

PUBLIC FORUM POLICY FOR TOWN HALL GROUNDS

1. Definitions - The following words and terms, when used in this document, shall have the following meanings:
 - A. Town Hall Grounds - The lawns and paved areas, including parking lots, surrounding the Town Hall and Peck Building/Library, and owned by the Town. They are further defined to include the playground area to the east, the pond and gazebo to the south, and all surrounding exterior areas, including the public sidewalk immediately adjacent to such areas.
 - B. Event - Any press conference, performance, ceremony, presentation, meeting, rally, reception, or gathering of people for a common purpose or cause to be held on the Town Hall Grounds.
2. General Condition Governing the Temporary public forum use of the Town Hall Grounds
 - A. The Town Hall Grounds may be used on a temporary basis as a public forum by any public agency, instrumentality, governmental body, or official for governmental purposes, or by any person or group of persons, or by any private nonprofit, religious, fraternal, or veterans' organization. No intention is made by this policy to designate any indoor areas of any Town building as a public forum for expressive purposes, other than as previously set forth in other policies, such as the use of the auditorium in the Library.
 - B. The conduct of official public business by the Town and its agencies, which normally occupy and use the Town Hall Grounds shall take precedence over any other requested use of the Town Hall Grounds. To accommodate such governmental functions, and the pedestrian and vehicular traffic relating thereto, events requiring use of substantial areas of pavement, for parking or otherwise, shall be allowed only for hours when Town Hall is closed.
 - C. All displays, equipment, tables, etc. used in conjunction with an event must be removed by the time specified in the reservation request and subsequent permit.
 - D. An organization or persons temporarily using the area may provide electrical generators at their own expense. Access to existing outside electrical outlets may be requested. The incidental cost of these utilities must be paid for by the user unless the Town Manager determines that such costs are nominal and outweighed by the administrative costs and inconvenience of calculation and collection.

- E. An organization or persons may temporarily erect a canopy to protect participants from the elements, but such canopy may not be placed upon or anchored to the grass or garden areas. Sand bags are acceptable.
- F. Public temporary use of the Town Hall Grounds shall not disrupt or interfere with any legislative session or the conduct of official public business by agencies of the Town which normally occupy and use Town Hall and the Town Hall Grounds and shall not affect the safety and well-being of the persons conducting the work of these agencies, including safe, unhindered passage way for all persons. No event participant shall block any entrance or exit of any building or impede free access to any building by its occupants or the public.
- G. Posting, hanging, or affixing signs, banners, flags, announcements, documents, or decorations on any wall, railing, lamp, door, window, monument, statuary, fence, tree, or other non-turf surface of the Town Hall Grounds is prohibited. Only hand-held signs are permitted during an event, as long as such signs are removed by the holder at the conclusion of the event.
- H. Defacing or damaging the exterior walls of any building, including the entrances, porches, and staircases, and the Town Hall Grounds, including trees, shrubbery, flowers, lawns, sidewalks, fences, lighting fixtures, light wells, fire hydrants, benches, statues, monuments, plaques, and such subterranean features as are necessary for the maintenance and operation of the Town Hall Grounds (such as lawn sprinkler systems, sewer and water mains, electrical conduit, etc.), or any other feature in any manner is not allowed and is punishable by law.

3. Liability and Indemnification

- A. Liability: Organizations and persons temporarily using the Town Hall Grounds for events shall be responsible for returning the areas used in conducting their events to their condition prior to the event.
- B. Organizations and persons temporarily using the Town Hall Grounds for events shall be responsible for any vandalism, damage, breakage, loss, or other destruction to the Town Hall Grounds caused by their activities. Costs will be assessed for damages incurred. The cost of the repair will include the costs for the services of specialists in relevant historical restoration skills as determined by the Town.
- C. Organizations and persons temporarily using the Town Hall Grounds for events shall release the Town, its officers, agents, and employees against any and all damages, claims, or other liabilities due to personal injury or death, or damage to

or loss of property to others, arising out of the temporary use of the Town Hall Grounds, except to the extent of the sole negligence of the Town.

D. Users will be required to sign an agreement:

1. acknowledging that they have read, understood, and are willing to abide by this policy;
2. acknowledge their responsibility for property damage caused by their activities during an event; and
3. release the Town, its officers, agents, and employees against any and all damages, claims, or other liabilities due to personal injury or death, or damage to or loss of property to others, arising out of the temporary use of the Town Hall Grounds, except to the extent of the sole negligence of the Town.

4. Procedures for Reserving Temporary Use of the Town Hall Grounds

A. Requests for reserving temporary use of space within the Town Hall Grounds for events must be made to the Town Manager. Each request must be in writing and must contain the following information (incomplete requests will not be considered):

1. name/address/telephone number(s) of contact person(s)
2. name/address/telephone number(s) of backup contact person(s)
3. name of organization
4. general description of planned event
5. date(s)/time and duration requested for event
6. area requested for use, and
7. number of anticipated attendees.

B. The Town or its designee may determine priority in the temporary use of the Town Hall Grounds as provided herein. Reservations of date, time, and space are required for all events on the Town Hall Grounds. Where more than one event sponsor desires the temporary use of a space at the same time, separate areas within available space may be designated, if space and participant estimates allow. Where space is insufficient or participants exceed capacity, limitations upon size may be ordered. Where concurrent accommodation cannot be made, priority shall be given to persons who have completed prior reservations. Priority otherwise shall be on a first-come, first-served basis, taking into consideration ongoing governmental activities, and other previously scheduled events.

C. In order to assure the reasonable conduct of public business and unobstructed

access to the Town Hall Grounds for its employees and the public, and to maintain the Town Hall grounds, The Town may designate, by oral or written instruction or by the use of stakes, rope, fencing, and the like, specific areas of the grounds for the event, which shall apply equally to all such activities.

- D. Reservation requests for events must be received at least fifteen (15) days in advance of the date desired.
 - E. No event shall be scheduled for more than ten (10) consecutive days, or for more than ten (10) days in any one calendar month.
5. Public Safety - The Town, via the Town Manager or the Chief of Police, reserves the right to suspend or modify these policies and adopt temporary emergency policies for specific periods, if necessary, to accommodate increase or decrease in demand or access or to protect public property and its occupants during periods of heightened security or special circumstances not necessarily associated with a requested event under the policies.

Adopted unanimously by the Barrington Town Council on November 5, 2007.