

2 October 1997

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## ULUNDI TOWN COUNCIL

## LIBRARY BYLAWS

## 1. Definitions

In these bylaws, unless inconsistent with the context, any word or expression to which a meaning has been assigned in the Natal Provincial Service Ordinance, 1952 (Ordinance No. 5 of 1952), shall, when used in these by-laws, have the meaning so assigned to it, and —

- "adult" shall mean any person over the age of 21 years and shall include any person who has already left school and who earns his living independently of his parents or guardian;
- "guardian" shall mean a person having legal custody of another person;
- "member" shall mean a person to whom a membership card has been issued in accordance with these bylaws;
- "community" shall mean all the people who reside within the area of jurisdiction of the local authority or own property who reside within the area of jurisdiction of the local authority or own property there as well as persons who reside in the vicinity or who work in the vicinity or do their business there on a regular basis;
- "Council" shall mean the Ulundi Transitional Local Council;
- "librarian" shall mean the person from time to time appointed by the Council to exercise control of and manage the library, and shall include any of his subordinates acting in terms of his directions;
- "library" shall mean the community library maintained by the Council or any branch library which the Council may establish;
- "minor" shall mean any person under the age of 21 years and who is dependent upon his parent or guardian;
- "pensioner" shall mean any person over the age of 60 years who receives a pension, or any person who is retired or cannot work due to disablement;
- "provincial library" shall mean the KwaZulu-Natal Provincial Library Service of which the library is a member;
- "charges" shall mean membership fees or fines as determined by the Council from time to time; and
- "visitors" shall mean any person who is temporarily resident in the community.

## 2. Admission to library buildings

- (1) The library shall be open and available for use by anyone who is part of the community or a visitor there.
- (2) Subject to the provisions of sub-paragraph (1) and to the further provisions of these bylaws, admission shall be free of charge and any person may read or consult any library material, and/or listen to a recording during the hours of opening prescribed by the Council.

## 3. Lending department

- (1) Any person may be enrolled as a library borrower and shall, subject to the terms of sub-bylaw (2) hereof, be entitled to borrow library material from the lending department of the library;
- (2) Any person wishing to be enrolled as a member shall apply to the librarian on a form provided to him for the purpose. Separate application forms shall be made available for adults and minors and applications by minors shall be countersigned by the parent or guardian responsible for them. In the application form there shall in each case be given an undertaking on the part of the applicant to pay for any library material lost or damaged while in his possession, in terms of and on the basis provided for in these bylaws;
- (3) Any duly enrolled member shall, at the discretion of the librarian, be entitled to take out one or more items at a time. A ticket must be produced and left at the library whenever an item is borrowed. No item will be issued unless the membership card is produced;
- (4) Videos may be borrowed free of charge by associations or similar institutions which possess approved video machines subject to the submission of a written application on an application form. No videos shall be borrowed by individual persons.

## 4. Borrower's tickets

- (1) Every member shall be responsible for the card or cards issued in his name and shall, until the cancellation thereof, be liable for any fine or claim for damage or loss arising from the unauthorised use thereof.
- (2) When a membership card is lost during the time of membership, the member shall forthwith give notice thereof to the librarian who may issue a duplicate of such card. The issue of a duplicate membership card shall in no way relieve the holder of any liability incurred by him in terms of these bylaws.
- (3) Any enrolled member who for any reason ceases to be entitled to borrow library material from the lending department of the library or who wishes to cease borrowing library material from the said department shall forthwith return his membership card or cards to the librarian for cancellation. Failure to do so will in no way absolve him from any liability incurred by him in terms of these bylaws.

