



LESEDI LOCAL MUNICIPALITY
BYLAWS FOR LIBRARY AND INFORMATION
SERVICES

[COUNCIL RESOLUTION :)

[Date of Commencement:_____]

To provide for the provision and regulation of Library and Information Services within the municipal areas of the municipality and to provide for matters incidental thereto.

BE IT ENACTED by the Council of the Lesedi Local Municipality, as follows:LLM

CONTENTS

- 1 DEFINITIONS AND INTERPRETATION
- 2 ADMISSIONS TO LIBRARY BUILDINGS
- 3 MEMBERSHIPS
- 4 LOANS OF library material
- 5 RETURNS OF library material
- 6 RENEWALS OF library material
- 7 OVERDUE library material
- 8 RESERVATIONS OF library material
- 9 LOST AND DAMAGED library material
- 10 HANDLING OF library material
- 11 SALES

- 12 library material FOR SPECIAL PURPOSES
- 13 REPRODUCTIONS OF LIBRARY FACILITIES / ASSETS
- 14 AUXILIARY SERVICES
- 15 LIBRARY HOURS
- 16 USES OF INTERNET FACILITIES AND PERSONAL COMPUTERS
- 17 ADVERTISING ON LIBRARY BILL BOARDS AND TRADING
- 18 NONLIABILITIES OF LIBRARIANS FOR THE SAFEKEEPING OF CHILDREN
- 19 CONDUCTS IN THE LIBRARY
- 20 LIABILITIES OF COSTS
- 21 POSTING OF BYLAWS IN LIBRARIES
22. REPEAL OF BYLAWS

1. DEFINITIONS AND INTERPRETATION

For purposes of these bylaws, unless the context indicates otherwise; the following definitions shall apply:

“Adult” means a person 18 years and older or legally deemed to be a major

“Area of jurisdiction” means ‘the area within the boundaries of the Lesedi Local Municipality

“Audio visual media” means all films, compact discs, stuffy discs, audio books, language courses, audio and video cassettes, DVD’s, CD’s, CD ROM’s, and sets of gramophone records, or any other similar media whether the property of or on loan to Council

“Charges” means all charges payable in terms of the bylaws in accordance with the relevant legislation

“Company” means an organisation that is situated and conducts business within the area of jurisdiction of the Council

“Controlling librarian” means the librarian appointed by Council to manage and exercise control and who is accountable for a specific library service point; or any person duly authorized to act on behalf of the controlling librarian in his absence

“Council” means the Lesedi Local Municipality

“Fine free week” means a period of one week or more during a year as determined by the from paying fines on overdue library material

“Groups” means service organisations within the Council’s area of jurisdiction and with the main purpose of enhancing reading, education and development

“Lending period” means the period which the Council determines for the lending out of different types of library material

“Librarian” means the relevant staff members assigned by Council to serve the public at library service point desks

“Library” means any public/community library (or relevant service point) administered and maintained by Council

“Library media” means any media of whatever nature or form that is kept in a library and made available to the public

“Library week” means a period of one week or more during a year as determined by the Library and Information Association of South Africa. During this time library services are nationally actively promoted to the public

“Member” means any person, group, company, institution or organisation qualified to be, and registered, as a member of the library

“Membership card” means the card issued to a member reflecting membership details and which authorizes the member to borrow library material

“Minor” means a person from birth to up to 18 years of age

“Non-resident” means a person who does not reside, or is not a property owner within the area of jurisdiction, or is not a ratepayer to Council

“Institutions / Organisations” mean all registered, non-profitable organizations and include NGO’s, schools and nursery schools within the area of jurisdiction.

