

WEBER COUNTY LIBRARY SYSTEM

Board of Trustees Policy

Access to Buildings & Grounds

I. PURPOSE

- A. The purpose of this policy is to ensure public access and use of the library grounds and facilities in a manner complementary to the library's goal of providing equitable and safe access to information resources, programs, and services while ensuring such use does not interfere with operations or the rights of library patrons.
- B. This policy applies to all library visitors and employees while on library property. This policy does not replace, but supplements applicable federal, state, and local laws. This policy is specifically authorized by Utah Code § 11-61-104(2), Utah Code § 9-7-504 and 505, and Weber County Ordinance 2018-18.

II. DEFINITIONS

- A. Expressive Activity: Expressive Activity means (a) peacefully assembling, protesting, debating, or speaking; (b) distributing literature; (c) carrying a sign; or (d) signature gathering or circulating a petition.
- B. Public Forum: A Public Forum is an area that has a long-standing tradition of being used for and is historically associated with the free exercise of Expressive Activity. The following areas are designated Public Forums:
 - 1. Public roads surrounding the library grounds; and
 - 2. Public sidewalks that run adjacent to the public roads.
- C. Limited Public Forum: A Limited Public Forum is an area that has not traditionally been open for the free exercise of Expressive Activity but is made available by the library for Expressive Activity subject to the restrictions contained in this policy. The following areas are designated as Limited Public Forums:
 - 1. Library lawns; and
 - 2. Library public meeting rooms.
- D. Non-Public Forum: A Non-Public Forum is an area that is not a Public Forum or a Limited Public Forum and is not open for the free exercise of Expressive Activity. The following areas are designated as Non-Public Forums:

1. The interior of the library, except for public meeting rooms that have been designated as Limited Public Forums;
 2. Library entries and walkways leading from parking areas to entries; and
 3. Parking lots.
- E. Restricted Areas: A Restricted Area is an area where public access and exercise of Expressive Activity is prohibited. Restricted Areas include, but are not limited to, the following:
1. Employee information technology work areas;
 2. Employee offices and personal workspaces;
 3. Employee lounge and break areas;
 4. Equipment rooms/areas;
 5. Ramps and loading docks;
 6. Shrubs and flowerbeds;
 7. Storage areas;
 8. Any other areas where signs indicate that access is restricted; and
 9. Within two feet of public art installations.

III. POLICY STATEMENT

- A. Use of Public Forum: Individuals or groups are permitted to the free exercise of Expressive Activity in Public Forum areas so long as they do not impede the flow of pedestrian or vehicular traffic or violate any federal, state, or local laws.
- B. Use of Non-Public Forum: Individuals or groups are permitted to access Non-Public Forum areas but are not permitted to the free exercise of Expressive Activity in the Non-Public Forum areas.
- C. Use of Restricted Areas: Individuals or groups are not permitted to enter, access, or exercise Expressive Activity in Restricted Areas. Restricted areas may only be accessed by authorized employees.
- D. Use of Limited Public Forums: Individuals or groups are permitted to the free exercise of Expressive Activity in Limited Public Forum areas subject to the following content-neutral time, place, and manner restrictions:
1. Availability: Limited Public Forums are available for use during normal library operating hours. Reservations may be made in advance in accordance with the Library Board's Public Meeting Room Policy.
 2. Time, Place, and Manner Restrictions: Individuals engaging in Expressive Activity on the library grounds must abide by the following requirements. Expressive Activity must not:
 - a. Violate any federal, state, local, or other applicable law;
 - b. Interfere with the activities or rights of other persons or with the operations of the library;
 - c. Solicit or directly contact library patrons;

- d. Disrupt others' use and enjoyment of the library inside or outside the buildings;
- e. Cause injury to persons or property or threaten to cause such injury;
- f. Use or threaten violence or force, or encourage others to use or threaten violence or force;
- g. Obstruct entrances or exits to the buildings;
- h. Obstruct vehicular or pedestrian traffic;
- i. Represent a threat to public safety;
- j. Include camping or the use of temporary shelters;
- k. Affix items to any permanent structures;
- l. Light any material on fire;
- m. Utilize any amplification device; and
- n. Attract a crowd larger than the occupant limitations that the location can safely contained.

E. Restricted Speech: The following categories of activities or speech are not protected by law and are not permitted on library grounds in any area:

- 1. Speech that incites imminent lawless action;
- 2. Speech that triggers a violent response (“fighting words”);
- 3. True threats of violence;
- 4. Obscenity; and
- 5. Child pornography.

F. Persons or organizations responsible for an activity covered under this policy must remove all signs and litter from the area at the end of the event. If this is not accomplished, persons or organizations responsible for the event may be held financially responsible.

G. Activity that results in damage or destruction of property owned or operated by the library is prohibited. Persons or organizations causing such damage may be held financially responsible.

H. The library maintains discretion to end any activity that it deems to be disruptive or a threat to others.

IV. PROCEDURES

A. It is the intent of the Board that the Library Director establish administrative rules/procedures, or Code of Conduct, necessary to implement this policy. This Code should, as much as possible, promote and foster pluralism in the Library environment by balancing the First Amendment freedom of speech and assembly rights of members of the public with the Board's right and responsibility to maintain a level of decorum appropriate to the Library's goals.