

Revision Date: October 2023

Policy Type: Public Service

Approval Level: CEO

Distribution: All Employees

Review Schedule: 5 Years (or as required)

1. PURPOSE

Markham Public Library (the “Library”, or “MPL”) makes rooms and other designated spaces available to individuals & groups within the Markham community. The Library supports the right of free expression by doing this for uses that are consistent with the intent of the *Canadian Charter of Rights and Freedoms* and the *Ontario Human Rights Code*.

Permission to use these facilities does not imply any endorsement of the aims, policies or activities of any group or individual.

2. AUTHORITY UNDER THE *PUBLIC LIBRARIES ACT*

The *Public Libraries Act* (R.S.O. 1990, Chapter P. 44) of the Province of Ontario makes provision for public libraries to make rules regulating all matters connected with the management of the Library and Library property [Sec. 23(4)(b)]; and further, “a board may impose such fees as it considers proper ... for the use of parts of a building that are not being used for public library purposes”. [Sec. 23(3)(b)]

3. PRIORITIES FOR USE

Facilities will be made available as per the following priorities:

- Library programs
- Co-sponsored programs
- Others

4. CONDITIONS OF USE

- All meetings must be conducted in a manner consistent with MPL’s policies.
- No games of chance, including bingo and lotteries, are permitted.
- Sales of goods are not permitted unless authorized by the CEO or designate.
- Charitable fundraising is not permitted on Library property unless authorized by the CEO or designate.
- MPL does not provide storage facilities. Property of any kind brought onto the premises by the applicant, guests or attendees shall be promptly removed from the premises after use of the premises.
- Library staff must have access to facilities at all times and may attend free of charge any event, meeting or course held on Library premises for the purpose of auditing or reviewing compliance with the Library’s policies.

- No publicity or marketing materials shall be posted on Library premises without prior approval by the Library. MPL's Logo or image(s) may not be used without prior written permission of the Library.
- Room reservations cannot be guaranteed until approval has been provided and full payment received. Maximum contract term for a room rental is ten months, payable in full or in accordance to an agreed payment plan upon signing.

5. DENIAL OF USE

The Library reserves the right to deny or cancel a booking in the following situations or circumstances:

- For a purpose or action that is contrary to the law.
- When it is deemed that there has been a misrepresentation, a likelihood of physical hazard to participants or audience members, or a misuse of premises or equipment.
- Past misuse or non-payment of fees by the group or individual.
- For clubs, groups and organizations intending, or appearing to intend, to establish the Library as a permanent location for their activities

Applicants who are denied permission to use these facilities may, upon written request, have the decision reviewed by the CEO or designate, whose decision shall be final.

6. DAMAGES & LIABILITY

Any individual, group or organization renting Library space shall be held responsible for wilful or accidental damage to the Library building, grounds, collections or equipment caused by the group or organization, its members or those attending its program. Individuals or groups will be charged for any damage to the room, furniture, or equipment.

7. FEES

There are two fee categories as specified on the MPL website:

- Non-profit groups
- Commercial groups

Room rental fees are waived for:

- Meetings convened and attended by City of Markham Councillors, excluding election meetings
- Meetings convened and attended by City of Markham staff
- Library associations
- Co-sponsored programs

The schedule of fees will be reviewed annually.

8. BOOKINGS

All bookings will be reviewed by Library staff, to ensure that groups meet Policy requirements. If the booking application does not meet Policy requirements, employees will follow up as required.

9. PAYMENTS

Payment for meeting room bookings will not be accepted by phone. Payments may be made [online](#) at the time of booking or in person at a Library branch within a maximum seven (7) days of making the booking.

Bookings made with less than a week's notice must be paid prior to the rental date and time.

When the payment is made online the transaction will be viewable on the customer's account.

When the payment is made in person, the customer will receive a printed receipt or an email receipt upon request.

10. CANCELLATIONS

At least seven (7) days' notice must be given to the Library to cancel a reservation.

Should a group or individual cancel a booking more than 7 days in advance of a rental date, the Library will reimburse the full amount paid, **minus** an administrative fee of \$20, as an account credit for future use. Any credit balances that remain unused on a client's account for 2 years will be cleared, and the account balance reduced to zero. No refunds are provided.

No reimbursement will be made if an individual or group fails to notify 7 days in advance of an intended cancellation.

The Library reserves the right to cancel any reservation due to unforeseen circumstances or to relocate any scheduled booking if circumstances warrant. In the event of a building or weather-related emergency, the Library reserves the right to cancel the booking.

11. MANDATORY GENERAL LIABILITY INSURANCE

All facility users are required to carry General Liability Insurance. This coverage is for the protection of the facility renter, the City of Markham, the Markham Public Library Board and all those participating in the use of the facility during the rental.

Renters will be required to produce a liability insurance certificate in the minimum amount of **\$5,000,000** per occurrence, including full participant coverage. The City of Markham and Markham Public Library Board must be named as additional insured.

If renters cannot produce the required certificate, they will be asked to purchase the required insurance at a nominal cost through a third party provider as arranged by the City of Markham.

12. RESPONSIBILITIES**CEO / Directors shall:**

- Ensure that they and their employees are acquainted with and comply with this Policy & related policies.

Managers / Supervisors shall:

- Enforce this Policy.

Employees / Volunteers shall:

- Comply with this Policy.

Library Administration shall:

- Develop and distribute this Policy;
- Update this Policy per the Review Schedule.

13. RELATED POLICIES

- Posting and Distribution of Materials Policy (POL-Admin)
- Unacceptable Conduct Policy (POL-Pub Serv)