

# 20 OUTDOOR ASSEMBLIES AND EVENTS, SOLICITATION AND DISSEMINATION OF VIEWPOINTS IN PUBLIC AREAS ON CAMPUS

## 20.1 Outdoor Assemblies and Events

An outdoor assembly is a group of people gathered together in one place out of doors on the University campus for an organized common purpose. An outdoor event is a planned public or social occasion held out of doors on the University campus. Events and assemblies include organized groups of people gathered to protest or disrupt another assembly or event. A permit is required to hold an outdoor event or assembly, except as allowed under section 23.2.1 below. The University has established these rules, to govern the time, place and manner of assemblies and events to reasonably protect public safety and the University's pursuit of its fundamental educational mission, consistent with its commitment to implement and protect the First Amendment rights of faculty, staff and students. Any student with questions about these rules may contact the UNH Police Department or the Dean of Students Office.

The following units or groups may hold outdoor assemblies or events: schools and colleges, divisions, departments, or other official administrative (including residential) or service units, recognized employee or student organizations. Persons or organizations who are not students, faculty, or officials of the University shall not conduct outdoor assemblies or events. Non-University persons or entities may be invited to campus to attend assemblies or events conducted by a unit of group included above, but must follow all applicable University policies. The University reserves the right to require the invited individual or group to provide a certificate of insurance evidencing comprehensive liability coverage for bodily injury and property damage of one million dollars prior to the use of any University space. The sponsoring unit or group shall be responsible for the good conduct of the invited person or organization.

Outdoor assemblies and events may only be held in designated areas on the UNH campus. Designated areas on campus are defined as those areas generally open to the public that do not serve a specific educational, administrative, research, health, residential, dining, athletic, or recreational purpose. Areas on campus not open to public assemblies and events shall include but are not limited to, classroom and laboratory buildings, libraries, dining areas, residence halls, and faculty, staff, or student offices. The Memorial Union building, the Field House, the Whittemore Center and Wildcat Stadium are subject to other rules and are not public areas for the purposes of this rule. Thompson Hall Lawn is reserved for University sponsored events only.

Outdoor assemblies and events shall not be permitted if they constitute a clear and present danger to the safety or welfare of persons or property, or if they threaten to disrupt vehicular or pedestrian traffic. No outdoor assembly or event may interfere with or prevent the use of campus facilities for regular instructional programs or for other scheduled activities. Clean-up will be done immediately by the unit or group registered to hold the event or assembly.

For reasons of safety, no overnight events shall be permitted. In order to maintain an events calendar that allows for maximum participation by the

many groups and units within the University, specific one-time events will be limited to one day, or one evening.

## 20.2 Outdoor Assembly and Event Permits

### 1. Small events or assemblies

A student organization or University unit seeking to conduct an outdoor assembly or event where up to 25 persons may be reasonably expected to attend are not required to obtain a permit. Although it is not necessary for a students planning a small event or assembly to obtain prior permission from the university, they are encouraged to contact the UNH Police Department to identify an appropriate area for the small event or assembly for scheduling purposes to minimize possible conflicts and to request additional information as needed.

Students and student organizations may hold a small event or assembly in a designated area of campus provided:

- a. The event is not promoted to the public or the general student body by flyers, posters, mailers, broadcast or print advertising or social media,
- b. The area has not been previously reserved or scheduled for a particular function.
- c. No sound amplification is used.
- d. Participants do not violate university policies or the Student Code of Conduct.
- e. The small event or assembly shall meet all requirements of section and 23.2.2.7 below
- f. A small event or assembly shall not be permitted if it constitutes a clear and present danger to the safety or welfare of persons or property,
- g. A small event or assembly shall not be permitted if it disrupts vehicular or pedestrian traffic.
- h. A small event or assembly shall not be permitted if it interferes with or prevents the use of campus facilities for regular instructional programs or for other scheduled activities.
- i. A small event or assembly shall not be permitted to last overnight, for the safety of participants.
- j. Booths, amplified or disruptive music, fireworks, food vendors or BBQ/fires are not permitted at small events or assemblies.

