

BYLAWS OF THE TOWN OF MORINVILLE LIBRARY BOARD

The Town of Morinville Library Board enacts the following Bylaws, pursuant to the *Province of Alberta Libraries Act, R.S.A.2000, Chapter L-11, section 36* and the *Libraries Amendment Act, 1998* which states:

- 36(1)** A board may pass bylaws for the safety and use of the library, including
- a) the terms and conditions under which
 - i. the public may be admitted to the building
 - ii. public library property may be used or borrowed by members of the public
and
 - iii. borrowing privileges may be suspended or forfeited;
 - b) notwithstanding subsection (3), fees to be paid by members of the public for
 - i. the issuance of library borrowing cards, and
 - ii. the use of those parts of the building not used for the purposes of the public library
 - iii. photocopying
 - iv. receiving information in a printed, electronic, magnetic, or other format, and
 - v. receiving, on request, a library service not normally provided by the public library.
 - c) Penalties to be paid by members of the public for abuse of borrowing privileges.

(2) The *Regulations Act* does not apply to bylaws passed under subsection (1).

(3) A bylaw or part of a bylaw that requires a member of the public to pay a fee or charge for any of the following is invalid:

- a) admittance to any portion of the building used for public library purposes;
- b) using library resources on library premises;
- c) borrowing library resources, in any format normally lent by the library;
- d) acquiring library resources through inter-library loan;
- e) consultation with members of the library staff;
- f) receiving basic information services.

1. Interpretation.

1.1. For the purpose of this bylaw the expression:

- 1.1.1. "Act" refers to the *Province of Alberta Libraries Act, Chapter L-11* and amendments thereto,

- 1.1.2. “Board” means the Town of Morinville Library Board,
- 1.1.3. “Borrower” means the person to whom a library borrowers card has been issued,
- 1.1.4. “Librarian” or “Library Manager” means the person charged by the Board with the operation of the Morinville Public Library,
- 1.1.5. “Library Materials” means any items, 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 video games, kits, CD-ROMS and electronic databases in the collection of the Morinville Public Library or borrowed by Morinville Public Library, and
- 1.1.6. “Library” means Morinville Public Library.
- 1.1.7. Applicant means a person who makes a request for access to a record under 8(1) of the *Freedom of Information and Protection Act*; elsewhere in the Bylaws means a person applying for a library card.
- 1.1.8. Cardholder Categories shall include the following:
 - 1.1.8.1. Adult: any person 18 years and older.
 - 1.1.8.2. Youth: any person 6 through 17 years of age.
 - 1.1.8.3. Preschool: any person up to and including 5 years of age.
 - 1.1.8.4. Family: two or more members of the same family residing in the same home.
 - 1.1.8.5. Senior: any person 65 years of age or older.
 - 1.1.8.6. TAL Card borrower: a cardholder from outside the Northern Lights Library System with a current TAL card.
 - 1.1.8.7. Institution: an established organization or foundation.

- 1.1.9. Good Standing: a cardholder with no outstanding overdue items or charges.
- 1.1.10. 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.
- 1.1.11. Non-resident: any person who has a residence outside the Town of Morinville, does not pay Town of Morinville property or business taxes, and is not a resident of any member municipality of the Northern Lights Library System.
- 1.1.12. Resident: any person who resides within the Town of Morinville, or is a resident of Alexander Reserve, or of any division of the County of Sturgeon which is a member of Northern Lights Library System, and/or pays Town of Morinville property or business taxes.
- 1.1.13. TAL card: the Alberta Library card allows a cardholder to borrow materials from any library participating in the Alberta Library Card program.
- 1.1.14. Parent: a parent is defined as a biological parent or a legal guardian.

1.2. Interpreting the Bylaws

- 1.2.2. The Board is a corporation as defined by the *Interpretation Act, R.S.A.2000 Chapter I-8*.
- 1.2.3. The Board may, from time to time, change the specifics set out in the accompanying Schedules.

2. Library Facility

- 2.1. The portion of the Library facility used for public Library purposes is open to any member of the public FREE OF CHARGE, during the hours of opening, as periodically set by the Board.

- 2.2 Charges for the use of Library premises not normally used for public library purposes are set out in Schedule E that is attached hereto and forms part of this bylaw.
- 2.3 No person using the library building shall:
 - 2.3.1 Create any unnecessary disturbance for other library users and/or contravene Library Board Policy.
 - 2.3.2 Take away any library item from the building unless the item has been properly checked out in agreement with the procedures established for the circulation of library items.
 - 2.3.3 Go into or stay in the building except during those time periods chosen for public use.
 - 2.3.4 Solicit other library users and staff for personal, commercial, religious, or political reasons.
- 2.4 Persons who do not act in accordance with 2.3 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 and/or library staff may ask for outside assistance.
- 2.5 All persons using the library shall comply with applicable public health regulations.
- 2.6 No member of the public is to be left in the library building for any purpose without a staff person or member of the Board present at all times. Town of Morinville staff have access to the building in relation to building concerns. Security persons may have access to the building under special circumstances.
- 2.7 Children under the age of eight (8) years must be under the supervision of another person, who is at least twelve (12) years of age, with the exception of children registered in a Morinville Library-run program.

