USE OF THE LIBRARY'S PROGRAM ROOM AND FACILITIES POLICY

POLICY STATEMENT: The Library will make its Program Room and facilities available for use by qualifying persons, entities and organizations from within the Livingston community, but outside of the Library, subject to availability. The use of the Program Room for Library purposes shall have priority over all other uses or applications for its use.

APPLICATION: This Policy governs the rights and responsibilities of qualified parties outside of the Library wishing to use the Library's Program Room and/or facilities.

PROCEDURES FOR IMPLEMENTATION:

Requirements Applicable to All Rentals

Categories – The use of the Program Room, and consequent fee structure, fall into 3 categories:

Category 1: Committees, Boards and divisions of Livingston Public Library, The Township of Livingston, Livingston Board of Education and affiliated non-profit organizations. - No fee.

Category 2: Meetings, functions or activities (collectively, “events”) of permissible activities occurring during the Library's hours of operations sponsored by a person or an organization, engaged in educational, cultural, intellectual, or charitable activities - Rental Fee, Custodial Fee, AV Operator Fee, and other fees as applicable.

Category 3: After Hours Rentals for private events of permissible activities - Rental Fee, Custodial Fee, AV Operator Fee, and other fees as applicable.

For purposes of this Policy, any person, entity and organization outside of the Library requesting and/or approved to use the Library’s Program Room and/or facilities shall be referred to as a “renter” regardless of whether required to pay any Rental, Custodial or other fee.

Permissible Activities - The Library shall allow persons, entities and organizations to use the Program Room for events with an educational, cultural, intellectual, or charitable purpose (“permissible activities”). The following shall not be considered permissible activities under this policy: any commercial activity, political fund raising and/or campaigning by or for a candidate for elected office, the presentation or promotion of obscene or sexually explicit content, and any illegal activity. The Library will not discriminate on the basis of race, religion, ethnicity, or any other protected status or demographic characteristic, or based on political belief or preference, in determining whether a requested event constitutes a permissible activity. The Director shall be responsible for evaluating all requests to use the Program Room and/or facilities.
The Library and the Board of Trustees do not advocate or endorse the viewpoints of any renters and/or event(s) held in or using the Library’s Program Room and/or facilities.

No renter or outside party or organization may use either the name or address of the Livingston Public Library as its official address or headquarters, other than the Friends of Livingston Public Library.

The Library reserves the right to limit the use of its facilities as it deems appropriate, within the parameters stated in this policy.

**Requesting to Use the Program Room** - Any prospective renter must submit to the Library Director, or his/her designee, an application for use of the Program Room and/or other facilities, signed by a Livingston resident, or by a duly elected or appointed officer or representative of the applicant, who shall be a resident of the Township of Livingston. The Library’s Program Room and facilities are intended to be used only for special events, but not for an organization’s regular periodic meetings.

An application may include a maximum of three (3) event dates. If a renter wants to request additional dates for additional event(s), a new application may be submitted after all the previously requested events have been held or after an application has been denied. The Library may make a specific exception for an organization or event, which the Library sees as supporting the Library’s mission, and which requires extended use of the Program Room. Examples of such exceptions include Livingston High School’s use of the facilities for Advanced Placement testing and the Friends of the Livingston Public Library’s use of the facilities for its annual book sale.

Renters must include requests to use the facilities, and any other equipment, supplies, apparatus, or tools (e.g., kitchen, AV, piano) at the time of application. If AV equipment is required, Category 2 and Category 3 event renters must pay an additional fee to cover the cost of the operator. Requests to conduct rehearsals for an event or to use any other rooms for purposes related to a primary event (e.g., warm up or staging area) also must be specified in the same application.

Applications must be submitted at least two (2) weeks in advance of the requested event date. An application shall not be deemed granted until approved and signed by the Director or his/her designee.

**Fees and Expenses** - When a fee is required for use of the facilities, the renter must pay the full fee at least ten (10) days prior to the date of the approved event, except for the Custodial Fee, for which only a deposit may be required, as discussed below.

The Library will maintain a written fee schedule (attached), which the Library may modify at any time at its sole discretion. The Director shall have the right to waive any fee based on the specific circumstances of the requester and/or the event.

Clean-Up and Custodial Services – All renters must clean, set up and restore the Program Room and/or facilities to order at the end of each day’s usage. For Category 1 events, the Library’s custodial staff will perform the cleaning, set up and restoration at
no charge to the renter. If the renter is part of the Livingston Public Schools, school custodians may be used instead of the Library’s custodial staff. For all Category 2 and 3 events, renters must pay the cost to have the Library’s custodial staff clean, set up and restore the Program Room and/or facilities to order each day.

When a fee is required for custodial services, the renter must pay an initial deposit of at least the equivalent of one (1) hour of custodial services at least ten (10) days prior to the date of the event. The Library reserves the right to require the renter to pay an additional amount if the actual cost for custodial services exceeds the initial deposit, based on the condition of the facilities following the event and the time required to return the facilities to normal conditions. The Library will maintain a written fee schedule (attached), which the Library may modify at any time at its sole discretion.

Renters’ Rights and Requirements - All events allowed under this policy must be open to the public. Any person seeking admission to such events shall be admitted thereto, provided the room capacity is not exceeded. The maximum capacity of the Program room is 250 people.

