

## BYLAWS OF THE PENHOLD & DISTRICT LIBRARY

The Penhold & District Library enacts the following bylaws pursuant to the *Libraries Act*, R.S.A. 2000, Chapter L-11, Section 36.

### INTERPRETATION

- 1 (1) For the purposes of this bylaw the expression:
  - a. "Act" refers to the **Libraries Act**, R.S.A. 2000, Chapter L-11 and amendments thereto.
  - b. "Board" means the Town of Penhold Library Board.
  - c. "Borrower" means the person to whom a library borrower's card has been issued.
  - d. "Library Manager" means the person charged by the board with the operation of the Penhold & District 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, micro materials, toys and games, kits, CD-ROMS and electronic databases in the collections of the Penhold & District Library or borrowed by the Penhold & District 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.

### PUBLIC ADMITTANCE TO THE LIBRARY BUILDING

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 public hours of opening as are set out by the Town of Penhold Library Board from time to time.

2(2) Access to the building by public during non-public hours will be allowed for library programs, or meetings. Fees for programs may be charged, as determined by the Board.

Use of Library Other  
Than for Library Purposes

2(3) 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.

2(4) Security of the library and collection will be protected, as provided for in library policy and rental agreements.

Conduct in the Library  
Building

2(5) Any person using the library building shall conduct himself so as to not disturb other library patrons, and according to policy that may be set by the Town of Penhold Library Board from time to time. Continued disruptive behavior may result in loss of library privileges.

- 2(6)
- a. Unaccompanied children, over the age of 10 years, will be allowed to be in the library but will be expected to abide by 2(5), and must be in the library for a library related purpose.
  - b. Any child under the age of 10 years will not be allowed in the library without the accompaniment of a parent or guardian, unless it is for the purpose of a special program and is agreed to by the librarian.
  - c. Responsibility for the welfare and the behavior of children using the library rests with the parent/guardian or assigned chaperone. Though staff will always respond with care and concern, the library will not assume responsibility for children's safety and comfort when they are unattended.
  - d. If children remain at the library at closing time, the Library Staff will contact parents/guardians and if unsuccessful, then may contact the authorities.

## USE OR BORROWING OF PUBLIC LIBRARY PROPERTY

Procedure for  
acquiring a borrowers'  
card.

- 3(1) The following outlines the eligibility to apply for a borrower's card:
- a. Any resident of Penhold or Red Deer County, is eligible for a borrowers' card at the Penhold & District Library, at a fee outlined in Schedule B under resident fees.
  - b. Any non-resident of Penhold is eligible for a borrowers' card at the Penhold & District Library, at a fee, which is determined through terms and conditions with Parkland Regional Library system and is outlined in Schedule B under non-resident fees.
  - c. Any organization that operates within the Town of Penhold is eligible for a borrowers' card at the Penhold & District Library at a fee outlined in Schedule B.

- 3(2) An application pursuant to 3(1) shall be:
- a. In writing, according to the Penhold & District Library's application form, as given to the applicant by the Library staff;
  - b. Dated and signed by the applicant;
  - c. Dated and signed by the parent or guardian of an applicant who is less than 16 years old;
  - d. Accompanied by the fee prescribed in Schedule B; and
  - e. Accompanied by legal identification of a driver's license or Alberta Health Care Card.

3(3) The librarian may issue a borrowers' card to a person who has made proper application as outlined in 3(1) and 3(2).

3(4) Borrowers who lose their borrowers' card will be eligible for a replacement card.

Responsibility of a Borrower

- 4(1) Any individual, family or organization with a borrowers' card at the Penhold & District Library shall be expected to be responsible as follows:
- a. A borrowers' card, for an individual, family or organization, may only be used by the individual, family or organization to whom it is granted except:

- when a borrower who is incapable of attending the library fills out a permission sheet allowing a designated person privileges on the borrowers' behalf
- b. To keep the Library Staff informed of their current address and telephone number.
- c. To take responsible care of library resources, and upon loss or damage of library property, shall be subject to penalties as outlined in the Overdue Library Materials Policy and the Damaged Library Materials Policy.
- d. To return any loaned library resources to the library on or before the due date, as provided in Schedule C to this Bylaw.
- e. To pay any overdue fees, as per the Board's Library Fines By-Law Schedule D, in a timely manner
- f. To pay fees, as per the Schedule B of this bylaw, and the Borrowers' Card Fee policy, on a timely basis.
- g. To renew a borrowers' card in accordance with policy established by the Board (Borrowers' Card Renewal Policy).

## 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. Those using resources on library premises will be under the general supervision of the Library Staff.
Loan Eligibility	5(2)	Only those with a borrower's card will be able to use library resources off library premises (borrow).
Loan Period for Library Resources	5(3)	The loan period for various library resources are set by the Parkland Regional Library System.
Reserve	5(4)	Library resources may be reserved in accordance with policy established by the Parkland Regional Library System.

Renewals 5(5) Library resources may be renewed in accordance with policy established by the Parkland Regional Library System.

