

BYLAWS OF THE DEVON PUBLIC LIBRARY BOARD

Approved by the Board on: February 15, 2018

Accepted by Devon Municipal Council on: March 26, 2018

The Devon Public Library Board enacts the following Bylaws pursuant to Section 36 of the Alberta *Libraries Act*.

1. Definitions in these Bylaws shall mean:
 - 1.1. **Act:** refers to The Alberta Libraries Act, Chapter L-11, RSA 2000.
 - 1.2. **YRL:** means Yellowhead Regional Library.
 - 1.3. **TRAC/TAL:** means The Regional Automation Consortium/The Alberta Library.
 - 1.4. **Applicant:** a person applying for a library card.
 - 1.5. **Board:** the Devon Public Library Board.
 - 1.6. **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.
 - 1.7. **Cardholder:** the registered user of a current library card.
 - 1.8. **Cardholder Categories** shall include the following:
 - 1.8.1. Adult: any person 16 years and older.
 - 1.8.2. Juvenile: any person up to and including 15 years of age.
 - 1.8.3. TAL Card borrower: a cardholder from outside the TRAC Library System with a current TAL card.
 - 1.8.4. ME Libraries borrower: a cardholder from outside the TRAC Library System whose card is registered in the ME Libraries program.
 - 1.9. **TAL card:** the Alberta Library card allows a cardholder to borrow materials from any library participating in the Alberta Library Card program including Special Libraries and Academic Libraries.
 - 1.10. **ME Libraries:** A provincial program that allows library card holders to borrow materials from any public library in Alberta which participates in the Alberta Public Library Network.
 - 1.11. **Good Standing:** a cardholder with no outstanding overdue items or charges.
 - 1.12. **Library Director:** 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 Director will be called "library aide" or "library clerk".
 - 1.13. **Library:** the Devon Public Library.
 - 1.14. **Library resources:** any resources, regardless of format, that are held in the Devon Public Library's collection, or borrowed by the Devon Public Library, and includes but is not limited to books, periodicals, audio recordings, video recordings, projected media, paintings, drawings, photographs, toys and games, kits, and electronic databases.
 - 1.15. **Loan Period:** the period of time, as set out in schedule B, which a cardholder may borrow library resources and includes any renewal of an original loan period.

- 1.16. **Non-resident:** any person who has a residence outside Devon, Parkland County or Leduc County, and/or does not pay Devon property or business taxes.
 - 1.17. **Resident:** any person who resides within the Town of Devon or any division of Parkland County or Leduc County, and/or pays Devon property or business taxes.
2. Interpreting the Bylaws
 - 2.1. The Devon Public Library Board is a corporation established under the *Libraries Act* Sect 3(4) as defined by the *Interpretation Act, R.S.A.2000 Chapter I-8*.
 - 2.2. 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.
 3. Library Facility
 - 3.1. 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.
 - 3.2. The library will not be responsible for injury incurred by unaccompanied children.
 - 3.3. The library will not be available for public use outside of library hours except for supervised library programs.
 - 3.4. No person using the library shall:
 - 3.4.1. Create any unnecessary disturbance for other library users and/or contravene Library Board Policy.
 - 3.4.2. Take away any library item from the building unless the item has been properly checked out in accordance with library circulation policies and procedures.
 - 3.4.3. Solicit other library users and staff for personal, commercial, religious, or political reasons.
 - 3.5. Persons who do not act in accordance with 3.4 shall be asked to put an end to their actions. If the action continues or the seriousness of the action justifies it, library staff will direct the person to leave the building. Library staff may also ask for outside assistance, including contacting local law enforcement officers.
 4. Procedures for Acquiring a Library Card
 - 4.1. Any resident or non-resident is eligible to apply for a library card. However, non-residents are encouraged to apply for a library card at their local library.
 - 4.1.1. An applicant 16 years of age or older may apply for an adult card.
 - 4.1.2. An applicant 15 years of age or younger may apply for a juvenile card.
 - 4.2. A library card is issued upon:
 - 4.2.1. Presentation of one piece of photo identification bearing the applicant's permanent address if an adult is applying for a card. If a child is applying for a card, a parent or legal guardian must present photo identification bearing his/her permanent address.
 - 4.2.2. Presentation of payment of applicable fees as outlined in Schedule A.
 - 4.3. Applicants will receive a library card which:

- 4.3.1. Is valid from the date of issue to the date of expiry, unless revoked by the Library Director under 7.4.
 - 4.3.2. Is not valid unless the card is signed by the cardholder. The card may be signed by the cardholder's parent/legal guardian in the case of a Juvenile or under special circumstances.
 - 4.4. An applicant may receive a TAL card if the applicant is a resident cardholder in good standing.
 - 4.5. An applicant may participate in the ME Libraries program if the applicant is a resident cardholder in good standing.
5. Responsibilities of a Cardholder
 - 5.1. The cardholder named on a library card will be the only person that may use the card. The cardholder may designate alternate people to access his/her library records.
 - 5.2. Loss or theft of a current library card must be reported immediately to the Library. Cardholders are responsible for all library resources borrowed and all charges attributable before the loss or theft of the card is reported. Cardholders may be assessed a minimal charge as outlined in Schedule A for a replacement card.
 - 5.3. Cardholders must notify the library of any change of contact information as soon as possible.
 - 5.4. A cardholder is responsible for all library items borrowed on their card and will compensate the library for all library items damaged or lost while borrowed on their card. In the case of a Juvenile card, the parent or legal guardian who gave permission for the card to be issued is responsible for all library items borrowed on that library card and will compensate the library for all library items damaged or lost while borrowed on that card.
 - 5.5. A cardholder will return or renew any library items on or before the due date as provided in Schedule B.
6. Loan of Library Resources
 - 6.1. 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.
 - 6.2. Loan periods for library resources are set out in Schedule B.
 - 6.3. Library resources may be reserved in accordance with policy established by the TRAC wide agreement.
7. Penalty Provisions
 - 7.1. The fines for late return of library resources are as set out in Schedule C.
 - 7.2. The fines for damaged or lost resources are as set out in Schedule C.
 - 7.3. The procedures for demanding the return of library resources are as set out in Schedule C.

