

**TOWN OF PINETOP-LAKESIDE**

**ORDINANCE NO. 14-382**

**AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA, ADOPTING NEW “TOWN CODE CHAPTER 12.20 PINETOP-LAKESIDE PUBLIC LIBRARY”.**

**WHEREAS**, the Town of Pinetop-Lakeside has funded and operated the Town Library since 1984; and

**WHEREAS**, the Town wishes to delegate the authority and set the parameters of that authority for operation of the Library.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Town Council of the Town of Pinetop-Lakeside, Arizona, to approve and adopt new “Town Code Chapter 12.20 Pinetop-Lakeside Library” as follows:

**Chapter 12.20**

**PINETOP-LAKESIDE PUBLIC LIBRARY**

**Sections:**

- 12.20.010 Purpose.**
- 12.20.020 Library.**
- 12.20.030 Library Director.**
- 12.20.040 Library Facilities.**
- 12.20.050 Library Users.**
- 12.20.060 Library Materials.**
- 12.20.070 Overdue Library Materials.**
- 12.20.080 Library Computers.**
- 12.20.090 Rules of Conduct.**
- 12.20.100 Enforcement.**

**12.20.010 Purpose.**

The purpose of this Chapter is to establish and provide for the development and adoption of rules and regulations for the use and operation of the Town Library. The official name, “Pinetop-Lakeside Public Library” (referred to as “Library” in this Chapter), was established by Ordinance No. 13-377 on December 5, 2013.

**12.20.020 Library.**

The Library is a department of the Town of Pinetop-Lakeside (hereinafter the “Town”) and a member of the Navajo County Library District. The Library may also coordinate with, and participate in, programs and policies of the Arizona State Library, Archives and Public Records.

**12.20.030 Library Director.**

A. The Library Director reports to, and is supervised by, the Town Manager, who will have the following powers and duties in relation to the Library:

1. To oversee the facilities, programs, and services.
2. To establish and recommend to the Town Council, for approval by Resolution, proposed policies, rules, and regulations relating to the acquisition, conservation, and use of Library facilities and materials.
3. To make recommendations to the Town Council, for approval by Resolution, of the usage charges for room rental, equipment use, damage or loss of Library materials, and overdue fees.
4. To develop a continuing plan for the Town's Library programs.
5. To advise the Town Council of priorities for the Library for budget preparation.
6. To supervise and direct the activities of each Library staff member.

**12.20.040 Library Facilities.**

A. The Library is a public facility and is open to members of the public during its normal business hours. The use of Library facilities will be conducted in accordance with the Town of Pinetop-Lakeside, *Use of Facility Rules and Regulations*.

B. Although the Library is a public facility, it should not be used for the purpose of furthering a political campaign for public office, and campaign materials may not be distributed in the Library. Individuals may gather signatures for petitions or distribute materials outside the Library, and must conduct themselves in such a way that does not create litter nor impede Library users' access to and enjoyable use of the Library.

C. Individuals may distribute informational materials outside the Library, and must conduct themselves in such a way that does not create litter nor impede Library users' access to, and enjoyable use of, the Library.

D. Charges for room rental, equipment use, damage or loss of Library materials, and any overdue fees will be set by Town Council Resolution. The fees for damage, loss, or overdue Library materials will be set in accordance and coordination with the Navajo County Library District.

**12.20.050 Library Users.**

A. A Library card is available to residents of the Town of Pinetop-Lakeside, as well as residents of Navajo County. Library cards allow residents to borrow Library materials, download digital media, and access online databases.

B. Cardholders must agree to observe all rules and regulations of the Library, to pay all charges for the damage or loss of Library materials and any overdue fees, and to give immediate notice of any change of address, phone number, email, or lost card.

C. Visitor access by non-residents is allowed to Library facilities. Check out policies and fees may be recommended to Town Council and approved by Resolution.

**12.20.060 Library Materials.**

Library materials are selected on the basis of informational, educational, cultural, and recreational value. Materials are selected in compliance with the mission and goals of the Library.

**12.20.070 Overdue Library Materials.**

A. All Library materials that are returned after the due date will be charged extended use fees or for loss of Library materials as set by Resolution of the Town Council. As a courtesy, Library staff will send notices to the cardholder.

B. After the Library sends a final notice, Library staff may bar the cardholder's account, meaning the cardholder cannot check out Library materials from any Library in the Navajo County Library District until the overdue materials have been returned and the fees have been paid.

C. The Library may submit unpaid accounts to a collection agency.

D. Damage or destruction of Library materials may, in appropriate circumstances, be pursued as a criminal matter to be investigated and turned over to law enforcement and prosecuted under State Statutes.

**12.20.080 Library Computers.**

A. The Library maintains computers for Library users and provides filtered Internet access. Internet access is available via the Library's public access computers or the Library's wireless network.

B. All users are expected to use these resources in a responsible, courteous, and legal manner.

C. Any user who fails to comply with all applicable laws, rules and regulations may have their Internet and/or Library privileges suspended, and any serious violation may result in legal action.

**12.20.090 Rules of Conduct.**

Rules of conduct and policies on patron use and attendance may be recommended for approval by motion and vote of the Town Council.

**12.20.100 Enforcement.**

Violation of any portion of this code, or of any laws, shall subject the offending party to liability for any loss or damage, to suspension or potential deprivation of Library privileges and use of facilities. Violation of any portion of this Code is also subject to the general enforcement provisions of Town Code § 1.20 "Enforcement and Penalties."

**PASSED AND ADOPTED** by the Mayor and Town Council of the Town of Pinetop-Lakeside, Arizona, this 17<sup>th</sup> day of April 2014.

**TOWN OF PINETOP-LAKESIDE**

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**ROGER WILLIAMS, Mayor**

**ATTEST:**

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**LEAH CHAVEZ, Town Clerk**

**APPROVED:**

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**W. KENT FOREE, Town Attorney**