

MANUKAU CITY CONSOLIDATED BYLAW 2008

CHAPTER 10

LIBRARIES

EXPLANATORY NOTE

<i>Bylaw made using powers of</i>		<i>Local Government Act 2002</i>	
Description	Date Made	Council Minute	Commencement
<i>Bylaw first adopted by Council.</i>	<i>28 Sep 2006</i>	<i>CL/SEP/1615/06</i>	<i>30 Nov 2006</i>
<i>Clause 6.1(a) amended</i>	<i>14 Dec 2006</i>	<i>CL/DEC/2194/06</i>	<i>21 Jan 2007</i>
<i>Updated chapter and bylaw references, and removed reference to "authorised officer" in clause 8.2 and 8.3.</i>	<i>26 Jun 2008</i>	<i>CL/JUN/745/08</i>	<i>01 Oct 2008</i>

The purpose of this Bylaw is to provide for the management of Libraries in Manukau City.

The Bylaw -

- (a) allows people to use the libraries and borrow items from the libraries*
- (b) places controls on the use of libraries and items*
- (c) establishes the library membership system and conditions of borrowing*
- (d) sets out the powers of Council for the management of the libraries*

This Bylaw should be read in conjunction with the entire Manukau City Consolidated Bylaw 2008, including but not limited to Chapter 6 Dog Control and Chapter 9 General Nuisance, Safety, and Behaviour in Parks and Public Places, and any other applicable statutory provisions affecting library controls that are not necessarily repeated within this Bylaw, including (but not limited to) the Copyright Act 1994.

This Explanatory Note is for information purposes only and does not form part of this Bylaw.

CONTENTS

1.	Interpretation	2
2.	Borrowing	2
3.	Use of collection items	2
4.	Special collections	3
5.	Entry and access	3
6.	Use of the library	3
7.	Conditions of Membership	3
8.	Powers of Council	4

1. Interpretation

1.1 In this Chapter, unless inconsistent with the context:

DAMAGE means to tear, cut, soil, write in, deface, with leaves turned down, scratch, delete or distort the content in whole or in part, and includes any damage to an item's barcode or other referencing device associated with that item.

ITEM means any book, pamphlet, periodical, manuscript, painting, drawing, print, map, music score, photograph, film, sound recording, audio and video magnetic tape or disc, computer disc, software recording, information on or in any medium or manner held by Manukau City Council libraries, and includes any item borrowed by the Council from any other library.

LIBRARY means any library established and operated for the time being by the Council for use by the public or any section of the public, and includes every portion of any building used for such purposes, and includes a mobile library.

MEMBER means a person to whom the Council has by registration or otherwise granted a licence or privilege to borrow an item from a library.

REFERENCE COLLECTION means any item identified by the Council for use only within the library.

SPECIAL COLLECTION means any item or group of items identified by the Council, or held by the Council, which have specific characteristics that warrant the use of those items being restricted to ensure the items are appropriately protected or maintained.

2. Borrowing

2.1 Any member may borrow any item from any library provided that they:

- a. Pay any applicable fee or service charge;
- b. Present their library card or other form of identification acceptable to the Council;
- c. Have the item issued to them through the Council or the library issuing system;
- d. Have approval to remove that item from the library;
- e. Return the item to the library by the specified return time and date.

2.2 The Council may restrict any member from borrowing any item from any library if that person:

- a. Has any outstanding fines or other outstanding amounts owed to the Council in excess of the prescribed level;
- b. Has already borrowed more than the prescribed number of items;
- c. Seeks to borrow an item that is part of a reference collection or special collection for which use is restricted.

3. Use of collection items

3.1 Any person or member using or borrowing any item from the library must not:

- a. Lose that item;
- b. Damage that item;
- c. Sell, pledge, pawn or gift that item to any other person.

4. Special collections

- 4.1 Without limiting clauses 2.1, 2.2, or 3.1 any person may use any item that is part of a special collection provided that they comply with any conditions of use specified by the Council.

5. Entry and access

- 5.1 Any person may enter, remain in or use any public part of any library during the hours that the library is open to the public.

6. Use of the library

- 6.1 Any person entering or remaining in a library must not:
- a. Behave in a manner that creates a nuisance or is offensive to any other person;
 - b. Bring into the library or exhibit any article that is a nuisance or is offensive to any other person;
 - c. Consume any food or other refreshments within a library except where authorised by the Council;
 - d. Bring any animal into the library except where authorised by the Council;
 - e. Damage any library property.
- 6.2 The use by any person of any library service or facility must be for legal purposes, and must not result in breach of copyright, breach of privacy rights, unauthorised alteration or deletion of data or website contents, unauthorised access to information or the access or transmission of illegal images or text.