“Parent” includes foster parent or guardian

“Pensioner” means a person 60 years of age and older

“Policy” means any household policy instituted by the Lesedi Local Municipality

“Regulation” shall include a bylaw and tariff structure

“Resident” means a person, who resides in, or is a property owner within the area of jurisdiction, or a group, company, institution or organization situated and conducting business within the area of jurisdiction, or is a ratepayer to Council

“Specialised library material” means categories of media identified for use in the library only

“Visitor” means an adult or minor person visiting a resident, studying at an institution or work temporarily within the area of jurisdiction for a period not exceeding three (3) months

In these Bylaws, unless the context clearly indicates a contrary intention:

The headings are for reference purposes only and shall not affect the interpretation of any part hereof. A reference to one gender includes the other gender

2. ADMISSION TO LIBRARY BUILDINGS

- 2.1 Any person who is not disqualified in terms of section 17 of these bylaws may use the library facilities during official hours, as determined by Council from time to time
- 2.2 The Controlling Librarian may 2.2.1
- (a) At his discretion, determine the maximum number of persons who may be allowed in any part of the library at any given time and may exercise the necessary access control for that purpose;
 - (b) Instruct any person to leave the library immediately

3. MEMBERSHIP

- 3.1
- (a) The Council may grant membership of the library, free of charge to any person residing in, or being a property owner within the area of jurisdiction, or a group, company, institution or organisation situated and conducting business within the area of jurisdiction, or being a rate payer to the Council; Provided that such a person, group, company or institution subject himself to the provisions of relevant Bylaws and tariffs and the rules and policies for conducting the business of the library
 - (b) Council may grant membership of the library to a minor free of charge should his parent or guardian meet the requirements in 3.1 (a) and consent thereto. The parent/guardian must undertake to stand surety for the adherence by such minor of these bylaws and the rules and policies for conducting the business of the library
 - (c) Council may grant membership of the library free of charge to an employee of the Lesedi Local Municipality who resides outside the area of jurisdiction of Council and such membership shall not include family members
 - (d) Applications for membership other than specified in 3. above shall be referred to the Executive Manager Community Services
- 3.2 Council may grant membership of the library to a person residing outside its area of jurisdiction and who is not a property owner within the area of jurisdiction or who is not a rate payer to Council on such conditions as determined by Council and after payment of charges as determined by Council
- 3.3 A person visiting an Lesedi resident, studying at an educational institution or temporarily working in the area of jurisdiction of Council for a period not exceeding three months may register as a visitor on such conditions as determined by Council.

- 3.4 Application for membership shall be made on a form prescribed by Council and supporting documentation to confirm physical address and other information required must be provided prior to approval of the application:
- 3.5 Council shall issue a library membership card to a member authorizing him to borrow from the library such number of library material as determined by Council
- 3.6 Membership shall be valid for a period determined by Council from the date of approval and shall lapse after that period unless it is renewed
- 3.7 A member who wishes to cancel membership of the library, shall return the membership card as well as all outstanding library material to the librarian without delay, failing which, such person will be held responsible in terms of section 8.2 for all library material borrowed against such membership card
- 3.8 When a member changes his address, he shall notify the librarian within fourteen (14) days of such change of address
- 3.9 When a membership card is lost, the member shall notify the librarian immediately, upon which the librarian shall, on payment of the prescribed charges:
 - (a) issue a duplicate card and forthwith cancel the lost membership card
 - (b) the member shall not be held liable for any library material borrowed against the lost membership card after the date of such notice
- 3.10 An applicant shall be disqualified from obtaining membership if false information is furnished

4. LOAN OF library material

- 4.1 Not all library material is available for borrowing. Availability is determined by library policy
- 4.2 Library material shall be held and be linked to be borrowed from the library by the member against whose membership card it was borrowed
- 4.3 A library item bearing official identification of the library and on which there is no official indication that the item has been withdrawn, written off or sold, shall remain the property of Council or the Provincial Government as the case may be
- 4.4 The controlling librarian shall not place, or allow a librarian to place a damaged item on the shelf of the library, provided that where minor damage is visible, he must make a note to such effect in a prominent place in the item
- 4.5 A member borrowing media from the library shall ascertain whether or not the media is visibly damaged, and if so, he shall inform the librarian of such damage
- 4.6 Possession of any library material not borrowed against a membership card is an offence and punishable by law

- 4.7 Borrowing of library material on a fee basis as determined by Council shall be paid in advance.

5. RETURN OF library material

- 5.1 A member shall return borrowed library material not later than the last day of the lending period determined by Council; provided that the librarian may extend the loan where applicable, for a further 2 periods as determined by Council; provided the item is not required by any other member
- 5.2 The borrower must hand library material for return to the librarian on duty at the circulation desk and he shall be liable for such media until such time as the media has been deleted from his record
- 5.3 Should a member who borrowed media, find it impossible to return such media personally he may return it by means of another party, deposit it in the book slot (where provided) or return it by registered post. Notwithstanding this concession, the member shall be held liable for the safe return of all media outstanding against his membership card until such time as the library records reflect the return thereof

6. RENEWAL OF library material

- 6.1 library material may be renewed telephonically, by email or any other manner as may be approved by the Delegated Council Official
- 6.2 Borrowed items may be renewed for a maximum of 2 lending periods

7. OVERDUE library material

- 7.1 Should a member return library material borrowed against his membership card later than the last day of the period determined by Council as stated in section 5, the member shall be liable for payment of the prescribed fine for every week or part thereof during which a member failed to return overdue library material; provided that no fines be levied on media returned during fine free weeks
- 7.1.1 When, in the opinion of the Lesedi Local Municipality, extraneous circumstances such as death and serious illness or other circumstances beyond the borrowers control prevented the member from complying with section 5. such member may be exempted from these provisions. Applications for exemption must be motivated in writing to the Delegated Council Official who shall approve/reject the application after consultation with the Executive: Manager Corporate Service
- 7.2 No further library material shall be lent to a member liable in terms of subsection

- 7.1 Until such time as the relevant media has been returned or paid for and all other outstanding fees had been settled
- 7.3 A member who has failed to return outstanding library material and/or who has an unpaid fine will be suspended; Provided that where a member has an unpaid fine of less than an amount as determined by Council, he shall not be suspended but dealt with in terms of subsection 6.2
- 7.4 Application for reinstatement of membership shall be made accompanied by the prescribed reinstatement fee. The Delegated Council Official may refuse such Application of membership if suspension of membership occurred on more than two previous occasions
- 7.5 Council may institute legal action to retrieve outstanding library material
- 7.6 Should a member be dissatisfied with a decision made, such member may appeal to the Executive Manager Community Services.

8. RESERVATION OF LIBRARY MATERIAL/ INTER AND INTRA LIBRARY LOANS

- 8.1 When an item is borrowed from a library other than an Lesedi based library, an inter library loan fee as prescribed by the State Library is payable in advance subject to the above
- 8.2 No material will be reserved for a period longer than 7 days after the date of notice to such member advising him that the item is available

9 LOST AND DAMAGED LIBRARY MATERIAL

- 9.1 Library material not returned within twelve (12) weeks from date of issue shall be deemed to be lost
- 9.2 Should library material be lost or damaged or deemed to be lost in terms of sub Section 1, the member against whose membership card such material was borrowed, shall in addition to any fine or other applicable charges be liable for payment of the prescribed purchase or replacement cost as the case may be. The member may replace the item with an identical copy of equal value and ISBN acceptable to the Delegated Council Official.
- 9.3 No further material shall be lent to a member liable to Council in terms of subsection 2 until such time as Council has been reimbursed; provided that the Delegated Council Official may grant permission to such member to pay off the owed amount in instalments not exceeding 6 months
- 9.4 Should any previously undamaged media item found to be damaged when returned to the library, the last member who borrowed the item shall be held liable and shall be required to pay the prescribed costs or to replace such item with a new copy with the same ISBN and of equal value acceptable to the Delegated Council Official; provided that when in the opinion of the controlling

librarian the damage is repairable and the item reusable, the prescribed charges for minor damage shall apply

10. HANDLING OF LIBRARY MATERIAL

10.1 Any person handling library material shall be obliged:

- (a) To keep such library material in a sound and clean condition
- (b) Not to damage library material in any way whether of minor or serious nature
- (c) Not to remove any protective coverings or any identification and/or other items attached to the material.

