



## CITY OF WASILLA

290 E. HERNING AVE.

WASILLA, ALASKA 99654-7091

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CODE ORDINANCE

REQUESTED BY: LIBRARY DIRECTOR

PREPARED BY: LIBRARY DIRECTOR

ORDINANCE SERIAL NO: 96-36

AN ORDINANCE OF THE CITY OF WASILLA, ALASKA AMENDING SECTION 2.56.030, BORROWED MATERIALS, OF THE WASILLA MUNICIPAL CODE.

BE IT ORDAINED AND ENACTED BY THE CITY OF WASILLA, ALASKA AS FOLLOWS:

SECTION I. Classification. This ordinance is of a permanent nature and shall become part of the Wasilla Municipal Code.

SECTION II. Purpose. To amend Section 2.56.030, Borrowed Materials, to include specific fines and fees which will be charged for overdue library material.

SECTION III. Amendment. Section 2.56.030, Borrowed Materials, of the Wasilla Municipal Code is hereby amended as follows:

2.56.30 Borrowed Materials.

A. A person who borrows any material from a library operated by the City shall return the material by the date due.

B. A person who has borrowed material from a library operated by the City shall return overdue material within thirty (30) days of the date of the mailing of notice that the material is overdue. Notice is sufficient if mailed to the last address provided to the library by the borrower. A person who fails to return borrowed material within thirty (30) days of the date of mailing of notice under this section shall be liable to the City for the full actual or estimated cost of replacement of the material; except, if replacement is not available, the person shall be liable to the City for the greater of the cost of similar material or the actual value taking into account historical and collector value, market demand and other factors that would establish value. In addition to the liability to the City for the cost of replacement or value, a charge of ~~\$5.00~~ \$2.00 for each item shall be paid as partial compensation for administrative costs associated with the non-returned, replacement or valuation of the material. A person who borrows material that are damaged or lost while on loan to that person shall pay upon demand the amount determined by the City to be needed to repair the damage or replace the material ~~if damaged beyond repair plus a \$2.00 administrative fee.~~ The library privileges of a person who fails to return overdue material within thirty (30) days of the date of mailing of notice or who fails to pay upon demand the amount required to repair materials damaged or replace lost or damaged material shall be suspended until the material is returned or the charges paid or the liability of the person under this section has been voluntarily discharged prior to a judgment in any civil action by the City to recover the amount due.

C. The Mayor may establish or authorize the establishment of fines for the failure to return borrowed material when due. The Mayor may establish or authorize the establishment of periods wherein overdue material may be returned without the payment of fines that would otherwise apply.

Effective September 1, 1996, the Wasilla Public Library will begin charging fines for all material returned after the due date. The purpose of the fine is to encourage users to return borrowed material in a timely manner, allowing other patrons access to limited resources.

Fines on overdue material will be calculated at the rate of 20 cents per item per day until the material is returned, to a maximum amount of \$4.00 per item. There is a three-day grace period during which time overdue material may be returned without a fine. (On the fourth day after the due date the fine will be 60 cents.)

Accrued overdue fines, up to the maximum amount of \$4.00, will be added to the charges outlined in subsection B.

D. A person who fails to return overdue material as required in subsection B commits an infraction and may be fined not more than \$250 for each item not returned as required.

E. The City, through its designated attorney, may maintain a civil court action to require return of overdue material and/or to seek a judgment for the liability of the borrower as established by this section.


F. The remedies provided herein shall be cumulative and not exclusive. (Ord. 87-12 )

SECTION IV. Effective Date. This ordinance becomes effective upon adoption by the Wasilla City Council.


Introduction: 08/12/96

Public Hearing: 08/26/96

ADOPTED by the Council of the City of Wasilla on this 26<sup>th</sup> day of August, 1996.

  
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John C. Stein, Mayor

ATTEST:

  
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Marjorie D. Harris, CMC  
City Clerk