

**CITY OF MADISON
CITY ATTORNEY'S OFFICE
Room 401, CCB
266-4511**

June 14, 2001

OPINION 2001-04

TO: Madison Public Library Board

FROM: Eunice Gibson, City Attorney

SUBJECT: **Rental Fees for use of meeting rooms at Central Library**

You have asked my opinion on the Board's proposal to establish a reasonable rental fee for the use of meeting rooms at the Central Library. This opinion is limited to that issue, and does not speak to the amount of the charge or any other conditions the Board may place on the use or clientele of the meeting room.

Based on the opinion of the Wisconsin Attorney General at Volume 73, page 87, with which I concur, the Board is free to establish a reasonable fee for the use of the room. I understand that there is language in the Madison City Charter, Madison General Ordinances, and the Wisconsin Statutes, which refer to local libraries being free .

While it is somewhat inelegant to do so, I attach a true copy of the Attorney General Opinion which discusses at length the meaning of the word free in relation to public libraries. The opinion states, in pertinent part:

The Madison Public Library can charge user fees for any services that fall outside of a library's inherent information-providing functions; . . .

At page 88 of the Opinion, our Attorney General adopts a California opinion relating to the same, which states in pertinent part:

Examples of such non-Library services might include *the furnishing of meeting rooms*, allowing the use of typewriters and copy machines, rental of audio-visual equipment, etc. (emphasis supplied).

Page 2
June 14 2001

I do not believe it is necessary for these purposes to attempt to improve upon the Attorney General's language.

Eunice Gibson
City Attorney

EG:LOB:ph
Enclosure

INDEX: The Madison Public Library may charge user fees for the use of the Central Library's meeting rooms.