

Libraries Act

Chapter L-11

Library Bylaws

Questions To Ask



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LIBRARY BYLAWS: QUESTIONS TO ASK

This “guidance document” is produced by Alberta Municipal Affairs, Public Library Services Branch to assist library boards and librarian/library managers in complying with the *Libraries Act and Libraries Regulation*.

All Library boards in the Province must file a report containing any bylaws passed by them under section 36 of the *Libraries Act*. They must also file this report with the Alberta government as soon as possible after the board receives ratification by council.

The purpose of having a bylaw is to enable the library board to have legal authority for charging fines or fees, setting out terms and conditions for the use of the library building or resources, and to provide the board with the power to set penalties and institute prosecutions under the *Libraries Act*.

This publication contains suggestions for questions to ask when creating the policy that will be contained in your bylaw, and when creating the procedures to implement that policy. It also provides a step-by-step method for the creation of that bylaw to ensure its legality, and illustrates what such a bylaw might look like.

Further assistance on the policy aspects of creating a bylaw can be obtained by consulting your Alberta Library Trustees Association (ALTA) Handbook or ALTA Manual, or by contacting the staff of Alberta Municipal Affairs, Public Library Services Branch. Executive members of the Alberta Library Trustees Association will also be pleased to assist you with this process. Assistance on the methodology to be followed in creating the actual bylaw for your library can probably be obtained from your municipal secretary, or from any member of the staff of Alberta Municipal Affairs’ regional offices or Public Library Services Branch.



DRAFTING AND AMENDING YOUR LIBRARY BYLAW

The term BYLAW is used in several ways:

- a). **Establishment Bylaw** - all municipal libraries are established by passage of a bylaw by the municipal council. This document should be on file both in council records and in the library.
- b). **Rules of Procedure** - the constitution and rules of procedure of an organization are often termed bylaws. These may govern election of officer's rules for calling meetings, financial arrangements etc. Boards might wish to give them another name to avoid confusion, although it is proper to term them bylaws.
- c). **Politic**- certain policies, rules and regulation, if passed by a Board, must take the form of a bylaw. This then becomes a written, legally adopted statement recording these policy decisions of the board. The policies may already exist and be called "rules and regulations", "procedure", "board policies", or by some other name.

This document concerns only itself only with the third of the above definitions. Section 36 of the **Libraries Act** requires that, if a library board has policies on the safety and use of the library then these policies must be in the form of a bylaw. The **Libraries Regulation** requires a community, municipal or system library board pursuant to s.3 to file their library bylaw with the Minister.

The **Primary Reason** your library requires an up-to-date bylaw is to ensure that the rules and regulations of your library are legal and hence enforceable. The existence of a proper library bylaw protects you as a board member, your collection, and the community you serve from abuse.

This document is intended as a guide to assist you in creating a bylaw appropriate to our library or in drafting amendments to your library's existing bylaws. Before you start, resolve to approach the task with an **Open and Creative Mind** attuned to the needs of the library users in your community. This is an opportunity to review your operations and how they affect the public.

Remember that this is a **bylaw of the Library Board**. It is **Not** a municipal bylaw, nor does your council have to do anything to make it legal. **Try to avoid** the tendency to put **too many rules** into your bylaw **or rules that are too strict**. **BE REALISTIC** about what is convenient for the user without creating work for your librarian/library manager and your staff.

Any library policies in the following six areas are required to be in the form of a bylaw.

- 1) Terms and conditions under which the public may be admitted to the building.
- 2) Terms and conditions under which public library property may be used or borrowed.
- 3) Terms and conditions under which borrowing privileges may be suspended or forfeited.
- 4) Fees to be paid for issuance of borrowers cards.
- 5) Fees to be paid for use of those parts of the library building not used for the purposes of the public library.
- 6) Penalties to be paid for abuse of borrowing privileges.

Before beginning, locate your rules and regulations. As mentioned earlier, you may not have referred to these rules as bylaws. They may be called “Library Policy” or may be in the librarian/library manager’s procedure manual. These regulations or policies may be filed with your minutes, posted in your library or be on a pamphlet or bookmark available to patrons. Check with the council secretary to see if municipal records have “Library bylaws: other than the bylaw establishing the library”.

To be **LEGALLY ENFORCEABLE**, the bylaw must have been read three times and approved by the library board and ratified by council. If you have **NO RECORD** of these requirements being met then it is now necessary to meet these requirements by carefully complying with the suggested procedures.

