

CIRCULATION POLICIES NOTICES, FINES, and 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. To this end, the library will charge fees for lost and damaged 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 714.5 of the CODE OF IOWA (appended to this policy).

OVERDUE ITEMS:

When patrons check out an item(s), they may choose to 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 is not responsible for email notices that go to a patron's spam or junk mail folder. The library does not send overdue notices by US mail. Items are expected to be returned on or before the due date.

OVERDUE FINES:

The library does not charge overdue fines on most items in its collection. Overdue fines will be charged for Internet hotspots not returned by their due date in the amount of \$5.00 per day with a maximum fine of \$50.00. Overdue fines on Interlibrary Loan materials borrowed by Marshalltown Public Library patrons will be determined by the lending library.

RENEWALS:

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/DAMAGED MATERIALS:

Patrons will receive computer-generated lost notices in the U.S. Mail. An overdue item is declared "lost" at 10 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 as recorded in our library system, plus a \$5.00 process fee per lost item. After the item is declared "lost," the process fee will be removed if the lost item is returned in good condition.

If an item is returned to the library damaged beyond repair, the customer will be charged the cost of the item (based on the library's records), plus a processing fee of \$5.00.

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

The library does not accept replacement copies of lost or damaged items, in lieu of payment.

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 fines accrue on a "claims returned" item. The lifetime limit per account for "claims returned" items is 5.

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 damaged charges will be blocked from checking out additional materials from our library or from requesting interlibrary loan materials, until the balance is paid down to below \$10.00.

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. Student, 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 lost or damaged items, and to give notice of change of address. If a person's card is lost or stolen, the library must be notified in a timely manner or the person will be responsible for any fees accrued on their card.

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-aged children may be a local school ID even though these do not carry an address.
2. Adults and children 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 item with one renewal possible. A library patron may have his temporary status changed by showing proof of permanent residency (i.e. a piece of mail dated within the last two weeks, a lease agreement).
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 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 parent or 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. People must be in the possession of the library card to pick up and check out an item on a card in another person's name (family member, picking up for another, etc).
6. Lost cards will be replaced for a fee of \$2.00 and the person must provide identification.
7. Service is provided to Students, Shut-ins, Nursing Homes, and people with "Educator Status." Check individual policies for details.
8. Requests for deletion of an account from the system will be honored if the account is clear of charges and bill and at the account holder's request or guardian's request for children up to age 11. Accounts for ages 12 to adult may only be deleted by the cardholder. Library cards for deceased people will be deleted from the system regardless of charges and bills.
9. The library is unable to place or enforce any specific restrictions on number of items or content that is not a feature of the overall category of account.

§ 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

716.1 Criminal mischief defined.

Any damage, defacing, alteration, or destruction of property is criminal mischief when done intentionally by one who has no right to so act.

[C51, §2679, 2681 – 2683, 2686 – 2688, 2690, 2715, 2753; R60, §1766, 4319, 4321 – 4323, 4326 – 4328, 4330 – 4332, 4357, 4403; C73, §1564, 3897 – 3899, 3978, 3980 – 3982, 3985 – 3987, 3989 – 3992, 4021, 4082; C97, §588, 2466, 4800 – 4806, 4808, 4809, 4812, 4822 – 4828, 5054; S13, §1989-a15, 4808, 4822, 4823, 4830-a, -b, -c; SS15, §2900-e; C24, 27, 31, 35, 39, §13080, 13082, 13083, 13085, 13088 – 13091, 13093 – 13099, 13102, 13107, 13112 – 13117, 13122, 13124; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, §714.1, 714.3 – 714.5, 714.8 – 714.11, 714.14 – 714.20, 714.23, 714.28, 716.1 – 716.6, 716.9, 716.12; C79, 81, §716.1]

2002 Acts, ch 1049, §1

Referred to in §717A.3

714.5 Library materials and equipment — unpurchased merchandise — evidence of intention.

1. The fact that a person has concealed library materials or equipment as defined in section 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.

2. 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 of section 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.

3. 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.

4. The owner of library equipment may require deposits by borrowers and in the case of late returns the owner may impose graduated penalties of up to twenty-five percent of the value of the equipment, based upon the lateness of the return.

5. In the case of lost library materials or equipment, arrangements may be made to make a monetary settlement.

[C62, 66, 71, 73, 75, 77, §709.21; C79, 81, §714.5]

85 Acts, ch 187, §2; 87 Acts, ch 56, §1; 2016 Acts, ch 1011, §121

Referred to in §808.12