

# Olathe Public Library

## Policy Manual

Effective May 16, 2023

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### 6. Library as a Forum for Free Expression

#### 6.1. Community Publications Display

Olathe Public Library (OPL) provides an area at the entrance to both library locations where community publications, such as fliers, brochures, newsletters, magazines, and newspapers of general interest may be distributed without fee.

Community publications may only be displayed in library furnishings. No individual stands will be accepted.

Publications of for-profit groups, companies, or organizations, as well as handouts of an individual, are not accepted. The exception is community publications produced by for-profit organizations that are distributed free of charge, with or without advertising, that contain news and feature articles relevant to the local community.

Publications whose orientation is determined to be political or religious are not permitted.

Any group wishing to have community publications displayed must receive approval from library staff.

Any publication may be refused by library administration.

#### 6.2. Outdoor Areas for Freedom of Speech

##### 6.2.1. Outdoor Public Forum Space on Library Property

Olathe Public Library (OPL) provides a limited public forum space at each library location for free speech rights and/or activities as protected under the [First Amendment of the Constitution of the United States](#).

Free speech rights and/or activities include but are not limited to petitioning, leafleting, campaign activities, proselytizing, etc. These and similar activities are allowed as long as they do not create a dangerous condition, interfere with access and use of the library, damage property, or create unnecessary maintenance expense for the library.

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The following areas have been designated at each OPL location as limited public forum spaces:

- Downtown Library: bench under the pergola at the west end of the reflecting pool, closest to City Hall
- Indian Creek Library: covered picnic area in Indian Creek Park

Those exercising their free speech rights in these spaces are expected to adhere to the following guidelines:

- Be aware that library customers have a right to use the library in an atmosphere conducive to the use of its spaces and resources
- Abide by the time, place, and manner of restrictions imposed by the library
- Be responsible for set up and clean up
- Be responsible for any damage to benches, landscaping, sidewalks, or any other areas affected by the activities
- Not hinder, impede, or block the passage of library customers, employees, or visitors
- Respect a customer's, employee's, or visitor's lack of interest, opposing viewpoint, and/or desire to be left alone and not continue to impose upon the person
- Not incite or promote arguments or imminent acts of violence
- Not present, impose, or impress upon customers obscene materials, photographs, or demonstrative exhibits or activities that are generally considered to be offensive in the community ([City of Olathe Municipal Code 9.13](#))
- Refrain from solicitation of funds in accordance with library policy (see policy [6.3. Solicitation and Fundraising on Library Property](#))
- Refrain from promoting for-profit programs, services, or goods (see policy [6.3. Solicitation and Fundraising on Library Property](#))

Violations of these guidelines may result in the revocation of the right to utilize library property.

### 6. Library as a Forum for Free Expression

#### 6.2.2. Outdoor Displays on Library Property

Posters, banners, yard signs, and other outdoor displays not sponsored by the library are allowed in the limited public forum spaces if the individuals who brought them remain near them and take them down when they leave. Unmanned outdoor displays shall not be posted, exhibited, or left anywhere on library property. Such displays will be removed and disposed of without notice.

#### 6.3. Solicitation and Fundraising on Library Property

Olathe Public Library (OPL) cannot allow any of the following activities on library property because they may interfere with customers' use or enjoyment of the library:

- Solicitation
- Advertising
- Promotion
- Vending
- Peddling
- Product sampling

OPL does not endorse, sponsor, or support products, services, persons, or groups unless related to library service or management.

OPL occasionally receives requests from customers or staff to conduct or endorse fundraising events or to provide public space for donation collection boxes. The library does not sponsor or endorse the fundraising activities of other organizations, although periodically it may cooperate with local community charitable groups or service clubs to support community endeavors. Staff fundraising activities directed solely at staff may be conducted in staff offices or lunch areas.

All OPL-specific fundraising will be conducted under the auspices and/or permission of the Library Foundation and the Friends of the Library.