## **PENALTY PROVISIONS**

### Fines

out

- 6(1) The fines for late return of library resources are as set in Schedule D.
- 6(2) The fines for damaged or lost resources are as set out in Schedule D.
- 6(3) The procedures for demanding the return of overdue resources are as set out in Schedule D.
- 6(4) The Penhold & District Library will determine amnesty periods from time to time, where patrons can return overdue materials without having to pay fines.

### Revocation of Borrower's Card Appeal

- 7(1) A borrowers' card may be revoked by the Library Staff for the reasons set out in Schedule D.
- 7(2) A person who has had a borrowers' card revoked pursuant to 7(1) may, within **30 days** of such revocation, make an appeal to the Board in writing setting out the grounds of the appeal.
- 7(3) The decision of the Board in an appeal pursuant to 7(2) is final and not subject to further appeal.
- 7(4) In cases of serious dereliction, the Board may prosecute under the *Libraries Act*, Section 41. Such an offence is punishable under the *Libraries Act s41*. The range of penalties applying on conviction for such an offence is set out in Schedule D.
- 7(5) Any fine or penalty imposed pursuant to an offence under 7(4) inures to the benefit of the Penhold & District Library in accordance with the *Libraries Act*, s42.

| Read a first time September 22, 2021\_\_Brenda Hoskin

| Read a second time September 22, 2021\_\_Jennifer Walsh

| Read a third time September 22, 2021 \_ Brenda Hoskin

| Lisa Newton  
Chairperson

| Jennifer Walsh  
Secretary

## **SCHEDULE A**

Charges for the rental of meeting space:	\$15.00/one evening
Use of equipment	\$N/C
Weekly use/month	\$50.00
Non-Profit	\$N/C
Proctor Exams	\$20.00 for non-library members

## **SCHEDULE B**

### **Borrower's Card Fees:**

- \*Resident Individual Borrower's Card: The fee charged will be \$10.00/year
- \*Resident Family Borrower's Card: The fee charged will be \$15.00/year
- \*Resident Organizational Borrower's Card: The fee charged will be \$15.00/year.
- Non-resident individual Borrower's Card: As defined in the agreement with Parkland Regional Library (\$60.00)

\*Applies to residents of the Town of Penhold and Red Deer County.

### **Replacement Card Fees:**

Generally, there will be no charge for replacement borrower's cards. In exceptional circumstances, such as the loss of several cards over a period of time, the library reserves the right to charge a fee to replace cards.

## **SCHEDULE C**

### **Loan Periods**

Loan Periods for Materials of the Penhold & District Library as established with Parkland Regional Library System:

Books	5weeks
Magazines	5week
CD ROMS/Audio tapes	5weeks
Videos / DVD's	5week
Audiobooks	5weeks

## **SCHEDULE D**

### **Fines for Late Returns**

In the instance when a library patron has not returned a book or other library materials within the lending period as outlined in Library Policy, Penhold & District Library will charge patrons \$.25/operational day.

### **Fines for Damaged or Lost Materials**

- If Library materials are returned to the Library in a damaged state, including but not limited to, such things as ripped pages/covers, damaged from moisture of any kind, badly bent, damage to video/audio discs etc.; then the patron may be charged for the replacement of the material at the Library Staff discretion. The charge to the patron will be based on replacement cost.
- If Library materials are lost or not returned, within 28 days of the loan period, then the patron will be invoiced for the respective Library material. Invoices are automated through the Parkland Regional Library operating system.
- After 2 months without making proper restitution borrowing privileges may be suspended.
- If the patron is unhappy with the charges for lost or damaged material, the patron may appeal in writing to the Board. Board decisions with respect to appeals will be final.

### **Procedures for demanding return of overdue material**

- In the instance when a Library patron has not returned overdue library material that is the property of Penhold & District Library or any interlibrary loan, the Library Staff will make every effort possible to recover the library material by contacting the patron.
- The process to be followed is:
  - patron will be telephoned, upon receiving the weekly Overdue Report, on unreturned items
- -- Billing Notices are automated through Parkland Regional Library System and followed through by Library staff contacting the patron to inquire about the overdue/missing/lost item.. The Penhold and District Library reserves the right to place the overdue account with a collection agency, take the overdue account to small claims court or lay charges under Section 45 of the Libraries Act. The patron will be notified in writing if any of these actions are to be taken.

### **Reasons for Revoking a Borrowers Card**

A membership may be revoked if a member is in contravention of any of the responsibilities outlined in the Borrower's Card Responsibilities Policy such as:

- Non-payment of borrower's card fees
- Non-renewal of borrower's card
- Not keeping the library informed of current address and telephone number
- Not returning library materials as per the due date
- Not taking responsible care for library materials, such that library materials are damaged
- Loss of library materials
- Non-payment of overdue fees
- Allowing another person to use library membership, without providing permission to the library

### **Range of Penalties for Serious Dereliction**

Charges that could be laid, if someone were prosecuted under s41 of the *Libraries Act*, will range from \$250 to \$1000.