INSTRUCTIONS

This document incorporates instructions for both amending a bylaw and drafting a new bylaw. It is recommended that Schedules be used for listing specific fees, penalties or loan periods, thus making reference to these easier.

If you are **amending a bylaw** see points 1 to 3 AND 12-16.

If you are **drafting a new bylaw**, start at point 4 and continue to point 16.

AMENDING A BYLAW

REVIEW POLICIES.

1. Consolidate and review your bylaws, in whatever form they now exist, for necessary changes. Appoint a small committee comprised of one or two board members and the librarian/library manager to review the existing bylaws.
 - * Are they in accordance with the Libraries Act, particularly section 36(3) **prohibiting charges** for use and loan of resources and for admittance to parts of the building used for public library purposes?
 - * Are they appropriate to the present level of service the library is?

- 2) The committee should consider each section of the bylaw one at a time. If it is adequate, nothing more needs to be done. If a bylaw needs to be revised the committee should draft an amendment.
- 3) Schedule a meeting of the board, with the librarian/library manager in attendance to consider amendments to the bylaw.
 - * Prior to the meeting distribute the bylaw and proposed amendments to all board members. Ask them to come prepared to discuss the amendments to the bylaws and make any additional amendments.

* Please proceed to point 12 on page 4.

DRAFTING A NEW BYLAW

APPOINT COMMITTEE

- 4) If you do not have written policies or bylaw the board should appoint a small committee to prepare the initial draft of the bylaws including the schedules. One of these people should be the librarian/library manager, as this is the person most familiar with the direct operations of the library.

SET TIME FRAME

- 5) At the outset the board and the committee should reach agreement on a realistic time schedule for preparing the bylaw. The more complex and extensive your library services are the longer it may take to draft a bylaw.

BASIC PRINCIPLES

- 6) The committee should keep in mind some basic principles e.g.- Make the library easy for the patron to use - Keep paper work for staff to a minimum.

RECORD EXISTING POLICIES

- 7) Even if the library has been operating without written guidelines there is probably an understanding among staff about how long books are marked out for, overdue fines etc. Keep in mind the six policy areas that should be incorporated in your bylaw. The Librarian/library manager should write down what is understood to be library policy in these areas.
- 8) Next consider those areas of operation, which have no guidelines. You may want to consult the policies of other libraries. Write down a proposed policy.
- 9) Are these proposed rules:
 - * In accordance with the **Libraries Act** particularly 36(3) that **prohibits charges** for use of and loan of resources and for admittance to the parts of the building used for public library purposes?
 - * Appropriate to the present level of service the library is offering?

- 10) If the committee is satisfied with the content of the rules then they should be drafted into a form appropriate to a bylaw. * The **use of schedules** that are attached to and are part of the bylaw is **recommended** for clarity in detailing specific policies. This will greatly assist the board in the future if it decides to amend the bylaw.
- 11) Schedule a meeting with the librarian/library manager in attendance, to consider the proposed bylaw.
- * Prior to the meeting distribute a typed copy of the proposed bylaw to trustees so that they are well prepared to discuss the bylaw. It may be useful to assign a particular topic of some trustees to critique. It is suggested that any proposed changes be in writing.

12) **FIRST WORKING MEETING**

It is important that the Chairperson conduct the meeting in accordance with good meeting practice. Suggestions for doing so may be found in a number of books.

- * Do ensure that the motion to adopt is properly made, seconded and voted upon.
- * Consider each section of the bylaw or proposed amendment one at a time. After some general discussion it should be possible to reach a consensus on how the amendment or the bylaw should read.
- * When you have reached agreement on the necessary changes have someone make the appropriate motion e.g. “a motion to amend or adopt (if new bylaw) article _ on __ to read as follows...” The motion must be seconded after which the chairperson will call for a vote. IF the motion to amend or adopt passes this constitutes **FIRST READING**.
- * If there is no major disagreement it should be possible to have **FIRST READING** on the whole bylaw at one meeting.

If the board wishes to proceed with all three readings of the bylaw at the same meeting, **unanimous consent** is required to proceed with the **THIRD** and **FINAL READING**.

*Check with your municipal secretary with regard to the proper format for bylaws. He or she will have expert knowledge of how your council expects to see such documents and, if this format is followed, it may avoid confusion later.

13) SECOND WORKING MEETING

- * Typed copies of the amendments or bylaws passed at the previous meeting should be distributed to the board.
- * The Chairperson should then call for **SECOND READING** of the amendment or bylaw and conduct a vote.
A motion to read the bylaw (or specific articles) a second time is in order.
- * The Chairperson may then entertain a motion that the board proceed with the **THIRD** and **FINAL READING** of the amendment or bylaw.
- * The Chairperson may then have the third reading of the amendment or bylaw and the vote.
- * The amendment or bylaw should then be signed by the Chairperson and another officer of the board (not the librarian/library manager).
- * The Board should ensure that any existing policies in conflict with the bylaw are revoked.
- * The Board should decide upon what date the bylaw should take effect. It is suggested that the bylaw come into effect one month or later, after passage, and this can be done through a motion to adopt the bylaw on a specific date.
- * Although council does not have to approve the board bylaw, it is courteous to allow Council time to review the bylaw if it chooses to do this, or to provide time to answer any questions, which might arise.

14) A signed copy of the amendments or new bylaw should be forwarded to the municipal secretary, or equivalent, as required in Section 37 of the *Libraries Act*. Request that the board be sent either a copy of the minutes of the council meeting at which the library bylaw was received, or a letter from the municipal secretary confirming that the amended or new library bylaw was received by Council.

15) The Council of a municipality may disallow a bylaw passed by the library board. It does not have the power to amend or change the bylaw or any part of it.

- * If the bylaw or a section of it, is disallowed by Council, the entire bylaw is void.
- * The board should consult with the Council to find out why this action was taken. It should then redraft the bylaw to ensure that Council will not disallow it again.
- * The board will have to have three readings and vote on the redrafted bylaw before forwarding it again to Council.

16) Your Library's up to date bylaw is **OFFICIAL**.

- * It is suggested that it be posted in a prominent place in the library, as well as being available as required under section 6 of the *Libraries Regulation*.
- * You may wish to advertise the bylaw or make them readily available to patrons in a handout.

SETTING LIBRARY POLICIES

The following section sets out some of the factors to consider when setting policies and creating your bylaw. A sample bylaw is appended for ease of reference with regard to format.

1) PUBLIC ADMITTANCE TO THE LIBRARY BUILDING

Section 36(1) (a) - Terms and conditions under which the public may be admitted to the building.

Admittance During Public Hours of Opening

- * The public shall have access to the public portions of the library during hours of opening.
- * The board should address the question of unaccompanied children in the library. It is important that the library protect itself from any charge of negligence should something happen on the library premises to a young child, unaccompanied by a parent or guardian, and some age limitation may be necessary.
- * **Admittance During Public Hours of Opening.**

SEE SAMPLE BYLAW SECTION 2(1)

Because of the hours of library opening or the physical structure of the library building it is possible that the public will be admitted to the library to attend a public function in library facilities outside of normal business hours.

- * If the public is going to be in the library facility during closing hours the board should ensure the security of the building and collection by having a clear policy that provides for supervision and lock up by either library personnel, maintenance staff, or a security guard.



Disruptive behavior in the Library

SEE SAMPLE BYLAW SECTION 2(1)

- * Persons that have previously caused trouble by their behavior cannot be prohibited from entering the building unless previously prosecuted for this behavior.

Once a person is in the building and proceeds to act in such a way as to violate a library bylaw by disturbing other patrons they are liable to a charge under Section 41 of the *Libraries Act*.

- * The board might establish a procedure by which incremental steps are taken by the librarian/library manager on duty. This need not be a part of the bylaw, but can be considered at the same time. For example:
 - ① Inform the person that their behavior is a problem and should be stopped.
 - ② If they do not desist, ask them to leave.
 - ③ If they will not leave, inform them you are contacting the police to assist you and that they are liable to charges under the **Libraries Act, c.L-11, s.41**, the maximum penalty for which is \$500 and/or 6 months imprisonment, as provided by s.787(1) of the **Criminal Code of Canada, RSC 1985 c.C-46**
 - ④ Inform the chief librarian/library manager, chairperson of the board or other trustee that you are going to contact the police. Endeavor to have one of them present when the police arrive.
 - ⑤ Solicit the assistance of responsible patrons who have witnessed the misdemeanor to stay until the police arrive.
 - ⑥ Contact the Police.
 - ⑦ As soon as possible, write a report for the board on what transpired. Include the names and addresses of patrons who can verify the report.
- * If there is a recurring problem with a person who has been prosecuted for their behavior in the library, then it may be possible to seek a court order for an injunction preventing that person from entering the library for a specified period of time.

