

**POUDRE RIVER PUBLIC LIBRARY DISTRICT
AGENDA ITEM SUMMARY**

**Agenda Item:
OLD BUSINESS**

a. Proposed Solicitation and
Petition Policy, 3.11

Name of Requestor: Elizabeth Dauer & Ken Draves
Appearance Date: July 11, 2016
Time Required: 10 minutes
Date Decision Needed: July 11, 2016

Objective:

This policy was introduced to the board at their June 13, 2016 meeting. Staff recommends Board of Trustees approval of Solicitation and Petitioning policy, 3.11 today.

Situation:

Library buildings and grounds are limited public forums for free speech activities under the *First Amendment* to the *Constitution of the United States*. These activities include, but are not limited to, petitioning, leafleting and campaign activities.

Walkways and grounds around library buildings provide appropriate public spaces for free speech activities, provided the activity does not create a dangerous condition, interfere with access and use of the Library for its intended purposes, damage property, or create unnecessary maintenance expenses.

Poudre River Public Library District is authorized to make reasonable rules that are universally applicable and content-neutral concerning use of its property for these purposes.

Upon recent legal review of the current time, place and manner restrictions regarding free-speech use of the entry plaza and surrounding walkways of the Old Town library, the determination was made that the restrictions were overly broad and in need of refinement.

At the same time it became evident that the District policy addressing petitioning and related activities, Policy 3.3, addressed three different issues and was in need of refinement, and that a separate policy addressing petitioning and free speech would provide useful clarity for the public and staff.

Advantages:

A clear and specific policy addressing solicitation and free speech on District property provides a useful guide for citizens and staff.

Disadvantages:

None

Requested Action:

Board approval and adoption of Solicitation and Petitioning Policy 3.11

Potentially Affected Interest:

Staff, citizens

Level of Public Interest and Participation:

Moderate to high

3.11 Solicitation and Petitioning Policy

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A map of the library property depicting “Free Speech Zones” appropriate for free speech activities is available at each library. Copies may be obtained from library staff.

The following activities are prohibited on Library District owned property:

- Exercising free speech rights under this policy outside of a Free Speech Zone;
- Hindering, impeding or blocking the passage of library patrons, employees, or visitors;
- Continuing to impose upon, follow, shout at or against, mark for approach by others, or otherwise press an issue after having been advised of the individual’s lack of interest or opposing viewpoint and desire to be left alone;
- Surrounding or making serial approaches to a patron, employee, or visitor;
- Engaging, arguing with or otherwise opposing or inciting others exercising their rights under this policy;
- Inciting or promoting imminent acts of violence;
- Presenting, imposing, or otherwise impressing upon patrons, employees, or visitors obscene materials that would be considered generally offensive within the community;
- Solicitation of funds or sale of goods and services without a copy of written authorization from the Library District Executive Director in the possession of the person acting pursuant to the written authorization; and,
- Solicitation and petitioning activities inside the Library District facilities.

The Council Tree and Harmony branches are on property that is not owned by the Library District. Activity at these locations is governed by the property owners.

The Library Administration Building is located at 301 Olive Street. Free speech activities at the Administration Building must occur at least twenty feet from all entrances to the Administration Building.

Violations of this policy may result in the revocation of the right to utilize library property.