



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		10.27.14		
Department:		Library Administration		
Department Head		Cathy Ziegler		
Agenda Coordinator (include phone #): Jeanne Argomaniz x4208				
CAPTION				
<p>An Ordinance of the City of Plano, Texas, amending certain sections of Ordinance No. 2013-6-4 codified as Section 10-3 of Article I, Chapter 10, Library, of the Code of Ordinances of the City of Plano to revise the fee schedule for unreturned and overdue materials, and to establish charges for lost cards, room rentals, and administrative fees; and providing a severability clause, a repealer clause, a savings clause, a penalty clause, a publication clause and an effective date.</p>				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2014-2015	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S): N/A				
<p>COMMENTS: The purpose of this Ordinance is to codify the current practice of library fine and fee collection and therefore, has no fiscal impact.</p> <p>STRATEGIC PLAN GOAL: Amending certain sections of Ordinance No. 2013-6-4 codified as Section 10-3 of Article I, Chapter 10, Library, of the Code of Ordinances of the City of Plano relates to the City's Goal of a Financially Strong City with Service Excellence.</p>				
SUMMARY OF ITEM				
<p>Amend certain sections of Ordinance 2013-6-4 and the standards to borrow and return library material to include fines and fees for overdue specialty books, lost cards, administration fees, program room rental, and fax and notary services.</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Cathy Ziegler- Memo 10/9/14 Ordinance 2013-6-4				



Memorandum

Date: October 9, 2014

To: LaShon Ross, Deputy City Manager

From: Cathy Ziegler, Director of Libraries

Subject: City Council Approval to Amend City Ordinance No. 2013-6-4

The purpose of the ordinance amendment is to codify the current practice of library fine and fee collection. There is no change in overdue fines, as the current fine amounts are adequate to induce prompt return of library materials by the end of the loan period.

The list of fines now includes kits and non-renewable specialty books which are new circulating materials since the last update of this ordinance. In addition, fees for room rental, FAX service and notary fees have been added to the ordinance.

Library fines and fees collected in FY 2013-14 amounted to approximately \$480,000 in revenue for the General Fund.

An Ordinance of the City of Plano, Texas, amending certain sections of Ordinance No. 2013-6-4 codified as Section 10-3 of Article I, Chapter 10, Library, of the Code of Ordinances of the City of Plano to revise the fee schedule for unreturned and overdue materials, and to establish charges for lost cards, room rentals, and administrative fees; and providing a severability clause, a repealer clause, a savings clause, a penalty clause, a publication clause and an effective date.

WHEREAS, on June 10, 2013, the City Council of the City of Plano enacted Ordinance No. 2013-6-4 revising the fee schedule for unreturned and overdue materials and establishing charges for interlibrary loan materials and non-resident library cards; and

WHEREAS, staff recommends revising the fee schedule for unreturned and overdue materials, and establishing charges for lost cards, room rentals, and administrative fees to reflect the Libraries' current practices; and

WHEREAS, the City Council, after all things considered, deems it is in the best interest of the citizens of the City of Plano that the fee schedule be amended and charges for lost cards, room rentals, and administrative fees be assessed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. Section 10-3, Identification of borrowers; overdue materials, of Article I, Chapter 10, of the Code of Ordinances of the City of Plano, is hereby amended to read in its entirety as follows:

“Sec. 10-3. Identification of borrowers; overdue materials; fees and fines.

- (a) Any person making application to borrow materials from the library will be required to present proof of address and adequate identification of the applicant.

A fee of \$1.00 shall be assessed to replace a lost library card.

- (b) Any person who has outstanding fees for overdue materials may be disallowed from further borrowing until the fees have been paid.

- (c) The fees for failing to return library materials to the Plano Public Library System by the due date shall be as follows:

(1) DVDs, kits, and non-renewable specialty books, per day	\$1.00
(2) All other materials, per day	\$0.25
(3) Items for in-house check-out, per hour	\$1.00
(4) Maximum accrual for one item	\$10.00
(5) Non-refundable processing fee per lost item	\$5.00

- (d) Fines will be assessed daily against the patron who returns incomplete set materials until the complete set is returned. If the complete set is not returned within thirty (30) days, the patron will be charged the cost of the entire replacement set. Materials returned without proper packaging will be assessed a fee up to \$10.00 per item.

- (e) Materials may be available by interlibrary loan from libraries outside the Plano Public Library System. The patron requesting the materials shall be responsible for applicable postage/courier charges.
- (f) An annual fee of fifty dollars (\$50.00) shall be assessed for each non-resident library card.
- (g) It shall be unlawful for any person who has borrowed library materials to fail or refuse to return the same to the public library system within thirty (30) days after written notice has been mailed. Any person violating this provision shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished as provided in section 1-4(b) of the City of Plano Code of Ordinances for each offense. Each overdue library materials shall constitute a separate offense for each day it is not returned to the library.

The City shall be entitled to pursue collection of fees and/or costs for overdue or lost materials through its employees and agents. A collection fee of \$10.00 will be assessed in addition to the fees and/or costs for overdue or lost materials.

- (h) The fees for library room rentals are as follows:

Program Room:

- (1) Residents, per hour \$25.00
- (2) Non-residents, per hour \$75.00

Conference Room:

- (1) Residents, per hour \$15.00
- (2) Non-residents, per hour \$60.00

- (i) Fees for network printing and copy services are up to \$0.60 per page, and fees for fax services are up to \$3.95 per page.
- (j) Fees for notary services are up to \$5.00 per signature.”

Section II. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

Section III. All provisions of the Code of Ordinances of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Plano, codified or uncodified, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section IV. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this ordinance.

Section V. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(b) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VI. This Ordinance shall become effective immediately upon its passage and publication as provided by law.

DULY PASSED AND APPROVED this the 27th day of October, 2014.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY