

## **CIRCULATION**

### **GENERAL**

Library materials circulate according to the accompanying schedule of loan periods, renewal periods, fines and fees. Patrons must present a valid library card in order to check out library materials. A patron who does not bring his or her library card may be permitted to check out a limited number of items in accordance with procedures established by the Library Director.

Some items may circulate for less time than indicated in the schedule. These items may include, but are not limited to, bestsellers and other current books in high demand, books in subject areas in temporary high demand, and holiday books up to six weeks before a particular holiday occurs. In rare cases, such as a book of unusual length, a longer loan period may be deemed appropriate. The decision to make exceptions to established loan periods rests with the Director.

### **FINE WAIVERS**

The Library recognized that assessing fines as a penalty for overdue items deters the violation of Library policies intended to promote the effective sharing of library materials on a fair and equitable basis. At the same time, the Library is committed to promoting the active and responsible use of its resources by all citizens it serves. In order to address both goals the Library will waive up to \$20.00 (Twenty Dollars) in fines. The waiver will be made at the time that account is settled in full. The waiver is made to advance the return of patrons who have forfeited their checkout privileges for a minimum of one year due to fines to a status that permits full checkout privileges, but also to do so in a manner that does not compromise the deterrent effect of fines. To the same end, the Library will waive all overdue fines on a patron's account four calendar years after they have been assessed on the basis that all reasonable deterrent value served by such charges has been realized after that period of time.

The waiver established above pertains only to fines for items returned late (overdue fines). It does not pertain to items that have not been returned, which remain public property and must be addressed according to different guidelines; to miscellaneous fees that have been assessed by the staff, such as for damage to a returned item or for interlibrary loan items that were received but not used by the patron; or to charges accrued as a result of legal and court-related actions, such as but not limited to charges for serving court papers.

### **DELINQUENT ACCOUNTS**

When a patron has accumulated over \$15.00 in fines or fees, the account is delinquent and no further library materials can be checked out on the card. An authorized staff member may override the delinquent status for reasonable causes.

### LOST ITEMS

Items are set to lost when they are 45 calendar days overdue, at which time a \$4.00 lost book fee/maximum overdue fines per item is assessed. However, this does not apply to Interlibrary Loans which follow a separate schedule as indicated in the "Schedule of Loan Periods, Renewal Periods, Fines and Fees." When an item is lost, the list price of the item, as entered in the Library's database, will be charged. When a specific list price for an item is not entered in the database, the average replacement cost for the type of item, according to the accompanying schedule, will be charged. A patron who loses or does not return one audio tape or CD in a multi-tape or multi-CD set will be charged for the entire set if the single missing tape or CD cannot be replaced through a publisher's program or through repurchase.

### LOST BOOK FINE

A \$4.00 lost book fee is assessed on each lost item. The charge does not vary with the price of the item.

### REFUNDS

If a lost item is paid for and later found and returned, the full price of the item will be refunded. The lost book fine is not refunded but is used to pay any overdue charges in accordance with the Library's fine schedule. However, when circumstances so warrant, the service charge may be refunded

### LOST CARDS & DAMAGED CARDS

It is the responsibility of the patron to notify the Library when his or her library card is lost or stolen. The patron is responsible for all materials checked out on his or her card until the time that the Library is notified of such loss or theft. However, when a patron's card is lost or stolen while still valid, and such card is used illegitimately by another individual, the Director may, after assessing the evidence and circumstances, waive all or part of the patron's financial responsibility.

The replacement charge for a lost card, or a card damaged beyond use, is \$1.00. An authorized staff member may override this charge for reasonable causes.

### USE OF LEGAL REMEDIES

The Library may utilize a variety of remedies to recover amounts owing and unreturned library materials. These remedies may include use of a commercial collection agency, civil actions or criminal actions, depending on the amount owing. In all cases, the Library will send notice to a patron that an action will be taken if charges are not cleared and will allow the patron a reasonable length of time to respond before proceeding. Notice of a potential action will be sent to the patron at the last address that the patron has provided to the Library. However, the Library may still pursue remedies when a patron does not accept delivery of any notice sent by the Library, or when a patron cannot be provided with notice due to his or her failure to notify the Library of a change of address.

In order to recover amounts assessed for unreturned materials and fines, the Library may refer to a commercial agency, acting in accordance with a contract signed by Davis County, any accounts in which the amount owing equals or exceeds \$50.00 (Fifty Dollars). Referral to the agency will be made when materials are sixty (60) days past due. Prior to the referral being made, the patron will have been mailed overdue notices in accordance with the Library's established notice schedule, and one letter, signed by the Library Director, specifically indicating the remedy that will be pursued if materials are not returned or the account resolved. In the case of an account in the name of a minor, the letter from the Director will be mailed in the name of the adult(s) responsible for the account. If the account is referred to the agency, a \$10 (ten dollar) service charge will be added to the account.

Criminal Court action will be taken when the cost of the unreturned items, minus fines and fees, equal or exceed \$300.00. The account will be referred to the Davis County Attorney's Office for review and prosecution.

Accounts that are not resolved by the commercial agency may be reported to national credit bureaus.

### **DAMAGE FEES**

Patrons are charged for damage done to materials checked out to them. Damage fees are assessed according to the accompanying schedule and based on the following factors: the extent of damage in terms of the future usability of the item; the staff time and materials necessary to repair the damage; the age of the item; and if it can be determined, the condition of the item at the time it was loaned to the patron.

Damage fees may vary from minimal to the full price of the item. The full price of the item will be assessed when the item is clearly damaged beyond future usability and the damage clearly occurred while the item was checked out to the patron.

If the full price of an item is assessed it is thereby declared surplus and of no future value to the Library. The Library may therefore dispose of the item by allowing the patron to retain it. Should the item be disposed of in this manner, it will be prepared for discard at that time in accordance with appropriate procedures.

When the full price of an item is assessed due to damage, a processing fee of \$4.00 is charged, which does not vary with the price of the item. The processing fee includes any late fines on the item.

When less than the full price of an item is assessed, damage fees are charged in addition to any late fines. In cases in which a patron disagrees with a staff member's assessment of damage, the Director will review the item in question and make a final determination of charges.

## **METHOD OF PAYMENT**

All payments of charges owed must be made in cash, by personal check, or by money order. The Library does not accept books or other items in exchange for charges owed, including a replacement for lost items. However, at the sole discretion of the Library, and under guidelines established by the Director, the Library may accept a new, identical copy of a lost book in lieu of payment for the book. In such a case, the patron will acknowledge that recovery of the original lost book does not entitle him or her to a refund or payment from the Library in any form whatsoever. The patron also remains responsible for the “lost book fine”, which covers processing costs for the original lost item and for adding the new copy, and any overdue fine for the period the book is unavailable to other patrons.

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