2) USE OR BORROWING OF PUBLIC LIBRARY PROPERTY

Section 36(1)(a)(ii) - **Terms and conditions under which public library property may be used or borrowed.**

Factors to be considered include:

Library Resources Which May be Used on the Library Premises

- * Any member of the general public should be able to use any resource from the public library collection or any item of property designed for public use.

SEE SAMPLE BYLAW, SECTION 5(1)

However,

- * The board may want to establish:
 - a) Supervisory or Security arrangements,
 - b) Age requirements,
 - c) User instructional requirements for use of:
 - ❶ Special collections - such as local historical and archival material.
 - ❷ Easily damaged materials - such as micromaterials.
 - ❸ Capital equipment such as record player, tape recorders, VCRs, computers, film projectors, typewriters micro film/fiche reader/printers, photocopying machines.
- * The age of a user cannot be an automatic bar to deny user privileges to children, but the board may look at requirements for parental permission for parts of the collection.

Loaning Materials

- * The library board must decide which library resources will be normally “lent”. Usually, only members will be allowed to borrow library resources.
- * Lending regulations should facilitate the use of library resources by readers.
- Regulations should allow sufficient materials, time, and freedom for use by the reader and still be consistent with the best use of library resources.
- Resources except those, which are judged by the board to be IRREPLACEABLE or needed in the reference collection for basic informational services, should be available for use outside the library.
- Try to avoid frustrating library patrons by having unnecessary restrictions, and a confusing variety of loan periods for different resources.

SEE SAMPLE BYLAW, SECTION 5(2) –5(4)

Loan Procedures

- * The board must ensure that there are clear procedures for:
 - circulating library resources
 - overdue procedures
- These procedures should not be part of the bylaw, but can be considered at the same time as the bylaw is drafted.

3) **SUSPENSION OF BORROWING PRIVILEGES**

Section 40(1)(a) (iii) – **Terms and conditions under which borrowing privileges may be suspended or forfeited.**

The board should consider which circumstances would constitute reason for suspension of borrowing privileges. Clear procedures for the suspension of such privileges must be established.

- * The recommendation for suspension would be made to the board by the librarian/library manager.
- * The usual reason for suspension will be failure to pay charges for overdue, damaged or lost material. The board should stipulate the amount that will attract this penalty and the amount of time the person has to pay before this final step will be invoked.
- * The board should have all the files and facts available before a decision is reached on suspension.
- * Procedures for suspension might include:
 - ⇒ Notice to persons that their borrowing privileges may be revoked.
 - ⇒ The board then makes a decision.
 - ⇒ The board should notify the person that their borrowing privileges have been suspended or revoked.
 - ⇒ There must be an appeal process.

These procedures should not appear in the bylaw but may be considered at the same time.
SEE SAMPLE BYLAW, SECTION 6(4)-6(6)

4) **FEES FOR ISSUANCE OF BORROWERS CARDS**

Section 36 (1)(b)(i) — **Fees to be paid for issuance of Library Borrowers cards.**

Factors to consider include:

Should there be a fee for issuing library cards?

The board should first consider the pros and cons of charging for issuing a library card.

PROS:

- * Fee helps pay for the cost of issuing the card and for the stationery
- * Fee is viewed as indicating the value of the service to the user
- * Municipal councils often view user fees with favour
- * Fee can control use if linked to heavy use of the library
- * One time or lifetime cards are easy to administer

CONS:

- * Fee may be viewed as a surcharge on service already paid for by public taxes
- * Public library service should be free
- * Costs of administering fee may outweigh revenue
- * Length of time must be decided (e.g. annual, every 2 or 3 years etc)
- * Free library card has good public relations value
- * Fee can deter use by low-income families, children or heavy users

In Alberta, the most recent statistics on public libraries that charge for a single adult member:

BORROWERS CARDS (1999)	PERCENT OF LIBRARIES
Libraries with no charge	14.1%
Charge of \$5.00 or less	20.3%
Charge of \$5.01 - \$10.00	29.5%
Charge of \$10.01 or more	36.1%

If a fee is to be charged, the board must decide upon the length of renewal and set procedures for this.

Categories of fees

- * The board must define what categories for card holders should be established with regard to:
 - * Resident of a jurisdiction
 - * Resident of a neighboring municipality
 - * Reciprocal privileges
 - * Children
 - * Seniors
 - * Family
 - * Non-resident
 - * Temporary resident
 - * Groups or organizations
 - * System or consortium privileges
- * The board should decide whether the Library would charge for replacement cards and under what conditions.
SEE SAMPLE BYLAW, SECTION 3(1)
- * The board will have to stipulate the identification that is necessary to acquire a borrowers card in any of the categories.
SEE SAMPLE BYLAW, SECTION 3(2)

Fees for non-residents

- The board should consider whether it wishes to charge a different fee for non-residents than that charged for residents. Questions to ask would include:
 - Does the municipality with which the non-resident lives contribute towards the cost of library service?
 - Does the municipality within which the non-resident lives have a library?
 - Is there any reciprocity?

5) USE OF LIBRARY PREMISES

Section 36(1)(b)(ii) — Fees to be paid for use of those parts of the library building not used for the purposes of the public library.

Many Libraries have meeting rooms or multi-purpose rooms as part of their Library building. While such spaces are designed to facilitate library programs, they may also be intended as public meeting and activity space for community groups and organizations. The bylaw must set out policy for the control and management of such space.

SEE SAMPLE BYLAW, SECTION 2(2)

Factors to consider with regard to rental of library space include:

PURPOSE

The library facility may be viewed as another resource that the Library makes available for the use of the community. Libraries will seldom make a profit on the rental of space, but they may try to meet costs involved in maintenance and security. If the demand for the facility is very heavy, the board may give some consideration to giving priority booking to those groups such as historical societies and arts councils whose mandate is complementary to the goals and objectives of the library.

MUNICIPAL AUTHORITY

Some libraries share a building with the town office, and although the space for rent is referred to as part of the library it is in fact under the authority of the town and responsibility for bookings has been delegated to the library board.

Even if the municipal council has no authority over the library facility, it is good public relations to ensure that the town knows it is welcome to use the library rental space.

SPACE AVAILABLE FREE OF CHARGE

There may be no charge for library space for events co-sponsored by the library. The board may also wish to consider if certain types of meetings such as public information meetings might merit free use of the library rental space.

FLAT FEE OR SCALED FEE

Some libraries vary the rental fee for library space depending on whether the scheduled event is a community meeting or whether it is a profit-making venture such as a Weight Watchers meeting. It is important that any differential in fees for the rental of the same space is set out clearly in written policy available to potential renters.

RENTAL OF SPACE TO PARTICULAR TYPES OF GROUPS

The board must be careful that its bylaw does not transgress the ‘Alberta’s **Human Rights, Citizenship & Multiculturalism Act. R.S.A. 2000, CH-14 s4**

“No person shall:

- a) deny to any person or class of persons any goods, services, accommodation or facilities that are customarily available to the public or
- b) discriminate against any person or class of persons with respect to any goods, services, accommodation or facilities that are customarily available to the public, because of the race, religious beliefs, colour, gender, physical disability, mental disability, ancestry, place of origin, marital status, source of income or family status of that person or class of persons or of any other person or class of persons”

SECURITY

Often meetings are at hours other than when the library is customarily open to the public. This poses a security problem that the board must address. Either, library personnel, maintenance staff, or security staff must check to ensure that the facility is not being abused and attend to locking up. This, in turn, may be a cost factor to be calculated in the rental rate.

MAINTENANCE

Depending on what type of a function the space is being used for, there may be additional janitorial costs that are also a cost factor.

The board should carefully consider its policy regarding smoking, food and beverages in the meeting room.

BOOKING AND RENTAL PROCEDURE

The board must have clear procedure on how the room is to be booked. This should not be part of the bylaw but can be considered at the same time.

- * Who is the library person responsible for booking the room?
- * Procedure for tentative reservation; confirmation and deposit.
- * Contact person and phone number.
- * Requests and charges for equipment, e.g. lectern, PA equipment, screen, VCR, on-line access etc.
- * Instructions for room set up.
- * Emergency procedures.
- * Procedure for admittance to the room and lock up.
- * Procedure for payment.
- * Charge for cancellation particularly on short notice.
- * Posting meetings.
- * Rules on use of the room regarding smoking, beverages etc.