- 7.4. A TRAC/TAL card may be revoked by the Library Director for the reasons set out in Schedule C.
- 7.5. A person who has had his TRAC/TAL card revoked pursuant to 7.4 may within 30 days of such revocation make an appeal to the board in writing, setting out the grounds of the appeal.
- 7.6. The decision of the board in an appeal pursuant to 7.5 is final and not subject to further appeal.
- 7.7. 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.
- 7.8. Any fine or penalty imposed pursuant to an offense under 7.7 inures to the benefit of the Devon Public Library Board in accordance with The Alberta Libraries Act, Section 42(1).

8. Service and Equipment Rental

- 8.1. Service and Equipment rental fees are listed in Schedule D.

9. Room Rental Fees

- 9.1. Charges for the use of library premises not normally used for public library purposes (i.e. the library meeting room) are set out in Schedule E.
- 9.2. All persons renting the meeting room or small meeting room must fill out a Devon Public Library Rental Agreement form to be signed by both the contact person and the Library Director.

SCHEDULE A – Fees for the Issuance of Library Cards

1. Resident Fees:
 - 1.1. Resident Individual Adult Card Fee (16 years and older) FREE
 - 1.2. Resident Individual Juvenile Card Fee FREE
2. Non-Resident Fees:
 - 2.1. Individual Adult Card Fee (16 years and older) \$20.00/card
 - 2.1.1. The \$20.00 fee is a deposit, of which \$16.00 will be refunded when all resources are returned.
 - 2.1.2. Non-Residents will be limited to 5 items at a time.
 - 2.1.3. Non-Residents will be issued a “local” card rather than a TRAC/TAL card.
 - 2.1.4. The card is valid for 6 months.
3. Replacement Card Fee \$4.00/card
4. TRAC/TAL card fees are non-refundable.

SCHEDULE B – Loan Periods for Library Resources

1. Loan periods for library resources:
 - 1.1. Books 3 weeks
 - 1.2. Magazines & Periodicals 1 week
 - 1.3. DVDs and Blu-Rays 1 week
 - 1.4. TV Series on DVD or Blu-Ray 2 weeks
 - 1.5. Inter-library Loan 1-4 weeks
 - 1.5.1. Loan period varies depending on the source of material
2. Loan periods may be extended for two further periods.

SCHEDULE C – Overdue Fines and Procedures for the Return of Overdue Material

1. Fines for late return of library materials
 - 1.1. Books - \$0.25/day to a maximum of \$10.00 per book
 - 1.2. Magazines - \$0.25/day to a maximum of \$10.00 per magazine.
 - 1.3. Videos - \$0.25/day to a maximum of \$10.00 per video.
2. Fines for damaged or lost resources:
 - 2.1. Damaged resources
 - 2.1.1. Will be charged the purchase cost of item
 - 2.1.2. Discretion of the library Director when price is unavailable.
 - 2.2. Lost resources
 - 2.2.1. Will be charged the purchase cost of item
 - 2.2.2. Discretion of the library Director when price is unavailable.
 - 2.2.3. Refunds for returned materials will be available for 60 days after the replacement fee has been applied.
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:
 - 4.1. A notice sent 7 days after resource is due. (System initiates)
 - 4.2. A follow-up notice each 14 day period thereafter.
 - 4.3. 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 Director and on the basis of the value of the library resource.
5. Suspension or revocation of TRAC/TAL card:
 - 5.1. Reasons for suspension of TRAC/TAL card:
 - 5.1.1. Non-payment of library fees as per Schedule C
 - 5.1.2. Non-return of resources
 - 5.1.3. Failure to pay charges for overdue, damaged or lost resources
 - 5.2. Procedures for revocation:
 - 5.2.1. Library Director will recommend revocation to the board.
 - 5.2.2. The board will give written notice to the person involved, of consideration of revocation.
 - 5.2.3. A decision will be reached at the next board meeting.
 - 5.2.4. The person will be given written notification if the decision of the board is for revocation.
 - 5.2.5. The person may appeal in writing within thirty (30) days.
 - 5.2.6. If appealed, further consideration will be given to the case.
6. Procedure for prosecution
 - 6.1. If the value of the lost or damaged resource is in excess of \$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:
 - 6.1.1. Place the account with a collection agency or municipal by-law officer.
 - 6.1.2. Take the person to small claims court and pursue civil action.
 - 6.1.3. Lay charges under The Libraries Act, Section 41 after legal consultation.

SCHEDULE D – Service and Equipment Fees

Photocopying and Printing	\$0.10/black and white page \$0.50/colour page
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SCHEDULE E –Room Rental Fees

1. Meeting Room:
 - a. Non-Profit Organizations and Individuals FREE
 - b. For-Profit Organizations \$20.00/hour
2. Small Meeting Room:
 - a. Non-Profit Organizations and Individuals FREE
 - b. For-Profit Organizations \$10.00/hour