The renter must post notice of the event in a designated location within the Library at least ten (10) days prior to the date of the event. Renters using the Library’s facilities are responsible for their own publicity; the Library is not responsible for advertising.

Renters may not solicit or charge any fees, dues, or donations for any person(s) to attend any event held in the Library’s Program Room and/or facilities; attendance at all such events must be free of charge. An exception to this rule applies to certain Category 1 events sponsored by the Library, including Friends of the Library-sponsored events, where fund raising is permitted.

If an event can be reasonably expected to include dancing, the renter must provide a separate dance floor at the renter’s own expense.

The Library may require a renter to employ the services of a security guard at the renter’s own expense, but even where not required, renters should give careful consideration to the advisability and/or necessity of employing the services of a security guard for their event, at the renter’s own expense.

Renters must remove all materials, furnishings, equipment, rubbish, etc. used or generated during an event from the Program Room and all other areas of the Library. The Library will arrange for any such materials, furnishings, equipment, rubbish, etc. not removed immediately following the end of an event to be removed, and the renter will be charged the full cost to the Library to remove everything and to return the facilities to their regular condition.

By order of the Fire Division of the Township of Livingston and as a matter of State and municipal law, smoking is prohibited in every part of the Library’s building, terraces and
everywhere on Library property. The burning of candles or lighting of any open flame is prohibited everywhere on Library property.

The consumption of alcoholic beverages in any part of the Library building or terraces is prohibited unless the renter receives prior written approval from the Library’s Board of Trustees. If alcoholic beverages are to be served, the renter must obtain all necessary permits and present such permit(s) to the Library Director or his/her designee at least three (3) business days prior to the date of the event.

**Liability** - All renters shall agree to hold harmless, defend and indemnify the Livingston Public Library, the Library Board of Trustees, the Township of Livingston, and all of their respective employees, appointed and elected officials, contractors, agents, volunteers and representatives, from and against any and all claims, loss, liability, damage and expense for property damage or personal injury, including death, or on any other basis, which might arise from the renter’s use of the Library’s Program Room and/or facilities.

For each Category 2 and Category 3 event, the renter must maintain or obtain liability insurance of at least $1 Million covering the event and the renter, and the insurance must name Livingston Public Library, Livingston Public Library Board of Trustees, and the Township of Livingston, as additional insureds for purposes of the event. Each renter must provide evidence of liability insurance to the Director, or his/her designee, at least three (3) business days prior to the date of the event.

**Rights Reserved** - The Library reserves the right for final approval of all event plans. The Library reserves the right to limit the use of its program facilities and any activities, as it deems appropriate, within the parameters of this policy.

The Board of Trustees reserves the right, at its sole discretion, to amend, modify, waive or revoke any provision of this policy at any time, and to modify or revoke any permission for use previously approved by the Director or his/her designee.

**Rentals During Regular Hours of Operation** (Category 2)

All Category 2 events are subject to the Requirements Applicable to All Rentals, as well as the following:

All Category 2 events held in the Library’s Program Room and/or facilities must begin and end within regular Library hours.

All persons seeking admission to Category 2 events shall be admitted thereto, providing the room capacity is not exceeded.

**Rentals After Regular Hours of Operation** (Category 3)

All Category 3 events are subject to the Requirements Applicable to All Rentals, as well as the following:

All private events must be held after Library hours. Events may not begin until at least one (1) hour after the Library closes and must be concluded by no later than midnight the same day.
At least three (3) business days prior to each Category 3 event, all renters must provide the Library with a refundable security deposit to cover potential damage to the Library’s facilities.

Rental of Library facilities for Category 3 events is contingent on the availability of Library custodial staff, at least one (1) of whom must be on site during any after-hours rental event under this policy.

**ENFORCEMENT/IMPLEMENTATION:** The Director is responsible for implementing and enforcing this Policy, in cooperation with the Board of Trustees.

Approved by the Board of Trustees: March 8, 2011
Revised: 4/12/16
Revised: 10/10/17
# FEE SCHEDULE - Category 2

<table>
<thead>
<tr>
<th>Service</th>
<th>Fee</th>
</tr>
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<tbody>
<tr>
<td>Program Room</td>
<td>$100 per hour (capacity 250 people) (minimum 1 hour)</td>
</tr>
<tr>
<td>AV Operator Fee</td>
<td>$20 per hour (minimum 1 hour)</td>
</tr>
<tr>
<td>Custodial Fee</td>
<td>$50 per hour per Custodian (minimum 1 hour)</td>
</tr>
<tr>
<td>Use of Piano</td>
<td>$50 per event. If tuning required, additional $100</td>
</tr>
<tr>
<td>Use of Kitchen Facilities</td>
<td>$50 per event</td>
</tr>
</tbody>
</table>

# FEE SCHEDULE - Category 3

<table>
<thead>
<tr>
<th>Service</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rental Fee</td>
<td>$500 per event</td>
</tr>
</tbody>
</table>

An additional security deposit of $250 is required. This is a refundable deposit to cover the cost of any potential damage to the Library.

<table>
<thead>
<tr>
<th>Service</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Custodial Fee</td>
<td>$50 per hour per Custodian (minimum 1 hour)</td>
</tr>
<tr>
<td>AV Operator</td>
<td>$20 per hour (minimum 1 hour)</td>
</tr>
<tr>
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