6) PENALTIES

Section 36(1)(b)(iii) — Penalties to be paid for abuse of borrowing privileges.

The board should ask itself the purpose of making charges for damaged or lost materials, and / or having fines penalties for the late return of materials:

1. Is it to encourage patrons to take good care of library materials they have borrowed?
2. Is it to encourage patrons to return library resources on time so that they are once again available to loan to other library users?
3. Is it a way to raise money for the library?
4. Is it to cover the costs incurred in recovering library resources?

The board may want to consider whether its loan period for particular items is too short and, thus, encouraging overdues.

The loan period and the fines may, to some degree, reflect the expense of, demand for, and use of the material that is loaned. For instance videotape, which can be viewed in one evening, may have a shorter loan period than a book and may attract a greater penalty for late return.

The bylaw might include:

- 1) fines for late return of different types of materials
- 2) charges for material that has been returned but has been damaged by a patron
- 3) charges for loss of materials
- 4) charges for lost or damaged transaction slips, book pockets, etc.
- 5) amnesty periods when patrons can return overdue materials without having to pay fines.
- 6) a range of penalties which would apply when patrons are prosecuted under s.41 of the *Libraries Act*.

SEE SAMPLE BYLAW, SECTION 5 AND 6

CHARGES FOR LOST OR DAMAGED MATERIALS

The library board can decide to assess charges on the basis of a number of factors. For example:

1. Flat charge for type of material lost. This is a simple method and is appropriate if the material is no longer available.
2. Replacement cost - this means that the item is readily available and that the cost can be easily ascertained by referring to a publication such as **Books In Print** or **Canadian Books in Print**.
3. Purchase cost - this is the price that the library originally paid for the book. Some libraries have this information on the shelf list.
4. Replacement cost, plus the cost of acquiring and processing the replacement item - this includes all or part of the cost of technical services and processing.

SEE SAMPLE BYLAW, SECTION 6

The board may consider that after a specified lapse of time unpaid fines or charges in excess of a specified amount should attract one of the severer penalties listed below. The board should carefully weigh whether such steps are necessary and, if so, for what amounts the penalties would apply.

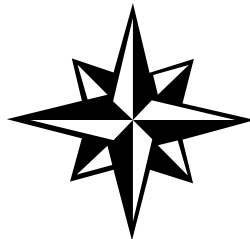
Each of these options would require the library to give NOTICE to the person that the library board is contemplating taking the specified act against them:

SEE SAMPLE BYLAW, SECTION 6(4)

Charges laid under the Libraries Act, section 41, will carry the penalties stipulated in the board's bylaw. Boards may, if they wish, stipulate a minimum penalty to guide the Court in its judgement. There should, however, be a range available to the Court and the maximum should not exceed that set out in the Criminal Code as quoted below. If no penalty is stipulated, the Court may elect to use the maximum fine provision in such a bylaw, or may look to the Summary Convictions Act, section 4(1) for guidance on penalties. In this latter case, section 787(1) of the Criminal Code, R.S.C 1985, C-46 would apply, and it states: -

“Every one who is convicted of an offence punishable on summary conviction is liable to a fine of not more than two thousand dollars or to imprisonment for six months or to both”

Section 42 of the *Libraries Act* stipulates that any penalty will accrue to the library board.



APPENDIX

This is a **SAMPLE BYLAW ONLY**. It is written to assist you in developing your own bylaw and to illustrate how the various parts of the bylaw might fit together. It is suggested that section 1 “Interpretation” may be used in total, as it sets out certain basic definitions and legal intentions common to all libraries bylaws. Your own library bylaw will be more extensive as you will have provided specific details (but not procedures), particularly in the schedules.

BYLAWS of the ____ (name of municipality) _ LIBRARY BOARD

The _____ Library Board enacts the following bylaws pursuant to the *Libraries Act*, Chapter L-11, Section 36.

INTERPRETATION.

