



FARMINGTON PUBLIC LIBRARY

Use of Library Outdoor Premises for Public Demonstrations

Approved by Farmington Public Library Advisory Board August 2019

Next review August 2021

Managed by Library Director, Program Coordinator, Library Security and/or their designee

1. GENERAL PRINCIPLES

a. Background –

- i. The Farmington Public Library Advisory Board and staff adhere to the following guidelines based upon Constitutional principles in developing and approving this Policy. These guidelines are taken from the American Library Association's Guidelines for the Development of Policies Regarding User Behavior and Library Usage (adopted 1993, revised 2000)
- ii. Regulation of user behavior must be within the framework of the ALA Code of Ethics, the Library Bill of Rights and the law, including state and local statutes, Constitutional standards under the First and Fourteenth Amendments, and, Due Process.

b. Purpose –

- i. Publicly supported library service is based upon rights guaranteed by the First Amendment.

Publicly supported libraries have been recognized by courts as limited public forums for access to information.

- c. **Endorsement** - The presence of demonstrator(s) does not constitute an endorsement of such demonstration by the Farmington Public Library.

- d. **Violations** – All individuals who wish to demonstrate are required to adhere to the Farmington Public Library's *Acceptable Behavior Policy* while on the grounds of the Farmington Public Library. Any individual who does not follow Library policies, will be asked to leave the Library premises. The police will be called if the person refuses to leave.

e. Access –



- i. The library outdoor premises are open daily from dawn to dusk for public use
- ii. Access to the library building, including bathroom facilities, is limited to library operating hours, as posted

2. PUBLIC DEMONSTRATION POLICY

- a. Any group or individual who wishes to demonstrate at the Farmington Public Library may not use the “restricted” area, as outlined in the map attached hereto as “Exhibit 1: Map”

3. ELECTIONEERING TOO CLOSE TO THE POLLING PLACE:

- a. The Farmington Public Library is, at times, a polling place for local, state and federal elections. At these times, New Mexico Statute 1-20-16 will be strictly followed regarding minimum distances from Polling Places for all electioneering and /or demonstrations.

New Mexico Statute 1-20-16 provides:

- i. Electioneering too close to the polling place consists of any form of campaigning within:
 1. one hundred feet of the building in which the polling place is located on election day when voting at a school, church or private residence; and
 2. one hundred feet of the door through which voters may enter to vote at the office of the county clerk, an alternate voting location, a mobile voting site or any location used as a polling place on election day that is not a school, church or private residence.
- ii. Electioneering includes the display or distribution of signs or campaign literature, campaign buttons, t-shirts, hats, pins or other such items and includes the verbal or electronic solicitation of votes for a candidate or question.
- iii. Whoever ignores the limits set forth in the statute is guilty of a petty misdemeanor.

