

CHAPTER XXXIV

TOWNSVILLE MUNICIPAL PUBLIC LIBRARY

Definition

594. In this Chapter, unless inconsistent with the context the following terms have the meanings set against the same respectively:—

"Library" - The public library established by the Council. The term includes where necessary any reading room or newspaper room which may be established as an adjunct thereto.

"Librarian" - The person appointed by the Council as librarian or other the person for the time being discharging the duties as librarian.

"Borrower" - A person who is the holder of a current borrower's ticket issued under these By-laws entitling him to borrow books from the lending section of the library or to whom any book has been lent.

Library Hours

595. The library shall be open daily (except on Sundays and public holidays) during the following hours, namely:-

Monday to Friday inclusive	-	10.00a.m. to 4.45p.m.
	-	7.00p.m. to 9.00p.m.

or such other hours as the Council may from time to time determine. The Council may close the library entirely during such periods from time to time as it may see fit.

Right to use Library

596. (a) The library shall be divided into two section namely, the reference section comprising books intended to be used for reference on the premises and the lending section comprising books intended to be lent out under these By-laws.

(b) Any bona fide resident of the City of Townsville shall be entitled, subject to these By-laws, to have access to and use free of charge books in the reference section in the reading room or part of the library premises set apart for the purpose, and also to use the reading room and/or newspaper room when established during the hours when the same are open. Reference books or newspapers or magazines in the newspaper room shall not be taken away from the premises, except by special written permission of the Town Clerk and

upon such conditions and with such safeguards for the safe custody and return thereof as he may impose.

- (c) Any bona fide resident of the City of Townsville above the age of fourteen years shall be entitled, subject to these By-laws, to borrow books in the lending section free of charge.
- (d) The privileges of the library, or any limited privileges may be extended to any person not entitled thereto under the preceding provisions:-
 - (i) By the Council by resolution; or
 - (ii) By the Mayor by memorandum to the Librarian if it appears to him desirable to do so by reason of the fact that such person is so situated that he has not ready access to another library, or that such person ordinarily makes Townsville his business or shopping centre, or any other reason which he may deem sufficient.

Any such extension of privileges may be revoked at any time by the Council, or by the Mayor if granted by him.

Borrowers' tickets for lending section

- 597.
- (a) A qualified person desirous of becoming a borrower shall make written application to the librarian in a form to be prescribed or approved by the Council in that behalf, and deposit with the librarian as security for the care, custody, and return of books to be borrowed by him and observance generally of these By-laws, a sum of five shillings, or if he desires to borrow and have out more than one book at a time, a further sum of five shillings, or such amount as the Council may from time to time determine for each additional book, up to the maximum allowable.
 - (b) The librarian shall thereupon issue to him a borrower's ticket, in a form to be prescribed or approved as aforesaid.
 - (c) Upon production of the borrower's ticket for marking with the appropriate particulars, and delivery up in good order of any prior book or books lent out on such ticket, the borrower shall be entitled to borrow out from time to time, subject to the By-laws, a book or books, but so that he shall not at any time have out on loan a greater number than he has paid deposit for.
 - (d) A borrower may surrender and deliver up his borrower's ticket at any time, and upon such surrender and delivery up, in good order, of any book lent to him on such ticket, and

compliance in all respects with these By-laws, shall be entitled to a refund of the deposit paid by him.

- (e) A borrower's ticket may be cancelled by the Town Clerk at any time if the borrower ceases to be qualified, or commits any breach of or fails to observe and comply with these By-laws. Subject to By-law 599 the borrower's deposit shall be refunded to him upon such cancellation.
- (f) The maximum number of books allowable to be out on loan to a borrower at any time shall be four; but the Council may at any time in the event of undue demand upon the available books, fix a lower maximum number. Two volumes of one work shall be regarded as a single book.
- (g) No borrower shall be entitled to hold more than one borrower's ticket.
- (h) A lost ticket may be replaced by the librarian, but the borrower remains responsible for books taken out on the lost ticket.

Librarian may Refuse Ticket

598. The librarian may refuse to issue a borrower's ticket to any person applying for the same, or refuse the issue of a book to any person.

Waiver of Deposit

598A. Notwithstanding the provisions of By-law 597, the Council may be resolution waive, or authorise the Librarian to waive, the deposit provided for in that By-law, either in whole or in part, and either generally or in any specified classes of cases.

Application of Deposit

- 599. (a) If any borrower becomes liable to pay any detention fee or the value of or cost of repair or diminution of value of any book under the provisions of these By-laws, his deposit may be retained, appropriated and applied in whole or in part, as the case may require, in or towards satisfaction of such liability. But such retention and appropriation shall not relieve him of any liability in excess of the amount so appropriated.
- (b) If a borrower ceases for a continuous period of upwards of two years to operate on the library and does not surrender his borrower's ticket, the Council may cancel his ticket and treat his deposit as forfeited; but to be reinstated if he makes application in that behalf within three years after cancellation.

