

PROVINCE OF QUÉBEC
CITY OF POINTE-CLAIRE

BY-LAW NUMBER PC-2920

BY-LAW ON THE PUBLIC LIBRARY

In force on October 14, 2020

AT THE REGULAR MEETING OF THE COUNCIL OF THE CITY OF POINTE-CLAIRE HELD AT THE CITY HALL, 451 SAINT-JEAN BOULEVARD, POINTE-CLAIRE, QUEBEC ON TUESDAY OCTOBER 6, 2020 AT 7:00 P.M.

PRESENT: Councillors C. Homan, T. Stainforth and K. Thorstad-Cullen, as well as Councillors P. Bissonnette, C. Cousineau, B. Cowan, E. Stork and D. Webb, chaired by His Worship Mayor John Belvedere, forming a quorum of Council.

THE BUSINESS TRANSACTED AT THIS MEETING INCLUDED:

BY-LAW NUMBER: PC-2920

RESOLUTION NO.: 2020-428

MOVED BY COUNCILLOR STAINFORTH

SECONDED BY COUNCILLOR WEBB

AND RESOLVED:

WHEREAS a draft of this by-law was presented and adopted by resolution and notice of motion thereof was given at the meeting held on September 8, 2020.

CITY COUNCIL DECREES AS FOLLOWS:

ARTICLE 1: DEFINITIONS

In this by-law, unless the context indicates otherwise, the following expressions and words mean:

- a) MEMBER: person who holds a Library card;
- b) MULTI CARD: card issued by the City of Pointe-Claire;
- c) MEMBER CARD: Multi Card for which Library membership has been validated;
- d) COUNCIL: Pointe-Claire City Council;
- e) DIRECTOR: The Director of the City of Pointe-Claire Culture, Sports, Leisure and Community Development Department, that Director's representative, or any manager of the Library;
- f) RESOURCE: any goods or material made available and likely to be consulted, used or borrowed from the Library, regardless of the medium (paper, digital, virtual, etc.);

ARTICLE 2: MEMBERSHIP

All persons must hold a Multi Card to become a Library member. The Library's resources may only be borrowed with a member card.

The Library membership form must be duly completed and signed. The form is only available at the Library. The form for an applicant under ten (10) years old must be completed and signed by the applicant's parent or the person responsible for the applicant.

The form for an applicant between 10 and 18 years old must be signed by the applicant's parent or the person responsible for the applicant.

The person signing the form accepts responsibility for returning the Library material borrowed by the applicant in good condition and within the prescribed period.

The duly completed and signed membership form must be accompanied by the following:

- a) The applicant's proof of identity and proof of residence.
- b) Payment of the annual membership fees for non-residents, if applicable.

If the membership is accepted, the Library membership must then be activated and validated.

The Director may cancel the membership privileges and the member card of an applicant who has provided erroneous or false information on the membership form.

ARTICLE 3: MEMBER CARD

The member must notify the Library immediately of any change of address or if his or her member card is destroyed or lost.

When a member card is lost or destroyed, the member may obtain a new card by producing proof of identity and address and by paying the required fees.

The member card is personal, except in cases where a written preauthorization has been granted to one or more delegated persons who also hold a member card.

The member is responsible for the resources borrowed with his or her card and the use of the Library's equipment.

ARTICLE 4: LOANS

Any member may borrow Library material by presenting his or her card and complying with the conditions related to the lending of resources by the Library.

The Library's resources must be returned within the prescribed period.

A member may not borrow a greater number of resources than that prescribed for that type of resource at the same time.

The Director shall inform the members of the rules relating to the time limit for returning the Library's resources, and the maximum number of resources a member may borrow at the same time.

ARTICLE 5: LATE RETURNS

Members who fail to return the Library resources they have borrowed within the prescribed period shall pay the penalty and the administration fees applicable in such case. This provision does not apply to a member who is sixty-five (65) years of age or older.

ARTICLE 6: DAMAGED MATERIAL

A member who returns damaged Library material is responsible for the replacement cost of this material and must also pay the penalty and the administration fees applicable in such case. The material shall be replaced according to the acquisition procedures adopted in the Library Collections Development Policy.

ARTICLE 7: LOST MATERIAL

Library material that is not returned within ninety (90) days of the prescribed period is presumed lost. The member who borrowed this material is responsible for its replacement cost and must also pay the penalty and the administration fees applicable in such case. The material shall be replaced according to the acquisition procedures adopted in the Library Collections Development Policy.

However, the replacement cost will be reimbursed to the member if the material is returned in good condition within six (6) months of the date of payment of the replacement cost.

ARTICLE 8: PEACE AND ORDER

Any person who visits the Library shall comply with the rules relating to peace and order, as well as the instructions of the Library personnel.

ARTICLE 9: CHILDREN UNDER EIGHT YEARS OLD

A child under eight (8) years old may not be admitted to the Library unless he or she is accompanied and supervised at all times by a person aged at least twelve (12) years old who assumes full responsibility for the child's behaviour.

ARTICLE 10: PETS

No pet is permitted on the Library's premises, except in the case of a service animal or an activity organized by the City.

ARTICLE 11: DIRECTOR POWERS

The Director may establish the Library's management framework and specifically, but not exclusively:

- a) Prescribe the contents of the membership form;
- b) Determine the type of Library resources that may be borrowed by the members.
- c) Set the deadline for returning Library resources that a member may borrow and establish the Library resource categories for this purpose.
- d) Set the maximum number of Library resources that a member may borrow at the same time and establish the Library resource categories for this purpose.
- e) Determine how members are informed of the rules decreed under this by-law or under this article.
- f) Decree rules for the sound administration of the Library and maintenance of peace and order on the Library's premises.

ARTICLE 12: FEES, FINES AND PENALTIES

A person who borrows Library resources when he or she is not a member of the Library is committing an offence.

The Director may cancel or suspend a member card in the following cases:

- a) If the member card is used by someone else, except in cases where a written preauthorization has been granted to one or more delegated persons who also hold a member card;
- b) If a member fails to return Library resources within the prescribed period;
- c) If a member fails to pay the penalty and administration fees referred to in articles 5, 6 and 7;

d) If a member contravenes articles 8, 9 and 10.

ARTICLE 13 LEGAL PROCEEDINGS

Anyone who violates this by-law is liable to a fine and costs. The amount of the fine is determined by a competent court, at its discretion, but cannot exceed three hundred dollars (\$300). The costs are those determined by the rates in effect.

The City reserves the right to institute legal proceedings against any person who commits an offence under article 12.

ARTICLE 14: COMING INTO FORCE

This by-law comes into force upon its publication.

ARTICLE 15: REPEAL OF PREVIOUS BY-LAWS

This by-law repeals and replaces By-law PC-2485 and its amendments.

John Belvedere, Mayor

Me Caroline Thibault, City Clerk