## 5. Overdue library material

- (1) Every item borrowed shall be returned to the lending department of the library from which it was borrowed not later than fourteen days from the date of issue, provided that —
  - (a) the issue of an item not required by any other person may be renewed for a further period of fourteen days upon a written or verbal request to the librarian;
  - (b) no person shall retain any item issued to him after a written demand by the librarian for the return of such item has been delivered at the registered address of such person;
  - (c) art reproductions may be borrowed for a period in excess of fourteen days, at the discretion of the librarian.
- (2) In special cases library material may at the discretion of the librarian be lent to members (such as *bona fide* students) for any period in excess of fourteen days. The librarian may also at this discretion issue popular material for periods of less than fourteen days.
- (3) The librarian may refuse to lend any item to a member who fails to pay fines incurred.
- (4) In the case where the librarian finds it necessary, after repeated written demands, for the return of the library material by a member, to send a messenger to the member's address in an endeavour to recover the library material and where the messenger does not succeed in recovering the items, no further items shall be issued and the librarian may cancel such membership; should such items be returned, however, no further items shall be issued until all outstanding fines have been paid in full.
- (5) Habitual over-retention of library material may lead to the suspension or cancellation of the member's membership.

## 6. Lost and damaged library material

- (1) Should any item be lost, the member shall pay to the librarian, in addition to any fine or other charges which may be due in respect of such item, the value of the lost item in respect of provincial stock, or he shall pay in respect of the library stock of the Council the value of such item or replace such item with a new copy of equal value.
- (2) Any item not returned to the librarian within a period of two months from the date of issue, or, whenever a renewal is granted, within a period of two months from the date of renewal shall be deemed to be lost. 15
- (3) The member shall be responsible for any damage caused to any item while in his possession, and shall be required to pay the amount of such damage assessed by the librarian, or, alternatively, to replace such item with a new copy of equal value in respect of the library stock; in respect of provincial library stock he shall pay the value as assessed by library service, as stated on the printed item card of the damaged item. Items found to be damaged when presented for issue must be reported, otherwise the member may be held responsible for the damage.
- (4) No person who has lost or damaged library material shall be permitted to borrow any further items until lost or damaged items shall have been replaced or until the amount of damage caused or any other charge has been paid to the librarian, as the case may be. 16
- (5) Neglect to pay for the loss, damage or non-return of library material shall be a debt due from the member and recoverable at law at the discretion of the Council.

## 7. Notification of change of address

Any member who changes his address from the one given by him in his application form and shown on the membership card issued to him shall, within seven days thereafter, notify the librarian of both his old and new addresses.

## 8. Reference department

- (1) Any person may consult any library item in the reference department to which he is entitled to be admitted in terms of these bylaws.
- (2) No such item shall be removed from the reference department; provided that the librarian may, upon receipt of such deposit as he may deem advisable, permit any registered member to borrow an item from the reference department for a specified time upon receipt of a written undertaking by the member to return the item:
  - (a) in a good condition,
  - (b) within the specified time.
- (3) The librarian may require any person consulting any item in the reference department of the library to do so in any such place in the library building as he may specify. Any person consulting a reference item will be held responsible for any damage such an item may sustain. 17

## 9. Use of group activities room

The group activities room will be at the disposal without any charge, to persons who are admitted to the library buildings in terms of these bylaws, for use where the promotion of culture, such as book discussions, art evaluations, musical evenings and similar activities are involved; provided that where the promotion of culture is not pursued, the room may, should it be available for use, be hired by members of the public at a rental determined by the Council. 2

## 10. Unauthorised possession of library material

- (1) No person shall be in possession of or remove from any department of the library any item which has not been duly recorded by the librarian. Any person removing any item from the library without its being duly recorded shall be liable to forfeit his membership. 3
- (2) Any item bearing the mark or stamp of either the provincial library service or the Council and not containing an official notification that it has been withdrawn, discarded or sold, shall be deemed the property of the provincial library service or of the Council, as the case may be.
- (3) No item shall be removed from the general reading room without the prior approval of the librarian.

## 11. Non-active members

The librarian is empowered to cancel the membership of any member who has been continuously non-active for a period of six months, unless such borrower has informed the librarian of any prolonged absence due to illness or leave or any other valid reason. The member thus having his membership cancelled does not forfeit his right to be re-registered at any future date, within the provisions of these bylaws.