### 2. Permit Process for Outdoor Events and Assemblies

1. There is a presumption in favor of issuing a permit for assemblies and events provided that the registering unit or organization follows the consultation process set forth in sections 23.2.2 and agrees to follow the requirements set forth in the permit. In addition, all applications for permits shall be assessed on a viewpoint neutral basis.
2. The unit or organization shall demonstrate that compensation will be made to all servicing departments for all expenses resulting from the outdoor assembly or event, including security, custodial service, traffic control, grounds maintenance, food service, and conference or facility arrangements. See Student Activity Fee Committee for funding options for recognized student organizations.
3. The unit or organization requesting a permit shall provide complete and accurate information about the event on an application form. The unit or organization requesting a permit shall identify at least one full-time faculty, staff, or student officer to be present at the assembly or event at all times and to be responsible for the conduct of the event. The application form shall be available electronically, and may be submitted

- electronically or person to the UNH Chief of Police or to the Dean of Students or their designees.
4. The following information, shall be required, as applicable, from all applicants on the application form:
    - a. Name and address of sponsoring unit or organization,
    - b. Name and address of person filing application and positive form of I.D.
    - c. Date of assembly or event
    - d. Name and address of person in charge of the assembly or event
    - e. Description of the assembly or event
    - f. Location of the assembly or event
    - g. Purpose of the assembly or event
    - h. Type of equipment or structures, if any, to be used during the assembly or event, including posts, anchors, holes or trenches to be placed in the ground
    - i. If the event or assembly includes booths, music, fireworks, food vendors or a BBQ/fire, name of all vendors, and descriptions of all sources of flame such BBQ-type of grill (non-commercial, gas or charcoal), open pit, (if food is served or prepared at the assembly or event)..Please refer to Section 24 for more information on commercial activity.
  5. Applicants, with assistance as needed from the Police Department, shall consult the following individuals or their designees, as appropriate, about plans for the event or assembly and obtain their signature or other satisfactory evidence of the consultation:
    - a. Captain on staff, Durham Fire Department, 862-1426 (when open sources of flame will be present)
    - b. Director, Plant Maintenance, Leavitt Center, 862-3936
    - c. Chief of UNH Police or designee, 18 Waterworks Road, 862-1427;
    - d. Manager, Grounds and Roads, 862-3518, Office of the President, 862-2450 (for events or assemblies on Thompson Hall Lawn or Great Lawn);
    - e. Manager, Grounds and Roads, 862-3518; Assistant Director of Residential Life, 862-2268 (for events in residence hall quadrangles or adjacent to residence halls).
  6. Permit applications shall be evaluated using the following criteria:
    - a. Whether campus pedestrian, bicycle and/or vehicular traffic will be unreasonably impeded and whether members of the UNH community not participating in the activity will be unreasonably disrupted in their normal activities.
    - b. Whether any and all public address systems to be used conform with all applicable laws and whether they will interfere with any instructional activities or disrupt normal University operations.
    - c. Whether considerations of public safety and the safety of all participants are addressed to the satisfaction of the UNH Police Department. Conditions that constitute a clear and present danger to the safety or welfare of persons or property are grounds for withholding a permit.
    - d. Whether any temporary structures or installations associated with the event are safe, interfere with any normal operations, have the potential to interfere with any utility lines above or below ground level, and will be removed promptly (at the conclusion of the scheduled event).
    - e. Whether the event renders any space unsatisfactory for use in its normal or primary function.
  7. Permits shall be issued, or denied, by the UNH Chief of Police, or designee. An organization or unit may appeal to the Dean of Students or designee regarding the denial of a permit application. Conditions on the permit may require that the organization or unit holding the permit shall be responsible for:
    - a. cleanup of refuse reasonably attributable to the organization's or unit's conduct of the assembly or event and not to the reckless behavior of third parties;
    - b. reasonable precautions to prevent fires or danger to the physical safety of participants or third parties; and
    - c. financial responsibility for any property damage incurred while using said area. Permit holders will have the option of either repairing damaged areas themselves with a plant maintenance inspection for satisfaction or to pay for repairs.
  8. Each outdoor assembly or event needs an additional permit. Barbecues, amplified voices or music (such as a microphone, bullhorns, speakers) or fireworks are prohibited during normal class hours (8 a.m. until 5 p.m.).

