

BYLAWS OF THE DEVON PUBLIC LIBRARY

The Devon Public Library Board enacts the following by-laws pursuant to **The Alberta Libraries Act**, Chapter L-11, and **Freedom of Information and Protection of Privacy Act**, Chapter F-25,.

INTERPRETATION

1. (1) For the purpose of this by-law the expression:
 - a) “Act” refers to **The Alberta Libraries Act**, Chapter L-11.
 - b) “board” means the Devon Public Library Board.
 - c) “YRL” means Yellowhead Regional Library.
 - d) “TRAC/TAL” means The Regional Automation Consortium/The Alberta Library.
 - e) “borrower” is a person who has either been issued a valid TRAC/TAL card or through a borrowing agreement, e.g. inter-library loan, is entitled to borrow library resources from the library.
 - f) “library manager” means the professional person charged by the board with the operation of the Devon Public Library. Any agent of the board under the control of the library manager will be called “library aide” or “library clerk”.
 - g) “library resources” include books (whether hard cover or soft cover or paper cover), periodicals, newspapers, audio-visual materials (whether sound recording, audio cassettes or cd’s video tapes or dvd’s, films, filmstrips, slides, paintings, drawings, prints or photographs, whether or not they are framed or mounted), micromaterials in all formats, toys and games, computer software, multimedia kits, e-resources, downloadable books or music in the collection of the Devon Public Library or borrowed by the Devon Public Library.
 - h) “member” is the person who has a valid TRAC/TAL card and is therefore entitled to borrow library resources from the library.
 - i) “patron” is any person who uses the library resources.

- j) “public” means the community at large.
1. (2) In these by-laws, unless the contrary intention appears in the context:
 - a) words imparting male persons include female persons and words imparting female persons include male persons.
 - b) words in the singular include the plural and words in the plural include the singular.
 - c) where a word is defined, other parts of speech and tenses of that word have corresponding meanings.
 - d) where a period of time dating from a given day, act or event is prescribes or allowed for any purposes, the time shall be reckoned exclusively of such day or of the day of such act or event.
 1. (3) Where the time limit for doing anything falls on a day when the library is closed to the public the time shall be deemed to be extended to the first day following on which the library is open to the public.

LIBRARY FACILITY

2. (1) The portion of the building used for public library purposes is open to any member of the public free of charge during the hours of opening as set out by the Devon Public Library Board from time to time.
2. (2) The library will not be responsible for injury incurred by unaccompanied children.
2. (3) The library will not be available for public use outside of library hours except for supervised library programs.
2. (4) Any person using the library building shall conduct himself so as not to disrupt or disturb any other library users.
2. (5) No person using the library building shall remove any library resource from the library unless:
 - a) he is in possession of a valid TRAC/TAL card or has otherwise arranged to borrow the library resource based on an inter-library loan agreement.

- b) the library item has been properly checked out to him, in accordance with the procedure established by the library board for checking out of library items.
- 3. (1) A person may not be eligible for a TRAC/TAL card if they are not a resident of a city, town, or county that is a member of YRL. There are circumstances where a person may not be eligible for a TRAC/TAL card. Usually this is a county where that county is not a member of YRL. The librarian will issue these patrons a “local” library card. This type of card would be made in-house with a patron barcode and the patron would be assigned the non-system patron type. This would allow the patron access to your collection but not access to all TRAC libraries or TRAC services.
- 3. (2) An application pursuant to 3(1) shall be:
 - a) in writing in the form prescribed by the library manager.
 - b) dated and signed by the applicant.
 - c) dated and signed by the parent or guardian of an applicant who is less than six (6) years old.
 - d) accompanied by the fee prescribed in Schedule A.
 - e) the personal information collected is protected by the privacy provision of the Freedom of Information and Protection of Privacy Act.
- 3. (3) A person up to and including grade 6 may apply for a juvenile card.
- 3. (4) A person in grade 7 to grade 12 may apply for a youth card.
- 3. (5) A person 16 years of age or older may apply for an adult card.
- 3. (6) The library manager may issue a TRAC/TAL card to a person who has made proper application pursuant to 3(1) and 3(2).
- 3. (7) A TRAC/TAL card may be used by the person who is in possession of the card. The person to whom the card is issued is held responsible for all items signed out on the card.
- 3. (8) A borrower should take proper care of any item(s) entrusted to his care.
- 3. (9) A borrower should return any library item to the library on or before the due date as provided in Schedule B.

3. (10) A TRAC/TAL card issued pursuant to Section 3:
 - a) is valid for one full year from the date of purchase.
3. (11) A member shall notify the library manager of any change of address, telephone number, and/or loss of a TRAC/TAL card to maintain correct library records.

