

BYLAWS OF THE TOWN OF BANFF LIBRARY BOARD

Date Approved: April 18, 2017

Revised: November 25, 2020

Approved by Town of Banff Council: December 7, 2020

COU20-409 - Moved by Councillor Standish - That with respect to Item 7.1, Revisions to the Banff Public Library Board Bylaws for Council Acceptance, the following be adopted: *That Council allow the revisions to the Bylaws of the Town of Banff Library Board.* For: (7): Mayor Sorensen, Councillor Canning, Councillor Christensen, Councillor DiManno, Councillor Olver, Councillor Poole, and Councillor Standish - MOTION CARRIED

The Town of Banff 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. Definitions in these Bylaws shall mean:

- 1.1. **Applicant:** in the case of 8.0 below, 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.
- 1.2. **Board:** the Town of Banff Library Board.
- 1.3. **Cardholder:** the registered user of a current library card.
- 1.4. **Cardholder Categories** shall include the following:
 - 1.4.1. Adult: any person 18 years and older.
 - 1.4.2. Young adult: any person 13 through 17 years of age.
 - 1.4.3. Child: any person up to and including 12 years of age.
 - 1.4.4. Senior: any person 65 years of age or older.
 - 1.4.5. TAL Card borrower: a cardholder from outside the Marigold Library System with a current TAL card.
- 1.5. **Good Standing:** a cardholder with no outstanding overdue items or charges.
- 1.6. **Library Director:** the person charged by the Board with operation of the Banff Public Library.
- 1.7. **Library:** the Banff Public Library.
- 1.8. **Library resources:** any resources, regardless of format, that are held in the Banff Public Library's collection, or borrowed by the Banff Public Library, and includes books, periodicals, audio recordings, video recordings, projected media, paintings, drawings, photographs, micromaterials, toys and games, kits, and electronic databases, etc.
- 1.9. **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.
- 1.10. **Non-resident:** any person who has a residence outside the Town of Banff, does not pay Town of Banff property or business taxes, and is not a resident of any member municipality of the Marigold Library System.
- 1.11. **Resident:** any person who resides within the Town of Banff or any division of the Improvement District 9 which is a member of Marigold Library System and/or pays Town of Banff property or business taxes.
- 1.12. **TAL card:** the Alberta Library card allows a cardholder to borrow materials from any library participating in the Alberta Library Card program.

2. Interpreting the Bylaws

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

3. Admittance to/Conduct in the Building

- 3.1. The building is to be open free of charge to the public for library purposes at the hours posted.

- 3.2. No person using the library building shall:
- 3.2.1. Create any unnecessary disturbance for other library users and/or contravene Library Board Policy.
 - 3.2.2. 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.
 - 3.2.3. Go into or stay in the building except during those time periods chosen for public use.
 - 3.2.4. Solicit other library users and staff for personal, commercial, religious, or political reasons.
- 3.3. Except with the permission of the Library Director, no person shall:
- 3.3.1. Bring any animal, other than an aid dog, into the building.
 - 3.3.2. Bring a wheeled vehicle or conveyance, other than a wheelchair or walker, baby carriage or stroller, into the building.
- 3.4. Persons who do not act in accordance with 3.2 and 3.3 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.
- 3.5. All persons using the library shall comply with applicable public health regulations.
- 3.6. 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 Banff staff and cleaning staff have access to the building in relation to building concerns. Emergency Services and First Responders may have access to the building under special circumstances.

4. Procedures for Acquiring a Library Card

- 4.1. Any resident or non-resident is eligible to apply for a library card. A library card is issued upon:
- 4.1.1. Completion of an official Banff Public Library card application form.
 - 4.1.2. Presentation of 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. If government ID does not have the applicant's Banff address, alternative proof of residence may be accepted.
 - 4.1.3 As long as other community libraries and Banff Public Library have a reciprocal agreement, members of those libraries may obtain a Banff Public Library card.
 - 4.1.4. Presentation of photo identification in the case of a TAL cardholder.
- 4.2. Applicants will receive a library card which:
- 4.2.1. is valid from the date of issue to the date of expiry, unless revoked by the Library Director under 7.3.
 - 4.2.2. Remains the property of the Banff Public Library.
 - 4.2.3. Is not valid unless the application form is signed by the cardholder. The application form may be signed by the cardholder's parent/legal guardian in the case of a Child or under special circumstances.

4.3. Applicants may receive a TAL card:

4.3.1. 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 address, email, or telephone number 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.

5.5. A cardholder will return to the library or renew any library item on or before the due date as provided in Schedule B.

