

Displays and Distribution of Non-Library Materials Policy

Policy Statement

As an educational and cultural institution and as part of its public service mandate, the Montclair Public Library (the “Library”) provides designated areas for displays, handouts, announcements of interest, and petitioning.

Regulations

1. General

- A. All proposed displays, handouts and announcements must be approved by the Library Director or his/her designee(s) before being set up, displayed, posted or distributed.
- B. The Library reserves the right to refuse any displays, handouts and announcements it considers inappropriate, unsuitable, or not in keeping with its objectives. The Library will not accept any displays, handouts and announcements, which it determines to be obscene, sexually explicit, pornographic, or potentially harmful to children; or which advocate for a particular candidate, political party or political cause; which promote or encourage racism, sexism or any form of discriminatory conduct; or which encourage unlawful conduct. The Library shall not be required to give a reason for its decision to refuse any displays, handouts or announcements.
- C. Approval of any displays, handouts and announcements shall be determined based on the content of the materials, without regard to the viewpoints, beliefs or affiliations of the individual(s) or organization(s) seeking such approval.

2. Displays and Exhibits

- A. The Library retains priority rights to all display space for Library purposes.
- B. Display space is available to outside individuals and organizations, on an equitable basis, regardless of the beliefs or affiliations of the individual or organization.
- C. Displays must support the mission of the Library and not cause disruption of the regular flow of Library work and provision of Library services.
- D. The Library may limit the size of the display, number of items in a display, duration, scheduling of any display, and the frequency an individual or organization may show a display.
- E. Setup and removal of displays must be done during the Library’s regular hours and are the responsibility of the owner of such display.

Displays and Distribution of Non-Library Materials Policy

- F. Each owner, who sets up a display in the Library does so at his/her/its own risk. The Library assumes no legal or financial responsibility to safeguard or preserve displays and assumes no liability in the event of damage, destruction or theft of a display or any portion of a display.
- G. Displays may include a sign stating the sponsorship of the display. Displays may not include monetary values of displayed items.
- H. Displays may not include any items of a commercial nature offered for sale.
- I. Art work to be displayed in the Library's gallery is governed under *Use of Art Gallery Policy* (MGT-4).

3. Handouts and Announcements

- A. Distribution or posting of materials within the Library does not indicate the Library's endorsement of or agreement with any of the ideas, issues or events promoted by or included within those materials
- B. The Library has designated the bulletin board outside the Auditorium at the Main Library for the posting of flyers to promote community events.
- C. Unapproved materials will be disposed of at the library's discretion.
- D. The Library and Montclair Public Library Foundation retain priority rights to space for handouts and announcements. Approved materials from other eligible organizations may be posted by Library staff as space permits and may be removed at any time.
- E. Individuals, nonprofit organizations, community groups and governmental agencies may provide approved materials to be made available at the Library for the general public.

4. Petitioning

- A. The Library allows petitioning, distribution of non-commercial literature or leaflets and canvassing or similar types of appeals by members of the public on the sidewalks outside of the Library, provided the activity does not interfere with building or parking lot ingress or egress and does not interfere with customers' rights to free access to and use of the Library without inconvenience or disruption from such activity.
- B. The use of the plazas adjacent to the Library is permitted when there are no Library programs scheduled in those areas, provided the activity does not interfere with building or parking lot ingress or egress or interfere with customers' rights to free access to and use of the Library without inconvenience or disruption.

Displays and Distribution of Non-Library Materials Policy

- C. Members of the public are expected to observe relevant Montclair Municipal Code requirements as they relate to disorderly conduct, handbills and posters, and noise.¹
 - D. The Library will not provide equipment or furnishings for use by any group(s) engaged in petitioning or similar types of activities.
 - E. All areas under the portico (at the Main Library) or on the front steps (at Bellevue Avenue Branch) are not public forums, and may not be used for petitioning, distribution of non-commercial literature or leaflets and canvassing or similar types of appeals by members of the public.
5. Sales and Fundraising
- A. The Library does not allow panhandling or the sale or promotion of goods, services or fundraising events by members of the public in the Library building or on Library grounds.
 - B. The only merchandising activities permitted in the Library building or on Library grounds are Library or Montclair Public Library Foundation sponsored sales and activities approved by the Library Director.
6. The Board of Trustees endorses the American Library Association's "Exhibit Spaces and Bulletin Boards: An Interpretation of the Library Bill of Rights".

Approved: March 25, 2019
Montclair Public Library Board of Trustees

¹ See Montclair Township Code §127, §178, and §217.