

WARSAW COMMUNITY PUBLIC LIBRARY
BOARD OF TRUSTEES
BY-LAWS

Article I Name

This Organization shall be called “The Board of Trustees of the Warsaw Community Public Library” existing by virtue of the provisions of Chapter 321 of the Acts of 1947, of the State of Indiana and specifically Burns 41-914b, IC 1971, 20-13-1 (revised 1977)

Article II Membership

The Library Board of Trustees shall consist of seven members chosen for their fitness for Public Library Trusteeship. Terms of Office shall begin July 1, unless otherwise adjusted by the appointing authority.

Article III Officers

- Section 1. The officers shall be a President, Vice-President, Secretary and Treasurer, elected among the appointed Trustees at the annual meeting of the Board. An Assistant Secretary and an Assistant Treasurer shall also be elected at the same time.
- Section 2. A nominating committee shall be appointed by the President two months prior to the annual meeting who will present a slate of officers at the annual meeting. Additional nominations may be made from the floor.
- Section 3. Officers shall serve a term of one year from the annual meeting at which they were elected and until their successors are duly elected. Vacancies in office shall be filled by election at the next regular meeting of the Board after the vacancy occurs.
- Section 4. The President shall preside at all meetings of the Board, authorize calls for any special meetings, appoint all committees, execute all documents authorized by the Board, serve as an ex-officio voting member of all committees and generally perform all duties associated with that office. The President may vote all matters coming before both regular and special meetings of the Board.
- Section 5. The Vice-President, in the event of the absence or disability of the President or of a vacancy in that office, shall assume and perform the duties and functions of the President.
- Section 6. The Secretary shall keep a true and accurate record of all meetings of the Board, shall issue notice of all regular meetings and shall perform such other duties as are generally associated with that office.

Section 7. The Treasurer of the Board shall be the custodian of all funds and securities as provided for in the Public Library Lay as amended. He shall be bonded in an amount as may be required by a resolution of the Board.

Article IV Meetings

- Section 1. The Library Board shall meet on the second Monday of each month at 4:00 p.m. at the Library. The January meeting shall be the annual meeting.
- Section 2. Special meetings may be called by the President, or upon written request of two members, for the transaction of business stated in the call. Notices stating the time and place of any special meeting and the purpose for which it is called shall be given each member of the Board at least two days in advance of such meeting.
- Section 3. A quorum for transaction of business shall consist of four members of the Board.
- Section 4. The order of business shall be:
 Call to Order
 Reading and Approval of Minutes
 Treasurer's Report and Finances
 Previous Month's Financial Reports
 Claims to be Paid
 Investments
 Budget Transfers (if applicable)
 Encumbrances (if applicable)
 Advance Draw (if applicable)
 Director's Report
 Old Business
 New Business
 Adjournment
- Section 5. Conduct of meeting: Proceedings of all meetings shall be governed by Robert's Rules of Order, the latest revised edition.

Article V Committees

Special committees for the study and investigation of special problems may be appointed By the President, such committees are to serve until the completion of the assignment for which they were appointed.

Article VI Library Director

The Director of the Library shall be considered the executive officer of the Board and

shall have sole charge of the administration, operation and management of the Library under the direction and review of the Board. The Director shall be held responsible for the care of the building(s) and equipment; for the employment, termination and management of the staff; for the efficiency of the Library's service to the public as provided in the Board policies in force; and for the operation of the Library under the financial conditions set forth in the annual budget. The Director shall attend all Board meetings except those at which his or her appointment or salary is to be discussed. **The Assistant Director will officiate in the absence of the Director.**

Article VII General

- Section 1. An affirmative vote of four members of the Board present at the time shall be necessary to approve any action before the Board.
- Section 2. These by-laws may be amended at any regular meeting of the Board with a quorum present, by majority vote of members present, provided the amendment was stated in the call for the meeting.

Amendments to the By-Laws

The Board adopted on January 11, 1988, this indemnification statement, which follows:

It should be considered mandatory that the Warsaw Community Public Library have an adequate level of insurance coverage. If any claim or action not covered by insurance or State Statute is instituted against a trustee, officer, employee, or volunteer of the Library System arising out of an act of omission by a trustee, officer, employee, or volunteer acting in good faith for a purpose considered to be in the best interest of the System; or if any claim or action not covered by insurance or State Statute is instituted against a trustee, officer, employee, or volunteer allegedly arising out of an act of omission occurring within the scope of his/her duties as such a trustee, officer, employee, or volunteer; the library should at the request of the trustee, officer, employee, or volunteer:

- a. appear and defend against the claim or action; and
- b. pay or indemnify the trustee, officer, employee, or volunteer for a judgment and court costs, based on such claim or action; and
- c. pay or indemnify the trustee, officer, employee, or volunteer for a compromise or settlement of such claim or action, providing the settlement is approved by the Board of Trustees.

Decision as to whether the Library shall retain its own attorney or reimburse the trustee, officer, employee, or volunteer expenses for their own legal counsel shall rest with the Board of Trustees and shall be determined by the nature of the claim or action.

The term trustee, office, employee, or volunteer shall include any former trustee, officer, employee, or volunteer of the Warsaw Community Public Library.

Adopted by the Board of Trustees: February 8, 2010

LIBRARY CONDUCT

PATRON BEHAVIOR POLICY

Issue Date: 4/14/98

Revision Date: 2/8/10

The Board of Trustees of the Warsaw Community Public Library reserves the right to eject from the Library and to refuse further admission to those individuals who may violate the rights of the staff or Library users, or who create disorder in the Library in any of the following situations:

Any situation in which the actions of a person present an imminent danger to the life or safety of others in the Library.