6. Loan of Library Resources

6.1. There is no charge for using library resources on library premises or borrowing library resources normally lent by the library, consultation with members of the library staff or receiving basic information service.

6.2. Loan periods for library resources are set out in Schedule B.

6.3. Library resources may be reserved and/or renewed in accordance with procedures established by the Library Director.

7. Penalty Provisions

7.1. The procedures for demanding the return of overdue resources are as set out in Schedule C.

7.2. Cardholders are responsible for all charges resulting from failing to return or the late return of library resources, as outlined in Schedule C.

7.3. A library card may be denied or revoked if the cardholder fails to satisfy the conditions prescribed in 6 or has previously shown that he/she can not be trusted with library resources by repeated damage to or loss of library materials, non-payment of overdue fines, and/or loss or damage assessments.

7.4. In cases of serious dereliction, the Board may prosecute an offence under the *Libraries Act, s.41*. Such an offence is punishable under the *Libraries Act, s.41*. The range of penalties applying on conviction for such an offence is set out in Schedule C.

7.5. Any fine or penalty imposed pursuant to an offence under 7.4 inures to the benefit of the Banff Public Library Board in accordance with the *Libraries Act, s.42*.

8. Freedom of Information and Protection of Privacy

8.1. In accordance with s.95 of the *Freedom of Information and Privacy Act, RSA 2000, cF-25*, the Library Director is designated as Coordinator responsible for the purposes of the *Freedom of Information and Privacy Act*.

8.2. 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.

9. Service and Equipment Rental

9.1. Refer to schedule E for these fees.

SCHEDULE A – Fees for the Issuance of Library Cards

As of January 1, 2000, no library card fees will be charged to Banff or Improvement District 9 residents. Fees for non-residents to be charged as per library policy.

SCHEDULE B – Loan Periods for Library Resources

All circulating resources are loaned for three weeks, with the following exception:

1. The Library Director may use discretion on the loan period of holiday themed materials, best sellers, and other items in special demand,
2. Items loaned as a vacation loan, are loaned for six weeks.
3. Interlibrary items are typically loaned for three weeks unless otherwise authorized by the lending library.
4. Renewal Periods: All circulating resources may be renewed a maximum of two times for a total loan of nine weeks. All renewals are subject to recall or reservations from other cardholders.
6. Extended loan period under special circumstances.

SCHEDULE C – Procedures for the Return of Overdue Material

C.1 Procedures for return of overdue materials

1. An overdue notice is produced ten (10) days after the item(s) is/are due and the cardholder notified by phone, text or email (their preference).
2. A second overdue notice is produced three (3) weeks after the item(s) is/are due and the cardholder by phone, text or email (their preference).
3. A third and final billing notice is produced forty-five days after the item(s) is/are due and at that time items are changed from overdue to lost. The bill is printed and mailed to the cardholder.
4. Accounts may be paid in installments without loss of borrowing privileges and

accounts may be reduced or waived in special circumstances.

C.2 Penalties for lost or damaged items

1. The original purchase cost if it is available, shall be charged. If this is not available a fee for the type of item damaged or lost shall be charged. At the discretion of the Library Director, this charge may be waived if an exact replacement copy in new or pristine condition is provided by the cardholder.
2. A processing fee of \$3.50 can be charged on any lost or damaged item.

SCHEDULE D – Fee schedule for Requests by Applicants under the *Freedom of Information and Privacy Act*

The fees set out in this Schedule are the maximum amounts that can be charged to applicants.

Initial application fee including GST	\$27.00
For locating and retrieving a record	\$6.75 per ¼ hour
For producing a record from an electronic record	
a) computer processing related charges	Actual amount charged to library
b) computer programming	\$10.00 per ¼ hour
For preparing and handling a record for disclosure	\$6.75 per ¼ hour
For supervising the examination of a record	\$6.75 per ¼ hour
For shipping a record or a copy	Actual amount incurred
For copying a record in electronic, audio or video formats	Actual amount incurred

SCHEDULE E – Services and Equipment Fees

Photocopying and Printing	\$0.25 /page/side b&w \$0.50/page/side colour
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Administration of Exams	Min. \$25.00 plus administration fees
Boardroom Rental during Library open hours For-profit individuals or organizations	\$50.00 per day or portion
Not-for-profit organizations	Fee waived
Boardroom Rental during Library closed hours Fees to cover costs of staffing and cleaning will be added as necessary	
Main Library space rental during library closed hours Fees will be decided on a case-by-case basis	
Replacement Fee for Lost Library Card	\$2.00 per card