LOAN OF MATERIALS

4. (1) In accordance with **The Alberta Libraries Act**, Section 36(3), there shall be no charge for use of library resources from the public library collection or any item of public library property designated for public use. This includes resources used on the premises, resources loaned or resources acquired from other services at the discretion of the board.
4. (2) The loan periods for various library resources are set out in Schedule B.
4. (3) The loan periods as per Schedule B may be extended for two (2) further periods.
4. (4) Library resources may be reserved in accordance with policy established by the TRAC wide agreement

PENALTY PROVISIONS

5. (1) The fines for late return of library resources are as set out in Schedule C.
5. (2) The fines for damaged or lost resources are as set out in Schedule C.
5. (3) The procedures for demanding the return of library resources are as set out in Schedule C.
5. (4) A TRAC/TAL card may be revoked by the library manager for the reasons set out in Schedule C.
5. (5) A person who has had his TRAC/TAL card revoked pursuant to 5(4) may within **thirty (30) days** of such revocation make an appeal to the board in writing, setting out the grounds of the appeal.
5. (6) The decision of the board in an appeal pursuant to 5(5) is final and not subject to further appeal.

5. (7) In cases of serious dereliction the board may prosecute an offense under **The Alberta Libraries Act**, Section 41. The range of penalties applying on conviction for such an offense is set out in Schedule C.
5. (8) Any fine or penalty imposed pursuant to an offense under 5(7) inures to the benefit of the Devon Public Library Board in accordance with **The Alberta Libraries Act**, Section 42(1).

First Reading : February 17, 2011

Second Reading : March 17, 2011

Third Reading : March 17, 2011

By-law adopted this: Seventeenth day of March 2011.

Chairman: _____

Aaron Van Beers

Secretary: _____

Femmy Anton

SCHEDULES A TO C ARE PART OF THE BY-LAWS OF THE DEVON PUBLIC LIBRARY

SCHEDULE A

1. TRAC/TAL card fees

a) Resident fees (effective September 1, 2011):

Adult	\$ 10.00 per annum
Youth (gr. 7 to 12)	5.00 per annum
Juvenile (up to and including gr. 6)	2.00 per annum
Family	20.00 per annum
Senior (age 65+)	No Charge

TRAC/TAL card fees are non-refundable.

b) Non-Resident fees:

* Non-resident fees will remain the same as resident fees as long as a reciprocal agreement is in effect with the appropriate public library.

c) Temporary – (all categories)

A \$20.00 deposit for use of resources, of which \$16.00 (80%) will be refunded when all resources are returned, limited to five (5) items at any one time. Additionally, temporary patrons will be issued a “local” card rather than a TRAC/TAL card.

2. Program Room rental fees

a. The library’s program room may be rented out as per the current rates for the Dan Claypool Room at the Community Center.

b. All persons or groups renting the program room must fill out a Devon Public Library Rental Agreement to be signed by both the person or contact person and the library manager.

SCHEDULE B

1. Loan periods for library resources

Books	3 weeks
Best Sellers	The system will automatically drop an item's loan period from 3 weeks to 2 weeks when the ratio of holds to copies exceeds 2 to 1.
Magazines & Periodicals	1 week
Inter-library Loan	From 1 to 4 weeks depending on the source of material
Videos	1 week

SCHEDULE C

Penalty Provisions

1. Fines for late return of library materials
 - a) Books - 20 cents per day to a maximum of \$10.00 per book
 - b) Magazines - 10 cents per day to a maximum of \$10.00 per magazine.
 - c) Videos - 25 cents per day to a maximum of \$10.00 per video.

There may be an amnesty period of two (2) weeks, once a year, at the discretion of the library manager.
2. Fines for damaged or lost resources:
 - a) Damaged resources - damage assessed as a percentage of replacement cost according to the extent of the damage.
 - b) Lost resources - replacement cost for resources which are replaceable.
 - purchase cost for those library resources which cannot be replaced.
 - Discretion of the library manager when price is unavailable.
3. The current bank rate will be charged for any NSF cheques received by the library.
4. Procedures for notice of overdue library resources and demand for return of same:
 - a) A notice sent 7 days after resource is due. (System initiates)
 - b) A follow-up notice each 14 day period thereafter.
 - c) A final letter may be sent after 35 days stating penalties as per Section 41 of the **Libraries Act** at the discretion of the library manager and on the basis of the value of the library resource.
5. Suspension or revocation of TRAC/TAL card:
 - a) Reasons for suspension of TRAC/TAL card:
 - Non-payment of library fees as per Schedule C
 - Non-return of resources

- b) Suspension or revocation of TRAC/TAL card:
 - Failure to pay charges for overdue, damaged or lost resources
 - c) Procedures for revocation:
 - Library manager will recommend revocation to the board.
 - The board will give written notice to the person involved, of consideration of revocation.
 - A decision will be reached at the next board meeting.
 - The person will be given written notification if the decision of the board is for revocation.
 - The person may appeal in writing within **thirty (30) days**.
 - If appealed, further consideration will be given to the case.
6. Procedure for prosecution if the value of the lost or damaged resource is in excess of two hundred and fifty (\$250.00) and revocation procedures have failed to produce an acceptable solution, the following steps may be taken by the board after written notice is given to the offender.
- a) Place the account with a collection agency or municipal by-law officer, or
 - b) Take the person to small claims court and pursue civil action, or
 - c) Lay charges under **The Libraries Act**, Section 41 after legal consultation.