## 12. Care of library material

- (1) Any person to whom library material has been issued in terms of these bylaws shall keep such library material in a clean and sound condition and shall take all such steps as may be necessary to protect it while *en route* to and from the library building in wet weather.
- No person shall —
  - (a) turn down or stain the leaves or make pencil or other marks upon or in any other way cause damage to any book forming part of the library;
  - (b) make copies of any such book or part thereof or of illustrations therein by means of tracing or otherwise without the permission of the librarian;
  - (c) remove or mutilate any colour plates or any other illustrations or leaves of any book whatsoever;
  - (d) remove the plastic covering and/or book jacket from any book issued to him;
  - (e) return library materials without their appropriate wrapping or without placing them in a suitable container; the librarian may refuse to issue further items if, after due warning to the member this requirement is not complied with;
  - (f) return in covers other than those in which they have been issued;
  - (g) expose CD records to excessive heat or handle them in any manner which may cause damage.

## 13. Exposing library material to infectious diseases

- (1) No person suffering from any notifiable disease shall permit any library material issued to him to be exposed to any notifiable disease.
- (2) No person shall return to the library any library material which he knows to have been exposed to infection from any notifiable disease nor permit any such library material which is under his control to be returned but shall immediately give notice to the health inspector that the library material has been so exposed, and the health inspector shall thereupon cause the library material to be disinfected and returned to the library. Should the infected material be part of local stock it may be destroyed by the Council if necessary.

## 14. Hours of opening

- (1) The library will be open for such hours as the Council may decide; provided that the hours of opening shall be prominently displayed on the notice-board and the door of the library and that sufficient notice of any changes contemplated shall be given.

- (2) The library will not be open on public holidays and the Council is authorised to close the library or any part of it temporarily for such days or at such times as it may consider necessary; provided that a notice of the Council's intention is posted up on the notice-board seven days before the actual closing.
- (3) The library will be closed on the Saturday if the Friday and/or the Monday is a public holiday.

#### 15. General

- (1) No person shall willfully obstruct the librarian or any assistants in the execution of their duties.
- (2) No person shall affix or post any bill, placard, or notice to or upon any part of the library without the prior permission of the librarian.
- (3) No person shall bring into any part of the library any wheeled vehicle or conveyance other than a wheelchair, baby's perambulator or push-cart, without the permission of the librarian.
- (4) No person shall give a false name and address for the purpose of entering any part of the library or obtaining any privilege from such part.

#### 16. Conduct in the library

- (1) No person shall, to the annoyance of any other person, engage in audible conversation in any part of the library, or wilfully obstruct, disturb, interrupt or annoy any other person in the proper use of the library.
- (2) No person shall behave in a disorderly manner in any part of the library, use violent, obscene or abusive language, bet, gamble, or persist after proper warning in remaining therein beyond the hours fixed for the closing of the library or any part thereof.
- (3) No person shall cause or permit any animal belonging to him or under his control to enter or remain in the library.
- (4) No person shall drink intoxicating liquor, spit, sleep or consume food in any part of the library intended for public use.
- (5) No person shall carelessly, negligently or maliciously damage or injure anything belonging to or forming part of the library.

#### 17. Offences and penalties

Any person who contravenes or fails to comply with any provision of these bylaws shall be guilty of an offence and liable, upon conviction, to a fine not exceeding five hundred rand, or to imprisonment for a period not exceeding six months, or to both such fine and such imprisonment.

#### Tariff of Charges

##### 1. Membership fees

- (a) Community - free of charge except for photo charges.
- (b) Visitors - R30,00 per annum.
- (c) Photos - R10,00.

##### 2. Fines

- (a) R1,00 per item of borrowed library material per week or part thereof.
- (b) R2,00 per duplicate card plus photo charges.

##### 3. Lost/damaged material

- (a) Actual replacement cost plus 10% administration fee.