

WAIKATO DISTRICT COUNCIL

PUBLIC LIBRARIES BYLAW 2007

In exercise of the powers and authorities conferred on it under Part 8 of the Local Government Act 2002 and all other authorities enabling it in that behalf, the Waikato District Council made the following bylaw on 19 December 2006.

1.0 SHORT TITLE AND COMMENCEMENT

This bylaw shall be known as the “**Waikato District Council Public Libraries Bylaw 2007**” and shall come into force on 1 January 2007.

2.0 REVOCATION OF WAIKATO DISTRICT COUNCIL (GENERAL) BYLAW NO. 1 (1990) – CHAPTER 15

Chapter 15 of the above bylaw – “Public Libraries” is hereby revoked from the date the new bylaw comes into force.

3.0 INTERPRETATION

3.1 In this bylaw, unless inconsistent with the context:

Book means a book, magazine, newspaper, periodical, pamphlet, manuscript or other article of a similar nature, or any part thereof which is the property of the Council or under the control of the Council.

Borrower means a person to whom the Council has by registration or otherwise granted any licence or privilege to borrow.

Borrower’s Card means any card issued by a librarian as a means of identification of any borrower from the library.

Council means the Waikato District Council.

Document means any map, chart, print, photograph or negative film, plan, picture, broadsheet, card, cutting, microfilm or microfile, photocopy, engraving or etching, video tape, DVD, CD/DVD rom or piece of music including a manuscript, compact disc, record, or audio tape or any other article of a similar nature, or any part of it, whether the property of the Council or for the time being under the control of the Council.

Librarian means the Librarian and includes a person appointed to control or manage or to assist in the control or management of the library.

Library means any library established and operated by the Council for use by the public or any section of the public, and includes any part of a building used for that purpose and a mobile library.

4.0 BORROWING

4.1 No person shall borrow a library book or document except by means of presenting a borrower’s card to the librarian and having the issue of the book or document recorded in the library record system.

- 4.2 No person other than a person who is named on a borrower's card, or duly authorised by the person so named, shall use that card for the purpose of borrowing a book or document.
- 4.3 Except with the permission of a librarian, no person shall borrow a book or document which is specified as being for reference only.

5.0 DAMAGE TO LIBRARY BOOKS OR DOCUMENTS

- 5.1 If any book or document borrowed from the library is lost or returned torn, cut, soiled, or written on, or damaged in any other way, the borrower shall pay to the Council the cost of replacing such book or document, or pay for any damage as the Council may determine.

6.0 UNPAID MONEY

- 6.1 No person owing money to the Council in respect of any library service shall borrow a book or document until payment has been made, and a librarian may suspend borrowing privileges until all monies have been paid.

7.0 CHANGE OF ADDRESS

- 7.1 The holder of a borrower's card shall notify the librarian of any change of the holder's address and telephone number.

8.0 RULES FOR CONTROL OF LIBRARIES

- 8.1 The Council may from time to time by resolution make the following rules:
- 8.1.1 for the internal control, management, and use of a library;
 - 8.1.2 for determining the maximum number of books or documents which a person may borrow at any time, and the time to be allowed for the return of any library book or document;
 - 8.1.3 for determining the days on which and hours during which the library shall be open or closed;
 - 8.1.4 for fixing subscriptions, fees and charges payable by person using the services of the library;
 - 8.1.5 for the appropriate use of electronically accessible information;
 - 8.1.6 for maintaining good order and conduct within the library;
 - 8.1.7 for the control of noise in the library, including the use of cellphones;
 - 8.1.8 for the control of food or drink consumption, or smoking in the library;
 - 8.1.9 for supervisory requirements of young children in the library.

9.0 UNAUTHORISED REMOVAL OF LIBRARY BOOKS OR DOCUMENTS

9.1 No person shall take a book or document from the library without having them recorded in the library record system, and no person shall knowingly pledge, pawn, sell, or purchase or advance money on any book or document.

10.0 BREACH OF BYLAW

10.1 Any person who in the opinion of the librarian has contravened any of the provisions of this bylaw or rules made by the Council under this bylaw, or has otherwise acted unlawfully in the library, shall be excluded from the library for such period of time as the Council may determine.

11.0 EXPULSION OF OFFENDERS

11.1 If a person behaves in a disorderly or offensive manner in the library or is not using the library for the purpose it is intended, the librarian may ask the person to leave the library. A refusal by the person so asked to leave the library constitutes an offence against this bylaw.

12.0 OFFENCES AND PENALTIES

12.1 Every person who commits an offence against this bylaw who does or causes to be done or omitted any act contrary to the provisions of this bylaw may be liable to a fine not exceeding \$5,000.00.

This bylaw was made pursuant to a resolution passed by the Waikato District Council on 19 December 2006.

The Common Seal of the Waikato District Council was hereto affixed in the presence of:

Mayor

Chief Executive