10.2 Any person not adhering to the conditions of section 9 (a) to (c) above, shall be liable for the prescribed charges applicable to damaged/lost library material

11. SALES

- 11.1 Donated as well as redundant and officially written off Council owned library material may be sold to the public at a cost and prescribed manner determined by Council
- 11.2 Promotional and other items, where the proceeds are for the benefit of the library, may be sold to the public at a cost and prescribed manner determined by Council
- 11.3 Other sales to be handled in terms of relevant approved policy

12. LIBRARY MATERIAL FOR SPECIAL PURPOSES

Library material identified for in house use only shall be used in demarcated areas of the library and shall not be removed without the consent of the librarian

13. REPRODUCTION OF LIBRARY FACILITIES / ASSETS

- 13.1 The Controlling Librarian may give permission for any reproduction whether it is of buildings, media or objects by means of photographs, motion pictures, or by any other means; provided that if so requested, an acceptable motivation for such reproduction is submitted in writing
- 13.2 In granting or refusing permission in terms of subsection 2, the Controlling librarian will take due cognizance of the possibility of damage being caused as a result of such a reproduction and may impose such conditions as may be necessary to prevent damage and may also require a declaration of liability

14. AUXILIARY SERVICES

14.1 Photocopier, facsimile, transparencies and laminating services or similar are available subject to

- (a) Payment of the applicable charges as determined by Council
- (b) Compliance with the provisions of all applicable legislation; provided that if it is deemed necessary a letter of compliance may be requested from the user by the librarian.

15. LIBRARY HOURS

Council shall determine library hours. A notice shall be displayed in a prominent position at or near the entrance to the library building and shall state the days and hours during which the library will open and close, as well as any curtailment or extension that may apply

16. USE OF INTERNET FACILITIES AND PERSONAL COMPUTERS

Any person may utilize the Internet and personal computer facilities designated for public use in the library subject to adherence to the Internet and PC Use Policy as well as relevant ICT policies of Council

17. ADVERTISING ON LIBRARY BILLBOARDS

Applications for the utilization of billboards and/or exhibition space and the distribution of notices will be considered in terms of the relevant approved policy

18. NONLIABILITY OF LIBRARIANS FOR THE SAFEKEEPING OF CHILDREN

Librarians will not be responsible for children left in the facility without suitable supervision

19. CONDUCT IN THE LIBRARY AND PENALTIES

Any person who

- (a) Conducts or engages in loud conversation in any part of the library building or library premises to the annoyance of any other person in the library; or
- (b) Uses abusive, violent, offensive language and / or behaviour or behaves in a disorderly manner in any part of the library building or library premises to the annoyance of any other person; or

- (c) Hampers, disturbs, obstructs or harasses any other person in the legitimate use of the library; or
- (d) Damages any part of the library building or its contents; or
- (e) Furnishes a false name or address to the controlling librarian for the purpose of entering any part of the building or for obtaining any benefit or privilege; or
- (f) Enters or remains in the library while under the influence of intoxicating liquor or any other substance; or
- (g) Brings animals into the library (excluding guide dogs); or
- (h) Allows any child under his supervision to create a disturbance in the library; or
- (i) Smokes, sleeps or consumes refreshments in the library; or
- (j) Refuses to comply with any lawful request of the librarian; or
- (k) Rides a bicycle, skateboard, rollerskates or similar object in the library building or library premises (excluding aids used by disabled users); or
- (l) Distributes, or deposits in the library for distribution, material for advertisement, publicity or any other purpose without permission; or
- (m) Enters or remains in any part of the library or library premises during the hours that such a library is not officially open for service to the public; or
- (n) Enters or leaves the library by an entrance or exit not officially provided for the use of the public; or
- (o) Enters or remains in any part of the library which is reserved for the use of the library staff; or
- (p) Obstructs or blocks any entrance to or exit from the library; or
- (q) Has removed from the library and/or is in possession of library media not, officially issued by the librarian in terms of these bylaws; or
- (r) Contravenes these or any other provision of these bylaws

will be guilty of an offence and is subject to prosecution and payment of a fine not exceeding R 1 000,00

20 LIABILITY OF COSTS

Subject to the provisions of Section 19, the person committing such a contravention shall pay all costs incurred by the Council as a result of a contravention of these by Laws

21 POSTING OF BYLAWS AND NOTICES IN LIBRARIES

The Municipal Librarian must display in a prominent place in every library within the Municipal area a copy of these bylaws and a notice to the effect that Council indemnifies itself against any injury or loss sustained by any person using the library

22. REPEAL OF BYLAWS

The following bylaws are hereby repealed:

DRAFT