sample, pictures, or descriptions. Smoking, alcoholic beverages, and illegal drugs are prohibited on Library property. Groups shall abide by all applicable laws, ordinances, codes, and other rules.

Violations

Violations of this Meeting Room Policy as determined by the Library Director or their designee may result in the immediate removal of the group from the meeting room and Library. Violators are also subject to prosecution for violations of any local ordinances, state, or federal law. Solicitations for signatures on petitions are not allowed on Library property.

Responsibilities

Persons attending activities in the Auditorium of the Rutherford Public Library are subject to all Library rules and regulations. Use of the room must not disrupt the use of the Library by other patrons. Each group shall designate an adult (age 18+) who will be responsible for the behavior of participants. Materials are not to be attached to walls, windows, doors, or furnishings except at the direction of authorized Library staff. Groups and individuals using the Library Auditorium are responsible for basic cleanup and returning the room to order. Furnishings should be returned to the position in which they were found. Any equipment or displays brought in for a meeting must be removed at the end of the meeting. The Library is not responsible for lost or stolen items.

Damages to the premises, equipment, or furnishings as a result of meeting room use will be charged to the group responsible. The group or organization and its members, jointly and severally, will assume and bear responsibility for loss of, or injury, or damage to, any property of the Library caused or inflicted by the organization, its members, affiliated persons, guests, or invitees. The Library reserves the right to refuse or discontinue any use which is disruptive to the normal operation of the Library, destructive to the building or equipment, or if information is falsified on the meeting room application. Meeting room use that generates excessive noise will be considered disruptive. Failure to vacate a room as scheduled will be considered disruptive. The Rutherford Library is not responsible for providing extra chairs, tables, equipment, etc., needed for the group's functions beyond the existing tables, chairs, equipment, etc. located in the Library Auditorium at the time/date the registration form request is submitted by the group or individual. With prior permission by the Director, groups may temporarily bring extra tables, chairs, equipment, etc. needed for a particular meeting. All non-Rutherford Public Library property brought onto the premises must be immediately removed from the room after the meeting is finished.

Equipment

It is the responsibility of the applicant to provide necessary equipment if it is not available at the Library. The Library provides wireless access to the Internet which patrons may use with their own equipment. Patrons are responsible for configuring their own computers. Library staff cannot assist patrons with connections or troubleshooting.

Room Capacity

Maximum capacity for the Auditorium is 100 people seated in rows, or 48 at tables and chairs. Please note: limits will be enforced to ensure safety according to fire codes established by the Rutherford Fire Department.

Refreshments

Light refreshments may be served, but all food and non-alcoholic drinks including coffee are the complete responsibility of the group using the room. No food is to be left in the Library Auditorium after the completion of a meeting.

The Auditorium's kitchenette may be used while renting the space, but care must be taken to protect the facility. Groups must promptly wipe up any spills and avoid putting anything other than liquid down the drain in the sink; please note, this includes coffee grounds, oil, and grease. All trash must be placed in the appropriate containers. Storage of outside materials in the kitchenette is prohibited.

Advertising, Publicity & Endorsements

Groups using the Library meeting room must not use advertising and publicity materials which imply that their programs are sponsored, co-sponsored, or approved by the Library, unless written permission to do so has been previously given by the Director. The fact that a group or organization is permitted to use the Auditorium shall not in any way constitute an endorsement of the beliefs or affiliations of such group or organization. The following disclaimer must be added to all promotional materials: "Rutherford Public Library does not advocate or endorse the viewpoints of outside meetings or meeting room users."

Storage

The Library will not provide storage for any outside group. Exceptions may be made for Library-affiliated groups upon approval of the Director.

Set-up & Clean-up

Tables and chairs will be provided. The Library will not provide room set-up. It is the responsibility of the renting group to set up and clean up the room in accordance with the procedures set forth in this policy.

This policy was approved by the Rutherford Public Library Board of Trustees on June 26, 2023 and supersedes all previous Meeting Room Policies.

Addendum

Meeting Rooms: An Interpretation of the Library Bill of Rights

Many libraries provide meeting rooms and other spaces designated for use by the public for meetings and other events as a service to their communities. Article VI of the Library Bill of Rights states, "Libraries which make ... meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use." Libraries do not advocate for or endorse the viewpoints expressed in meetings by meeting room users, just as they do not endorse the viewpoints of works in their collections. The presence and activities of some groups in public spaces, while constitutionally protected, can cause fear and discomfort in some library users and staff. Libraries should adopt and enforce user behavior policies that protect library users and staff from harassment while maintaining their historic support for the freedom of speech.¹ This interpretation provides general guidelines regarding meeting rooms and other spaces for public gatherings, and it does not constitute legal advice.

Publicly funded libraries are not obligated to provide meeting room space to the public. If libraries choose to do so, such spaces are considered designated public forums², and legal precedent holds that libraries may not exclude any group based on the subject matter to be discussed or the ideas for which the group advocates.^{3, 4} However, if a group's actions during a meeting disrupt or harass others in the library, library policies regarding acceptable behavior may apply. If libraries adopt policies that are perceived to restrict potentially controversial groups' access to meeting rooms, they may face legal and financial consequences. Allowing religious groups to use library meeting rooms and spaces does not constitute a breach of the First Amendment's Establishment Clause.⁵

Libraries offering meeting rooms and spaces should develop and publish policies governing use after consultation with legal counsel. These policies should properly define time, place, or manner of use; such restrictions should not pertain to the content of a meeting or to the beliefs or affiliations of the sponsors. Policies should be regularly reviewed with staff and made available to the public in all of the commonly used languages within the community served.

Libraries should write policies in inclusive rather than exclusive terms. A policy that the library's facilities are open "to organizations engaged in educational, cultural, intellectual, charitable, advocacy, civic, religious, or political activities" is an inclusive statement of the limited uses of the facilities. For example, if a library allows charities and sports clubs to discuss their activities in library meeting rooms, then the library should not exclude partisan political or religious groups from discussing their activities in the same facilities. If a library opens its meeting rooms to a wide variety of civic organizations, then the library may not deny access to a religious organization.

Written policies may also include limitations on frequency of use and require adherence to the library's behavior policy.⁶ The meeting room policy should also state whether meetings held in

library spaces must be open to the public or if the library allows private events. Libraries may choose to offer space for public or private events unless restricted by state or local laws. The same standards and policies should apply to all meeting room uses. Library users should have a process through which they may appeal the denial of meeting room use.

If meeting rooms and spaces are open to the public, libraries should include a section in their policy that addresses fees. Charging fees does not change the status of meeting rooms and spaces as designated public forums. Library governing bodies that decide to charge fees for use of library spaces should consider local and state laws, the ALA's Code of Ethics, and the Library Bill of Rights. Charging fees for the use of library meeting rooms or facilities may abridge or deny access for some community members.⁷

Article V of the Library Bill of Rights states, "A person's right to use a library should not be denied or abridged because of origin, age, background, or views." This applies with equal force to the library's meeting rooms and spaces designated for public use as it does to the library's collections and services.

Accessed from

<https://www.ala.org/advocacy/intfreedom/librarybill/interpretations/meetingrooms>

1 "Resolution on Libraries as Responsible Spaces," Committee on Diversity, adopted June 26, 2017 by the ALA Council.

2 *Concerned Women for America v. Lafayette County*, 883 F.2d 32 (5th Cir. 1989).

3 *Hale v. Schaumburg Township District Library, et al.*, 01-cv-2220 (N.D. Ill. 2001); *Hale, et al., v. Schell and the Martin Library Board of Directors*, 1:02-cv-1156 (M.D. Pa. 2002).

4 "White Supremacist Wins Library Venue in Schaumburg," *American Libraries Magazine*, August 20, 2001; "White Supremacists to Meet after Library Changes Policy," *Library Journal* staff, *Library Journal*, November 25, 2002.

5 *Concerned Women for America v. Lafayette County*, 883 F.2d 32 (5th Cir. 1989).

6 "Guidelines for the Development of Policies and Procedures Regarding User Behavior and Library Usage," adopted January 24, 1993 by the Intellectual Freedom Committee; revised November 17, 2000; January 19, 2005; and March 29, 2014.

7 "Economic Barriers to Information Access: An Interpretation of the Library Bill of Rights," adopted June 30, 1993, by the ALA Council and amended June 25, 2019.

Adopted July 2, 1991, by the ALA Council; amended June 26, 2018; amended version rescinded August 16, 2018; amended January 29, 2019.