7. Conditions of Membership

- 7.1 Any person issued a library card is responsible for all items borrowed using that card, and any damage to, or loss of items borrowed using that card.
- 7.2 Without limiting clause 7.1 where a person under the age of 18 years is issued a library card a parent or guardian must guarantee responsibility for that card, and in doing so that parent or guardian accepts responsibility for all items borrowed using that card, and any damage to, or loss of items borrowed using that card.
- 7.3 Every application for membership must contain the information that the Council requires to issue the library card.
- 7.4 Any person issued a library card shall notify the Council of any change of their address.
- 7.5 Any person issued a library card shall notify the Council of the loss of any library card.
- 7.6 Any person issued a library card shall not allow any other person to use the library card except where that person:
- a. Is the parent or guardian responsible for that library card; or
 - b. Has been authorised to use the library card by application to the Council.

8. Powers of Council

- 8.1 The Council may from time to time by resolution publicly notified, make rules for the following matters that shall apply to libraries:
- a. The control, management and use of the library;
 - b. Determining the days and hours during which a library shall be open; and
 - c. Subscriptions, fees and charges payable by persons entering, remaining in or using the library or any service offered in the library.
- 8.2 The Council may from time to time prescribe directions and standards for the following matters that shall apply to libraries:
- a. The maximum number of items of the collection which may be lent to any person at any one time;
 - b. The length of time any item may be lent to any person;
 - c. The conditions for use of any item of a reference or special collection, or any other library service;
 - d. The information required for membership and any applicable terms or conditions of membership;
 - e. The closure of a library or part thereof to the public for the exclusive use of the library by any person or group;
 - f. The closure of a library or part thereof where circumstances would adversely affect library operations or public safety; and
 - g. The maintenance of good order and conduct whilst persons are in a library or part of a library.
- 8.3 Subject to the Local Government Act 2002, the Council may require any person who commits an offence against this bylaw or who fails to comply with any rules made under this bylaw, relating to the use of a library, to leave that library until notice is given permitting the person to return.

**ATTACHMENTS TO CHAPTER 10 LIBRARIES
OF THE MANUKAU CITY COUNCIL CONSOLIDATED BYLAW
2008**

FOR INFORMATION PURPOSES ONLY

HISTORY OF THE ATTACHMENT

Description	Date Made	Council Minute	Commencement
Attachment first adopted under 2008 consolidated bylaw	25 Sep 2008	CL/SEP/1083/08	01 Oct 2008
Attachment 2.1 amended to increase number of items allowed to be lent at one time	16 Oct 2008	Delegated Authority	16 Oct 2008

INTRODUCTION

Chapter 10 Libraries of the Manukau City Consolidated Bylaw 2008 allows Council by resolution to make rules for the following matters that shall apply to libraries:

- (a) The control, management and use of the library;
- (b) Determining the days and hours during which a library shall be open; and
- (c) Subscriptions, fees and charges payable by persons entering, remaining in or using the library or any service offered in the library.

and authorised the Council or authorised officers to from time to time to prescribe directions and standards for the following matters that shall apply to libraries:

- (a) The maximum number of items of the collection which may be lent to any person at any one time;
- (b) The length of time any item may be lent to any person;
- (c) The conditions for use of any item of a reference or special collection, or any other library service;
- (d) The information required for membership and any applicable terms or conditions of membership;
- (e) The closure of a library or part thereof to the public for the exclusive use of the library by any person or group;
- (f) The closure of a library or part thereof where circumstances would adversely affect library operations or public safety; and
- (g) The maintenance of good order and conduct whilst persons are in a library or part of a library.

This document consolidates for information purposes only matters prescribed by resolution of Council and matters delegated to the Library Manager for the purposes of Chapter 10 Libraries of the Manukau City Consolidated Bylaw 2008.

CONTENTS

Attachment 1 - Matters Resolved by Council

1.	The days and hours during which a library shall be open	2
2.	Fees	2

Attachment 2 - Other Council Matters

1.	The maximum number of items and loan time for any item	3
2.	Information required for membership and applicable terms or conditions of membership	4
3.	The areas of a library that are open to the public	4
	Application for Library Card Form	5

**ATTACHMENT 1
MATTERS RESOLVED BY COUNCIL**

1. The days and hours during which a library shall be open

In accordance with Clause 8.1(b) of Chapter 10 Libraries of the Manukau City Consolidated Bylaw 2008, the Council has resolved to determine that the days and hours during which all libraries shall be open will continue to be determined through the annual plan process, and subsequent service level agreements.

2. Fees

In accordance with Clause 8.1(c) of Chapter 10 Libraries of the Manukau City Consolidated Bylaw 2008, the Council has resolved to determine that the any subscriptions, fees or charges payable by persons using any library service shall continue to be determined through the annual plan process, except in the case of commercial uses where fees or charges payable will be determined in accordance with Council's Standing Orders and applicable financial policies.

