

**CIRCULATION POLICIES  
OVERDUE NOTICES, FINES, & FEES**

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Marshalltown Public Library is charged with providing materials and services to residents of Marshalltown and Marshall County. In order to provide equal access to library materials, the Library will penalize the damage or theft of library materials as well as failure to return those materials on time. To this end, the library will charge fees for lost, damaged, and overdue materials. It should be noted that the Library is empowered to take this action by Section 131.003 of the CITY OF MARSHALLTOWN CODE OF ORDINANCES as well as 716.1 and 714.1 of the CODE OF IOWA (appended to this policy).

**OVERDUE ITEMS:**

When patrons check out an item(s), they receive a date due slip listing all the items checked out and when they are due. Patrons can also choose to receive email notification about overdue materials. An email notice will be sent 2 days before an item is due. An email notice will be sent 1 week after an item was due. The library does not send overdue notices by US mail.

**Overdue Fines will be charged as follows:**

*For Adult, Juvenile Patrons:*

\$.20 per day will be charged for each adult book, periodical, or CD, or adult or children's DVD. There will be no overdue fines for downloadable materials, youth books, or newspapers. Overdue Interlibrary loan books from other libraries may also be charged at a rate of \$.20 per day per item with a maximum fine per item of \$3.00 or amount billed by the lending library.

Overdue fines for each item will accrue until fines reach a maximum of \$3.00 for each adult book, CD or periodical, or adult or children's DVD.

If a patron realizes he has lost a library item, the patron should immediately contact the Circulation Department of the Library; overdue fees do not accrue on lost items.

*No overdue fines will be assessed For Shut-ins, Nursing Homes, "Educator Status" Patrons, Interlibrary Loans, Staff or current library Volunteers.*

Renewals do not erase overdue fines. Overdue fines cease to accrue on the date the item is renewed, but a renewal does not excuse the fines which have accrued before the date of renewal or when an item is returned. Items are automatically renewed three days before an item is due, unless items are on hold for another patron or if the renewal limit has been met. Books and audiobooks can be renewed twice and movies and periodicals can be renewed once.

## **LOST MATERIALS:**

Patrons will receive computer-generated lost notices. An overdue item is declared “lost” at 30 days overdue and at this time a bill will be sent to cover the cost of the lost item.

*For all patron types:*

Once an item has been declared “lost,” the patron is assessed the value of the lost item, plus a \$5.00 service fee per lost item. After the item is “lost,” the service fee must be paid **EVEN IF THE ITEM IS SUBSEQUENTLY RETURNED**. Overdue fines do not accrue on a lost item. For additional information, see “LOST . . . LONG OVERDUE” section of policy manual.

MPL patrons who lose interlibrary loan books from other libraries will be charged the costs/fees dictated by the library lending the item.

## **CLAIMS RETURNED:**

When a library patron claims that an item still charged out to him/her has been returned to the library, he/she may request that the library place a “Claims Returned” status on the item.

At the Public Services or Youth Manager’s discretion, the item will be marked as a “claims returned.” No overdue fines accrue on a “claims returned” item and overdue fines associated with the check out period in which the item was “claims returned” are waived. Our automated system allows us to set a limit of the number of items any one patron can claim he or she has returned. We have set this limit at 5 items.

A “claims returned” option is not available for lost interlibrary loan materials.

## **MAXIMUM FINES:**

Patrons who have accrued \$10.00 or more in lost or overdue charges will be blocked from checking out additional materials from our library or from requesting interlibrary loan materials.

## **STATE OFFSET:**

Patrons who have accrued more than \$50.00 in lost or damaged materials may be sent to the state to claim from their state tax refund. Accounts will not be sent for overdue charges. Shut-In, Nursing Home, Temporary, Staff, Educator Status, or Interlibrary Loan patron types will not be referred to the state offset program.

## **REGISTRATION POLICIES:**

The Marshalltown Public Library offers a library card free of charge to residents of Marshalltown, rural Marshall County and cities that contract directly with the Library. A fee will be charged for a replacement library card.

The Library also offers library cards free of charge to patrons of other libraries in Iowa that participate in the statewide Open Access program for reciprocal borrowing. Some library materials and services including Interlibrary Loan will not be available to these borrowers.

Borrowers are expected to comply with Marshalltown Public Library policies, to pay promptly all fines charged against them for overdue materials and for lost or damaged items, and to give notice of change of address or lost or stolen cards.

### **Registration:**

1. A borrower's card will be issued to a patron 12 or over who meets residency requirements above, who completes the registration form, and who presents some kind of identification carrying a current address. Identification, for adults, can be a driver's license (so long as it has CURRENT address), utility bill, rental payment receipt, check, or mail addressed to the person so long as it has both the name and the address of person applying for a card. Identification for school children may be a local school ID even though these do not carry an address.
2. Adults living in temporary residences (homeless shelters, hotels, half-way houses) may register for temporary borrower's card using the address of the temporary residence. Because these cards are temporary, borrowing privileges will be limited to one book with one renewal possible. A library patron may have his temporary status changed by showing proof of permanent residency.
3. Children 3-11 will be issued a juvenile card; a child's registration card must be signed by a parent or legal guardian. The parent or legal guardian of children who have library cards is responsible for the return of materials borrowed by the children, as well as any subsequent charges of overdue, lost or damaged materials. The parent or guardian's name appears on the child's record and on any notices sent to the child. The guardian must supply some form of identification listed in #1 above.
4. The borrower's card will be updated annually for current address and phone information. Temporary cards will remain active for 2 months.
5. A patron who does not have their borrower's card with them must provide identification to be allowed to check out materials without their card.
6. Lost cards will be replaced for a fee of \$2.00.
7. Service is provided to Shut-ins, Nursing Homes, and people with "Educator Status." Check individual policies for details.

### **§ 131.003 LIBRARY MATERIALS AND EQUIPMENT.**

(A) The fact that a person has concealed library materials or equipment, as defined in I.C.A. § 702.22, or unpurchased property of a store or other mercantile establishment, either on the premises or outside the premises, is material evidence of intent to deprive the owner, and the finding of library materials or equipment or unpurchased property concealed upon the person or among the belongings of the person is material evidence of intent to deprive and, if the person conceals or causes to be concealed library materials or equipment or unpurchased property, upon the person or among the belongings of another, the finding of the concealed materials, equipment or property is also material evidence of intent to deprive on the part of the person concealing the library materials, equipment or goods.

(B) The fact that a person fails to return library materials for two months or more after the date the person agreed to return the library materials or fails to return library equipment for one month or more after the date the person agreed to return the library equipment is evidence of intent to deprive the owner, provided a reasonable attempt, including the mailing by restricted certified mail of notice that such material or equipment is overdue and criminal actions will be taken, has been made to reclaim the materials or equipment. Notices stating the provisions of this section and I.C.A. § 808.12 with regard to library materials or equipment shall be posted in clear public view: in all public libraries; in all libraries of educational, historical or charitable institutions, organizations or societies; in all museums; and in all repositories of public records.

(C) After the expiration of three days following the due date, the owner of borrowed library equipment may request the assistance of a dispute resolution center, mediation center or appropriate law enforcement agency in recovering the equipment from the borrower.

(D) The owner of library equipment may require deposits by borrowers and, for late returns, the owner may impose graduated penalties of up to 25% of the value of the equipment, based upon the lateness of the return.

(E) For lost library materials or equipment, arrangements may be made to make a monetary settlement.

(2013 Code, § 21-45) (Ord. 75, passed 8-14-1950) Penalty, see § [130.999](#)

**Statutory reference:**

*Similar provisions, see I.C.A. § 714.5*