3. Procedure for Acquiring a Borrower's Card

- 3.1 Any resident or non-resident is eligible to apply for a library card.
- 3.2 An application pursuant to 3.1 shall be:
 - 3.2.1 In writing, in a form prescribed by the Librarian,

- 3.2.2 Dated and signed by the applicant, or dated and signed by the parent or guardian of an applicant, who is less than sixteen (16) years old, and
 - 3.2.3 Asked to present one piece of photo identification bearing the applicant's permanent address if a young adult or 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.
 - 3.2.4 Asked to present photo identification in the case of a TAL cardholder.
 - 3.2.5 Accompanied by the fee prescribed in Schedule A, hereto attached, which Schedule A is hereby declared to be part of this Bylaw.
- 3.3 The Librarian will issue a borrower's card to a person who has made proper application pursuant to 3.1 and 3.2.
- 3.4 Subject to the Board's policy, the Library Manager may issue a borrower's card at no cost to an individual or family who can demonstrate such a need.

4. Responsibilities of a Borrower

- 4.1. The philosophy of the Library is that each person who uses the Library's resources outside of the Library facility must have their own Library card.

Possible Exceptions:

- 4.1.1. A parent will sometimes desire to put all the books their family is borrowing onto one borrower's card. This is fine, provided the money that would normally be paid for each borrower's card should be paid anyway. In this case, each family member will be recorded in the Library's computer system as having a card. These members will have a message to notify the Librarian to sign the desired Library materials out on the parent's card. The parent's card will be recorded in the Library's computer system as a "family card".
- 4.1.2. 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.

- 4.2. A borrower shall notify the Librarian of any change of address and/or telephone number.
- 4.3. A borrower shall take proper care of any and all Library items entrusted to their care.
- 4.4. A borrower shall return any and all Library items to the Library on, or before, the due date as provided in Schedule B, hereto attached, which Schedule B is hereby declared to be part of this Bylaw.
- 4.5. 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.
- 4.6. 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 family membership, the cardholder of the master membership is responsible for all library items borrowed on all family membership cards and will compensate the library for all library items damaged or lost while borrowed on their card or those of the additional members.

5. Loan of Materials

- 5.1. In accordance with the *Act, Section 36 (3)*, there shall be NO CHARGE for the use of Library materials. This includes materials used on the premises, resources loaned or resources acquired from other sources at the discretion of the board.
- 5.2. The loan periods for various library materials are set out in Schedule B.
- 5.3. Library materials may be reserved in accordance with policy established by the Board.
- 5.4. Library materials may be renewed in accordance with policy established by the Board.
- 5.5. 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.

6. Penalty Provisions

- 6.1. The fines for late return of library materials are as set out in Schedule C, hereto attached, which Schedule C is hereby declared to be part of this Bylaw.
- 6.2. The fines for damaged or lost materials are set out in Schedule C.
- 6.3. The procedures for demanding the return of overdue materials are as set out in Schedule C.
- 6.4. A borrower's card may be revoked by the Librarian for reasons set out in Schedule C.
- 6.5. A person who has had his borrower's card revoked pursuant to 6.4 may, within thirty (30) days of such revocation, make an appeal to the Board in writing, setting out the grounds of the appeal. Said appeal will be heard and decided on in a timely manner.
- 6.6. The decision of the Board, in an appeal pursuant to 6.5, is final and not subject to further appeal.
- 6.7. In cases of loss or damage to Library materials, the Board may seek replacement cost for material at full market value.
- 6.8. In cases of serious dereliction, the Board may prosecute an offence under *The Libraries Act, Section 41*. Such an offence is punishable under *The Libraries Act, Section s41*.
- 6.9. Any fine or penalty imposed pursuant to an offence under 6.7 is for the benefit of the Town of Morinville Library Board in accordance with *The Libraries Act, Section 42*.

7. Freedom of Information and Protection of Privacy (FOIP) By-Law

- 7.1. In accordance with s.95 of the *Freedom of Information and Privacy Act, RSA 2000, cF-25*, the Library Manager is designated as Coordinator responsible for the purposes of the *Freedom of Information and Privacy Act*.
- 7.2. Where an applicant is required to pay a fee for services, the fee payable is in accordance with the *Freedom of Information and Protection of Privacy Regulation, A R 200/95*, as set out in Schedule D and as amended from time to time or any successor regulation that sets fees for requests from the Board.

8. Non-Profit Clause

8.1 The assets and income of the Library shall be applied solely in furtherance of its above-mentioned objects and no portion shall be distributed directly or indirectly to the members of the Library except as bona fide compensation for services rendered or expenses incurred on behalf of the library.

Read a first time: November 18, 2020

Read a second time: November 18, 2020

Chairperson: _____

Vice-Chairperson: _____

Read a third time and adopted on: November 18, 2020

BYLAW SCHEDULES OF THE TOWN OF MORINVILLE LIBRARY BOARD

Schedules A to E are part of the ByLaws of the Town of Morinville Library Board.

Schedule A Borrowers Card Fees

Schedule B Loan Periods for Library Materials

Schedule C Penalty Provisions

1. Fines for late return of library materials
2. Fines for damaged or lost library materials
3. Procedures for notice of overdue library materials and demand for return of library materials
4. Revocation of borrowers' cards
5. NSF cheques

Schedule D FOIP Fees

Schedule E Services, Equipment and Room Rental Fees