## 20.3 Solicitation and Dissemination of Viewpoints; Distribution of Literature

1. Individual students, including members of student organizations, who wish to solicit for contributions, distribute literature (including requesting a small fee or voluntary contribution for the literature to defray expenses); and engage in sequential, incidental, brief and transitory verbal interactions with passersby on the sidewalks and in the parking lots on campus may do so at any time. Solicitation and dissemination of viewpoints shall not be permitted if they threaten human safety, or if they disrupt or threaten to disrupt vehicular or pedestrian traffic. No solicitation or dissemination of viewpoints may interfere with or prevent the use of campus facilities for regular instructional programs or for other scheduled activities. Amplified voices and/or music (such as microphones, bullhorns, speakers) are prohibited during normal class hours (8 AM until 5 PM) and any signage shall be free standing, not affixed to any structure or inserted into the ground.
2. Non-students who wish to solicit for contributions, distribute literature (including requesting a small fee or voluntary contribution for the literature to defray expenses); and engage in sequential, incidental, brief and transitory verbal interactions with passersby on the sidewalks and in the parking lots on campus must first obtain a permit from the University of New Hampshire Police Department. Applications shall be granted on a strictly viewpoint neutral basis. Applicants shall agree not to obstruct or impede any person.
3. Solicitation and dissemination of viewpoints shall not be permitted if they threaten human safety, or if they disrupt or they threaten to disrupt vehicular or pedestrian traffic. No solicitation or dissemination of viewpoints may interfere with or prevent the use of campus facilities for regular instructional programs or for other scheduled activities. Amplified voices and/or music (such as microphones, bullhorns, speakers) are prohibited during normal class hours (8 AM until 5 PM) and any signage must be free standing.
4. The tables in the hallways of the Memorial Union building are reserved for solicitation, distribution of literature and event promotion by recognized student organizations, University departments, and entities approved by the Director of the Memorial Union & Student Activities. The Memorial Union has established tables in the hallways

that may be reserved on a first come, first served basis in the Memorial Union Office and are subject to reasonable time, place and manner rules adopted by the Director of the Memorial Union & Student Activities and MUB Board of Governors (MUBOG). For reasons of public safety and traffic flow, organizations or individuals shall remain behind the tables and shall not enter the hallways to engage in event promotion, distribution of literature or solicitation. Solicitation and distribution of literature in residence halls and university apartments is subject to section 23.3.

5. University recognized student organizations and University departments may use the designated tables in accordance with applicable MUB and Student Activity Fee rules.
6. Persons using an area to distribute literature are encouraged to be responsible for litter/refuse clean-up of the area and repair of property damage to the area reasonably attributable to their activities. Persons have the option of either repairing damaged areas themselves with a plant maintenance inspection for satisfaction or to pay for repairs.

## **20.4 Permits to Solicit and Disseminate Viewpoints and Distribute of Literature**

Students are permitted to solicit viewpoints, disseminate viewpoints and distribute literature in accordance with section 23.3. On-campus and off-campus agencies who wish to distribute literature on University property shall:

- a. Obtain and submit a completed application form at the University Police Department, 18 Waterworks Road; 862-1427. Applications may be submitted electronically by email.
- b. Agree to be responsible for clean-up costs that are incurred as a result of mass distributions of literature;
- c. Submit evidence that the applicant has conferred with the Manager, Grounds and Roads, or designee, 862-3518 regarding procedures for clean up and use of grounds.

## **20.5 Door-to-Door Solicitation**

No person may solicit door-to-door in residence halls, University owned apartments classroom buildings, laboratories, or administrative buildings.