

**TOWN OF BARRINGTON, RHODE ISLAND
RESOLUTION ON
USE OF TOWN HALL GROUNDS
FOR HOLIDAY DISPLAY AND AS A PUBLIC FORUM**

WHEREAS, the Town of Barrington, Rhode Island (the "Town"), has long sponsored and erected a holiday display on the Town Hall Grounds (as defined herein), in or about the month of December each year, for the purposes of encouraging peace and goodwill among the inhabitants of the Town, and to support and encourage commerce among the merchants of the Town; and

WHEREAS, the Town has long allowed the Town Hall Grounds to be used as a limited Public forum for private expression, including among other uses, Memorial Day ceremonies by veterans' groups, rubber ducky races to raise funds for school support organizations, and seasonal festivals to promote and benefit local business and merchant organizations; and

WHEREAS, the Town has long allowed the High School fence adjoining the west side of County Road to be used as a limited Public forum for private expression, via the display of various signs and banners promoting activities and events of various non-profit, charitable and religious groups; and

WHEREAS, the Town has recently adopted a written policy for the use of the High School fence for display of banners and signs; and

WHEREAS, the historic uses of the Town Hall Grounds have not been reduced to writing as official policies of the Town; and

WHEREAS, the Town Council hereby declares it to be in the best interest of the Town and all its residents to adopt written policies for such use, so that all potential users of the Town Hall Grounds shall have equal access to the Town Hall Grounds, with a clear understanding of the standards and guidelines for such use, public and private, of this limited Public forum:

NOW, THEREFORE, the Town Council hereby adopts the following two policies, effective upon passage:

HOLIDAY DISPLAY POLICY FOR TOWN HALL GROUNDS

1. The Town Hall Grounds are hereby defined as 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.
2. The Holiday Display is hereby defined as the annual display erected on the Town Hall Grounds on or about the month of December.
3. The Town Hall Grounds, including the Holiday Display, shall be under the direction and control of the Town Manager, subject to Federal Law, State Law, Town Code and the limitations of this and any other policy duly adopted by the Town Council.
4. The Town shall own, install and maintain its own Holiday Display. Public entities such as the Barrington School Department, as well as private individuals and/or groups, may offer to donate items for such display to the Town, through the Town Manager, but it shall be the sole and exclusive decision of the Town Manager as to whether such item conforms to applicable law, ordinance and policy.
5. The Holiday Display shall be a secular display only, conforming to the definition of secular established by the United States Supreme Court and the United States Courts within the First Judicial Circuit which, as of the date of adoption of this policy, deems an evergreen tree with lights, whether a Christmas Tree or not, to be a secular symbol.
6. Nothing herein shall be deemed to offer the Town Hall Grounds to anyone as a public forum for the purposes of displaying any exhibits, symbols, sculpture, signs, or artwork. Signs and banners may continue to be displayed on the High School fence facing County Road in accordance with the policy previously adopted by the Town Council.

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AGREEMENT

I acknowledge the following:

1. I have read, understood, and am willing to abide by this policy;
2. It is my responsibility for property damage caused by my activities during the event; and
3. I release the Town of Barrington, 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.

Organization

Signature

Print Name

Date