Any situation in which a person is in the possession, transferring, purchasing or selling any illegal or non-prescribed drug, including alcohol during library hours or on Library property.

Any situation in which a person is observed in an attempt to steal Library property or property of another Library user, or to destroy or deface Library property.

Any situation in which a person willfully and purposefully disturbs the staff or other Library users or whose behavior is in any way disruptive to the legitimate use of Library facilities by others. This includes sitting, standing or lying on tables; sitting in traffic ways inside or outside of the Library building; roaming, blocking or interfering with the free movement of library patrons anywhere on the premises.

Any situation in which a person's behavior is inappropriate to the use of the Library building and property for the purpose for which it is legally constituted.

Inappropriate behavior may include but is not limited to:

Leaving children under age nine unattended
Playing in the elevator or doorways
~~Eating or drinking~~

Smoking within 30 feet of exterior doors/ramps
Public intoxication
Playing audio/electronic equipment loudly

Unauthorized use of audio/visual devices
Sleeping
Pets inside building (except service animals)
Placing feet on tables or chairs
Running/playing/skateboarding/skating
Soliciting/Surveying

Theft
Using obscene language
Disruptive
conduct/noise/singing/talking
Entering with no shoes and/or shirt
Giving unwanted attention to another
(e.g., staring, following another
person)
Public lewdness
Assault
Fighting
Trespassing
Bicycles in the library

Those persons who violate these rules may be asked to leave the Library, or, when appropriate, may be subject to arrest.

AUTOMOBILES:

Automobiles may not be parked on library property when the driver is not using the library. Automobiles parked illegally may be towed at owner's expense.

Repeated violators and/or those who refuse to leave will be subject to arrest and prosecution under 35-43-2-2 or the Indiana Code entitled "Criminal Trespass".

FINES AND FEES

MATERIALS COLLECTION FEES POLICY

Issue Date: 2/13/93

Reviewed: 2/08/10

Indiana Library Law 36-12-2-25 states, "the Library Board may fix and collect fees and rental charges and may assess fines, penalties, and damages for the loss of, injury to, or failure to return any library property or material."

All circulating items in the Library collection will carry an extended use fee of \$0.25 per day per item, except video formats, which will carry an extended use fee of \$1.00 per day per title and Netbook computers which carries an extended use fee of \$10.00 per hour. The maximum fine per item will be \$10.00 (Netbook maximum fine is \$50.00). Fines are due even when paying for a lost item. Fines for overdue/lost interlibrary loan items are set in the Interlibrary Loan Policy. Interlibrary loan items have no maximum fine.

An overdue notice indicates an item(s) in use by the borrower and is mailed three days after the due date. If the postal notice is returned to library with "postage due", because the post office had to forward the notice to a new address, the additional postage fee will be added to the borrower's record, so that the library can be reimbursed. Notices will be sent to patrons who have long overdue items (at least 30 days overdue) that are about to be considered lost. The borrower will have seven days to return the item before the item is considered lost. When the item becomes lost the borrower will be charged the cost of the item and all fines. A bill is sent to the user when his/her total fines/fees exceed \$25.00. The bill includes the title, copy number, classification number, and the total fee for each item listed on the bill. The cardholder is responsible for all fines and fees incurred on the card even in the event that an email notice or postal notice is not received by the cardholder.

The borrower assumes full responsibility for all damages to or loss of any library material checked out on his/her library card and agrees to make full restitution of lost or damaged items. Monies will not be refunded for materials lost and subsequently paid for unless the material is found to be in the library's possession.

Patrons may either replace lost/damaged items with identical material (same edition and/or same publishing date) along with a restocking fee of \$5.00 per item, or pay the list price charged by the library's vendors, publishers and/or binderies (along with a \$5.00 per item restocking fee) so the library can acquire a replacement. If there is doubt about the material being an identical replacement, the proposed replacement item must be approved by the Circulation Assistant Supervisor, the Information Services Librarian, the Technical Services Librarian, or the Library Director before it can be accepted by the library. If a replacement item is accepted and it has already been withdrawn from the library's collection, there will be an additional processing fee of \$5.00 charged.

If an item is returned damaged, the circulation staff, with prior approval by the Circulation Assistant Supervisor, the Information Services Librarian, the Technical Services Librarian, or the

Library Director, will assess partial damage charges based on the replacement cost of items and the cost of needed repairs.

Users failing to return Library materials, owe fines in excess of \$10.00, or owe for lost or damaged materials, will forfeit the ability to borrow Library materials until restitution is made.

Delinquent accounts of \$25.00 or more **will** be sent to an outside materials recovery agency 10 to 30 days after the final bill has been sent to the borrower. A collection fee of \$5.00 will be added to the total billed amount to cover recovery costs. Users whose account has been turned over to a materials recovery agency will also lose their Internet privileges until restitution is made.

FINES AND FEES CHARGES

Issue Date: 12/13/93

Revised: 2/8/10

Equipment:

- Photocopier \$.10 per page.
\$.25 per color page
- Fax - Outgoing \$1.00 per page
- Fax - Incoming \$.50 per page
- Computer Printers \$.10 per black/white page
\$.25 per color page
- Microfilm/fiche Printer \$0.10 per page.

Meeting Rooms:

- **Non-Profit or Non-Commercial Restricted Public Attendance**
Meeting Room A/B & C: \$10.00 per hour
- **Profit**
Meeting Room A/B & C: \$40.00 per hour

Overdue Materials:

- Books, magazines, recordings, software, etc. \$.25 per day (Effective 4/01/07)
- Videos \$1.00 per day
- Interlibrary loan materials \$1.00 per day
- Restocking fee for lost/replaced items \$5.00 per item