

# TOWN OF NEWBURY



NEWBURY PUBLIC LIBRARY  
Tel. (603) 763-5803

NEW HAMPSHIRE  
INCORPORATED 1778

P.O. Box 245  
NEWBURY 03255

<b>TITLE: PROGRAM ROOM USAGE</b>	<b>POLICY # 21</b>
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Adopted By: Library Board of Trustees	Revision Number:
Approval Date: 6 / 1 2 / 2 0 2 4	Revision Date:

## 1. Purpose

The Newbury Public Library has a 'Community Program Room' ("Program Room") available for public use. The Library welcomes use of its Program Room by the public, on an equitable basis provided that such usage does not interfere with Library programming or Library services. The Program Room in the Library is intended for Library programming and for public gatherings of a civic, cultural, or educational nature that further the mission of the Library. All meetings are to be open to the public and the Program Room may not be used for social gatherings or fund-raising functions except for Library-related events. Activities in the Program Room shall comply with all Library policies, including but not limited to the Library's Behavior Policy, as well as the Library's rules for use of the Program Room, discussed below.

## 2. Scope

The Newbury Public Library recognizes the rights of free speech and free assembly. Permission to use any Library facilities does not constitute an endorsement by the Library staff or its Board of Trustees of the users or their beliefs.

## 3. Policy

### 3.1 Eligibility

Meeting rooms are available for non-commercial use by Newbury residents and property owners, not-for-profit organizations, governmental agencies, and educational entities serving residents of the Kearsarge-Lake Sunapee region.

### 3.2 Procedure for Reserving the Program Room

Groups who wish to use the Program Room should contact a librarian to obtain an application and verify room availability. Applications must be made by in writing on

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the approved form. Reservations may be made up to two months in advance for up to twelve (12) meetings annually. Groups wishing to book regular monthly meetings on the same day and time each month (ex. the 3rd Thursday at 5PM) may only book their group two months ahead of the requested date.

### **3.3 Program Room Availability**

The Program Room is available for use during the Library's normal operating hours or after-hours between the hours of 8am and 9pm; reservation times include setup and breakdown time. Use of the Program Room shall not conflict with customary Library operations or Library programs and may not disturb the use of the Library by other patrons.

### **3.4 Fees**

Use of the program Room is free, provided the space is returned in a satisfactory manner. If food and drink will be provided, a \$100 housekeeping (cash or check) deposit is required two weeks prior to the event/meeting. This deposit check/cash will be returned if the Program Room is clean, and trash has been removed. The user agrees to pay for any damage to equipment or property while in use of the building.

No fees, sales of any kind, or solicitation of funds will be allowed for any non-Library sponsored function.

### **3.5 Closing and Cancellations**

If the Library is forced to close because of storms or other extraordinary circumstances, the closing will be posted on WMUR and on the Library web page and Facebook Page. It is each organization's responsibility to notify those who will be attending any meeting. The Library is not responsible for any cost incurred by any organization because of such closing. Please notify the library if the meeting is cancelled.

### **3.6 Liability**

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The user or organization is responsible for any damage to the Library building and grounds due to the user's use or negligence. The user or organization must provide written notice of any accident resulting in bodily injury or property damage occurring on Library property or in any way connected with the use of Library property within 24 hours of the accident. The notice must include details of the time, place, circumstances of the accident, and names, addresses and phone numbers of any persons involved and/or witnessing the accident. The notice should be submitted to the Library Director. The Library and Town assume no responsibility for the safety of any private property brought onto the premises, nor for injury to/death of any persons attending the event/approved use. Any damage to Library property resulting from an event/approved use shall be the responsibility of the user.

*RSA 202-A:24 OFFENSES AGAINST LIBRARIES "Any person who shall willfully or maliciously deface, damage or destroy any property belonging to or in the care of any gallery or museum or any state, public, school, college or other institutional library shall be guilty of a misdemeanor. Any such person shall forfeit to or for the use of such library, gallery or museum, three (3) times the amount of the damage sustained to be recovered in an action in the superior court."*

This Agreement is governed by the laws of the State of New Hampshire. Any suit, action or proceeding with respect to this Agreement must be brought in an appropriate court in Merrimack County, New Hampshire, or, if appropriate, a Federal Court within the State of New Hampshire and the parties accept exclusive personal jurisdiction of these courts.

### **3.7 General Rules for use of the Program room**

Specific Rules for the use of the Program Room will be offered at the time the reservation has been accepted (see form "Rules for Program Room Usage").

- a. All reservations are first come, first served. If someone is in the room and it is not reserved and someone has reserved the room, the person must leave the space.
- b. Library-sponsored programs take priority over all other Program Room reservations. The Library reserves the right to cancel reservations at any time in the event of a conflict with a Library-sponsored program. In these instances, the organization's contact person will be informed, and every effort will be made to arrange times for

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the displaced program. The Library is not responsible for notifying group members of a cancellation or advertising a change in the Program Room schedule.

- c. Neither the name nor address of any Newbury Public Library may be used as the address or headquarters of a group or organization. No group may imply in its publicity that the library has sponsored or supported its meeting unless prior written permission has been given by the Library Director in writing.
- d. Reservations are limited to Newbury residents or Newbury property owners, not-for-profit organizations, governmental agencies, and educational entities serving residents of the Kearsarge-Lake Sunapee region.

#### **4. Responsibility and Authority**

##### **The Library Director.**

The Director reserves the right to revoke usage at any time.

#### **5. Requests for Reconsideration**

To the extent permitted by law, the Library may deny an application for meeting room use if:

1. The room is already in use.
2. The request for meeting room use made by the person/group/organization contains a material falsehood or misrepresentation, including the official name of the group, contact information, or attempts to bypass request limits through inaccurate information.
3. The request does not fit the eligibility requirements and/or fit the purpose of the program room.
4. The person/group/organization requesting use of a meeting room has damaged Library property on prior occasions and has not paid for the damage.
5. The person/group/organization requesting use of a meeting room has violated the terms of a prior reservation for use of the Library.
6. The proposed use is prohibited by law.

Any requesting group denied a reservation to use a Library meeting room may appeal

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the decision. If you believe that your organization meets the guidelines set forth and that your request for your meeting was not given proper consideration:

1. Written Program Room Request for Reconsideration shall be submitted to the Library Director. Forms are available at the library or on our website.
2. The Trustees will review the request and relevant library policies, at the next scheduled Board of Trustees meeting, and will decide whether to uphold or override the decision. A written decision will be rendered within 60 days.
3. The decision of the Trustees is final.

## 6. Reference

Form	Reservation form for the Program Room
Form	Rules for Program Room Usage
Form	Program Room Cleaning List
Form	Program Room Request for Reconsideration

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