ATTACHMENT 2 OTHER COUNCIL RULES

1. The maximum number of items and loan time for any item

In accordance with clause 8.2(a) and (b) of the Chapter 10 Libraries of the Manukau City Consolidated Bylaw 2008, the Council has determined that the maximum number of items that can be borrowed and the maximum loan time they can be borrowed shall be as follows:

Membership Type	Item Limit
Manukau Adult Resident	35
Manukau Child	35
Manukau Teen	35
Manukau Senior	N/A
Manukau Library Staff	35
Manukau Council Staff	35
Manukau Non Res	35
Manukau Interloan	200
Manukau Self Registered	0
Manukau Housebound	35
Manukau Company	35
Manukau Special Needs	35
Manukau Subscription	35
Manukau Visitor	10
Manukau Volunteer	N/A
Manukau Rest Home	150
Manukau Rural/Bulk Loan	500
Manukau School	35
Manukau Pay as you go	N/A
Manukau Library Function	999
Manukau Ratepayer	35
Manukau J Restricted 5	5
Manukau J Restricted	10
Manukau Rural Loan 4 Month	500
Manukau Restricted 5	5

Item	Loan Period
Books	4 weeks
Children, young adult magazines	2 weeks
Children's cassette tapes	4 weeks
Audiobooks	4 weeks
Best seller books	2 weeks
CD roms	1 week
Magazines	2 weeks
Music CD	1 week
Puzzles and games	2 weeks
DVDs	1 week
Videos I	overnight
Videos II	1 week

2. Information required for membership and any applicable terms or conditions of membership

In accordance with clause 8.2 (d) of the Chapter 10 Libraries of the Manukau City Consolidated Bylaw 2008, the Council has determined that the information required for membership and any applicable terms or conditions of membership shall be those contained in the attached form *Application for Library Card*.

3. The areas of a library that are open to the public

In accordance with clause 8.2(e) of the Chapter 10 Libraries of the Manukau City Consolidated Bylaw 2008, the Council has determined that the following all areas to be open to the public, unless otherwise specified by a sign attached to a door or entrance to any area of the library.

In accordance with clause 8.2(f) of the Chapter 10 Libraries of the Manukau City Consolidated Bylaw 2008, the Council has determined that all libraries will be open to the public unless an authorised officer determines that a library or part thereof must be closed for Occupational Safety and Health reasons.



To Kaunihera o
MANUKAU
City Council

APPLICATION FOR YOUR **Library Card**

----- Last/Family Name	----- First/Given Name	----- Middle Name
----- Postal Address		
----- Street address If different from above	----- Suburb	----- City/District
----- Street	----- Suburb	----- Post code
----- City/District	----- Post code	
----- Telephone	09 ----- Home	----- Other
----- Email	----- [If this is your preferred method for contact]	
----- Birth date	----- Gender	M F

If you are under 18yrs, your parent or guardian must complete the rest of this form. Children and Young Adults (under 18) will need a parent or guardian as their guarantor. As a guarantor, you will need to show personal ID and proof of address and sign the membership card. In signing as a guarantor, you are accepting responsibility for any charges incurred on that card and your records may be linked.

Parent/Guardian	Name	-----	-----
If different from above	Address	-----	-----
	Street	-----	----- Suburb
	City/District	-----	----- Post code
If different from above	Telephone	09 ----- Home	----- Other
	Birth date:	-----	

The following optional information will assist us to develop our collections and services

Reading Language ----- [PTO] Ethnicity/Nationality ----- [PTO]

These details will now be entered onto the computer. We will require you to agree to the following conditions and personally click the submit button.

By submitting this form I agree to the following conditions:

- I agree that the information that I have provided on this form is correct
- I agree to notify the library of any change to the above details
- I agree to notify the library immediately if my card is lost or stolen
- I accept responsibility for all items issued and charges incurred against this registration.
- I understand that the services of a debt collection agency may be used to recover outstanding debts and related costs
- I agree to follow the bylaws on library use.

SIGNATURE _____ **Date** _____

Ethnicity/Nationality

Please select one

	NZ European
	Maori
	African
	Arab
	Australian
	Cambodian
	Chinese
	Cook Islander
	Fijian
	Indian
	Japanese
	Korean
	Niuean
	Samoan
	South African
	Tokelauan
	Tongan
	Vietnamese
	Other Asian
	Other MidEast
	Other European
	Other Pacific
	Other
	Not Stated

Reading language

Please select one

	English
	Maori
	Afrikaans
	Arabic
	Cambodian
	Chinese
	Cook Island Maori
	Danish
	Dutch
	French
	German
	Hindi
	Italian
	Japanese
	Korean
	Malay
	Niuean
	Polish
	Russian
	Samoan
	Serbo-Croatian
	Spanish
	Tagalog
	Tokelau
	Tongan
	Vietnamese
	Other

If you wish to limit the number of books your child may borrow, please ask the library staff.