- 1 (1) For the purposes of this bylaw the expression:
 - a) “Act” refers to the **Libraries Act**, Chapter L-11 and amendments thereto.
 - b) “Board” means the _____ Library Board.
 - c) “Borrower” means the person to whom a library borrowers card has been issued.
 - d) “Librarian” or “Library Manager” means the person charged by the board with the operation of the _____ Library.
 - e) “Library Resources” means any material, regardless of format, that is held in a library’s collection and includes books, periodicals, audio recordings, video recordings, projected media, paintings, drawings, photographs, micromaterials, toys and games, kits, CD-ROMS and electronic databases in the collection of the _____ Library or borrowed by the _____ Library.
- 1 (2) In these bylaws, unless the contrary intention appears in the context
 - a) Words imparting male persons include female 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 prescribed 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 thereafter on which the library is open to the public.

Library Facility

- | | |
|--|---|
| Access to the Public Library Portion of the Building | 2 (1) The portion of any building used for public library purposes is open to any member of the public FREE OF CHARGE during the hours of opening as are set out by the _____ Library Board from time to time. |
| Multi Purpose Room Rental | 2 (2) Charges for the use of library premises not normally used for public library purposes are set out in Schedule A that is attached hereto and forms part of this bylaw. |
| Conduct in the Library Building | 2 (3) Any person using the library building shall conduct himself so as to not disturb other library users. |

PROCEDURE FOR ACQUIRING A BORROWERS CARD.

- 3 (1) Any person resident in the _____ of _____ is eligible to apply for a borrowers card.
- 3(2) An application pursuant to 3(1) shall be
 - a) In writing in form prescribed by the librarian/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 _____ years old.
 - d) Accompanied by the fee prescribed in Schedule B.
- 3 (3) The librarian/library manager may issue a borrower’s card to a person who has made proper application to 3(1) and 3(2).

Responsibilities of a Borrower

- 4(1) A borrowers card may only be used by the person to whom it is issued except:
 - a) Insert any special conditions.
- 4(2) A borrower shall notify the librarian/library manager of any change of address and/ or telephone number.
- 4(3) A borrower should take proper care of any library item entrusted to his care.
- 4(4) A borrower should return any library item to the library on or before the due date as provided in Schedule C.

Loan of Library Resources

No Charge for Loan of Library Resources	5(1) In accordance with the <i>Libraries Act</i> Section 36 (3) there shall be NO CHARGE for the use of library resources. This includes resources used on the premises, resources loaned or resources acquired from other sources at the discretion of the board.
Loan Period for Library Resources	5(2) The loan periods for various library resources are set out in Schedule C.
Reserve	5(3) Library resources may be reserved in accordance with policy established by the board.
Renewals	5(4) Library resources may be renewed in accordance with policy established by the board.

Penalty Provisions

Revocation of Borrowers Card Appeal	<p>6(1) The fines for late return of library resources are as set out in Schedule D.</p> <p>6(2) The fines for damaged or lost resources are as set out in Schedule D.</p> <p>6(3) The procedures for demanding the return of overdue resources are as set out in Schedule D.</p> <p>6 (4) A borrower’s card may be revoked by the librarian/library manager for the reasons set out in Schedule D.</p> <p>6 (5) A person who has had his borrower’s card revoked pursuant to 6(4) may with 30 DAYS of such revocation make an appeal to the board in writing setting out the grounds of the appeal.</p> <p>6 (6) The decision of the board in an appeal pursuant to 6(5) is final and not subject to further appeal.</p>
Prosecution	<p>6 (7) In cases of serious dereliction the board may prosecute an offence under the <i>Libraries Act</i>, Section 41. Such an offence is punishable under the <i>Libraries Act</i>, s41. The range of penalties applying on conviction for such an offence is set out in Schedule D.</p> <p>6 (8) Any fine or penalty imposed pursuant to an offence under 6 (7) inures to the benefit of the _____ Library Board in accordance with the <i>Libraries Act</i>, s42.</p>

Read a first time: _____

Read a second time: _____

Chairperson

Treasurer

Read a third time and adopted this:
_____ day of _____ 20__

Schedules A to __ are part of the Bylaws of the _____ Library.

Schedule A — Room Rental Fees

Schedule B — Borrowers Card Fees

Schedule C — Loan Periods for Library Resources

Schedule D — Penalty Provisions

- 1) Fines for late return of library resources
- 2) Fines for damaged or lost library resources
- 3) Procedures for notice of overdue library resources and demand for return of library resources
- 4) Revocation of borrowers cards
- 5) Procedure for prosecution
- 6) Penalties for abuse of borrowing privileges