Change of Address

600. A borrower shall notify the librarian of any change of address within fourteen days of such change.

Responsibility of Borrower

601. (a) Every book lent on any borrower's ticket by whomsoever presented is to be deemed to have been lent to such borrower.
- (b) Every borrower, before taking a book from the library, shall examine it, and shall draw the attention of the librarian to any mark on or damage or injury to such book, otherwise the marking, damage, or injury shall be deemed to have happened while the book is on loan to him.
- (c) A borrower is absolutely responsible for the safety and care of every book lent to him, and for the due return of the same to the library. He shall see that the leaves are not torn or turned down, nor the book marked, defaced, damaged, nor injured in any way.
- (d) If a book lent to a borrower is lost or stolen or destroyed, or is not returned within the period allowed or upon demand, he shall replace it, or pay the Council the full value of the book, to be assessed in the first instance by the librarian. In the case of a book being part of a series or set, and the borrower failing to replace it, he shall upon demand by the Council may the full value of the whole set or series.
- (e) If a book is torn, marked, defaced, damaged, or injured in any way while lent to a borrower, he shall within one week after notification by the librarian replace the book, or pay the Council the full value of the book (or if it is part of a set or series the value of the whole set or series if so demanded) to be assessed in the first instance by the librarian. Instead of replacement or payment in full, the librarian may assess a sum for the cost of repair or diminished value of the book and the borrower shall pay the sum so assessed.
- (f) A borrower who pays the value of a damaged book or of a set or series as provided in Clauses (d) and (e) shall be entitled to the book or set or series so paid for.
- (g) Any sums payable by a borrower under this By-law shall (without prejudice to any other right or remedy) constitute a debt recoverable by the Council from such borrower.

Return of Books

602. (a) A borrower shall return any book borrowed at the latest, within fourteen (14) days after the date of issue, but books (other than new books or bespoke books) may be renewed upon application.
- (b) If a book is not returned within the time prescribed, the borrower shall pay the sum of one penny for each and every day the book is retained beyond the prescribed time.
- (c) If at any time the Council shall deem it necessary to stop the issue of books for any period, or to call in books out on loan, a printed notice, displayed in the library, or as an advertisement in two (2) daily newspapers shall be deemed sufficient notice to borrowers: and all books, for whatever period they may have been lent, shall, notwithstanding the provisions of Clause (a) of this By-law, be returned by the respective borrowers thereof, within the time prescribed by such notice.
- (d) Any person returning a book to the library shall hand the same to an attendant and shall not leave the same on the counter of the library. The borrower of any book shall be held responsible for its safe custody, until it shall have been handed to an attendant as aforesaid.
- (e) A borrower shall not be entitled to a fresh book while any detention fee of amounts payable under By-law 601 remain unpaid.
- (f) A borrower shall not lend to any other person (whether or not a qualified borrower) any book lent to him from the library, nor shall borrowers exchange books with each other. But this clause does not extend to prohibit the use of the books by members of the borrower's household.

Selecting of books

- 603 (f) If a borrower desires to borrow a book which is already lent out, he may give the librarian particulars thereof, and the librarian will record it in a "bespoke book", and when the book is returned will hold it for such borrower for a period not exceeding two days. If the borrower leaves a stamped addressed post card for the purpose, the librarian will notify him when the book is available.
- (g) Any borrower may in a book to be kept in the library for the purpose make written suggestions to the Council of any book to be procured or of any measure to be taken for the improvement of the library.

Use of Newspapers, Etc.

- 605 (b) A person shall not remove a newspaper from any reading desk in the library.
- (c) Silence shall be maintained in the reading room

Preservation of Order

606. (a) Every person using the library or upon the premises thereof shall behave in an orderly and decorous manner and obey and conform to the directions of the librarian.
- (b) The librarian may order any person who is in an unclean state, or who is behaving in an offensive manner or using offensive, profane, or indecent language, to cease using the library or newspaper room or any books or papers therein, and also may direct any person so offending to leave such library premises or newspaper room forthwith; and every such person shall comply with such order or direction.
- (c) No person shall smoke within the library room nor in any part of the reading room or newspaper room where a notice is displayed forbidding it.
- (d) No person under the age of fourteen years shall be permitted to have access to any part of the library premises unless accompanied by an adult, who shall be responsible for the conduct of such child.

Animals Forbidden

607. A person in charge of any animal shall not allow such animal to enter the library or reading room or newspaper room.

Wrongful possession of books

608. No person, other than a properly constituted borrower, shall hold, retain, or possess himself of a book bearing the library stamp or mark unless the same shall be stamped or marked as withdrawn from stock, and bear the librarian's signature.

Wrongful injury to books

609. No person shall cut, mark, or mutilate in any way a book borrowed from the library, or any book, newspaper, or other publication therein.

Appeal to Mayor

610. Any person aggrieved by any decision of the librarian as to his right to the issue of a borrower's ticket or to have books issued to him or his right to use books in the reference section of the library, or to use the reading room or newspaper room, or as to any detention fee, or any sum payable under By-law 601 may appeal to the Mayor, who may determine the matter, or refer it to the Council.

The decision of the Mayor or Council shall be final except in respect of any sum payable under By-law 601.

Penalty

611. Any person contravening, offending against, or failing to comply with any of the provisions of these By-laws, shall be guilty of an offence.