



# Policy Manual

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## **Preface**

The Smithers Public Library Board's policies governing Library operations have been compiled in this Manual for the use of Board members, staff and patrons. The Manual is intended to ensure consistency in service throughout the Library system, to inform the public about the principles on which decisions are made, and to provide a base for the growth of new policies and plans for the Library.

**Vision:** The Smithers Public Library is an inclusive community gathering place dedicated to literacy, lifelong learning, inspiration, and discovery.

**Mission Statement:** The Smithers Public Library improves the human experience within our community.

### **Values:**

The following is a list of deeply held values that guide the library's work, decisions, and actions.

#### **Universal Access**

- The library strives to be accessible to all through a non-judgmental and supportive environment

#### **Life Long Learning**

- The Library provides learning opportunities and access to new ideas
- The Library fosters democracy through literacy and knowledge development.
- The Library is democratic in that all are equal

#### **Relevancy**

- The library is more than books and stays innovative, connected to world and provides a continuity of services.

#### **Community**

- The Library builds community by providing a safe place where people can experience a sense of belonging
- The Library serves the community with joy and creativity.

#### **Accountability**

- The Library is reliable and accountable to all its stakeholders

### 1.1.0 Organization & Structure

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#### 1.1.1

The Smithers Public Library operates according to the Library Act of British Columbia.

#### 1.1.2

The Smithers Public Library is governed by a Library Board constituted according to the terms of the Library Act of British Columbia.

#### 1.1.3

The Smithers Public Library Board is composed of a designate from Smithers' Town Council and up to eight additional members selected and appointed by the Town Council. The Library Director is ex-officio Secretary of the Board.

#### 1.1.4

The Smithers Public Library is an employer separate from the Town of Smithers under the Labour Code of British Columbia and governed by the Collective Agreement between the Smithers Public Library Board and the Canadian Union of Public Employees Local #1570.

#### 1.1.5

The Smithers Public Library Board determines and adopts policies governing the services and operation of the library.

#### 1.1.6

The Smithers Public Library Board determines the purpose of the library and secures adequate funding to carry out approved goals and objectives.

#### 1.1.7

The Smithers Public Library Board has exclusive control of funds provided for library purposes from the Town general revenue, and of all money granted, donated or bequeathed to the Board, and of the revenue derived from fines or money recovered for detention, damage or loss of books belonging to or in the custody of the Library and of all money received under agreement for library service.

#### 1.1.8

The Library Director is appointed by and reports to the Smithers Public Library Board.

#### 1.1.9

The Library Director is accountable to the Smithers Public Library Board for planning and recommending effective and efficient ways to meet community needs for library service and for directing the activities of all departments to ensure that library service is provided in accordance with Library Board policies and directives.

## 1.2.0 Smithers Public Library Board

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### 1.2.1 Library Board Appointments

#### 1.2.1.1

Each member appointed by the Town Council holds office for two years, or for the remainder of the term during which he/she is appointed, and is eligible for reappointment.

#### 1.2.1.2

Up to eight remaining members of the Library Board are appointed for terms of two years and are eligible for reappointment to a maximum of three additional terms, or a maximum total of eight years.

#### 1.2.1.3

Appointments are normally made by Town Council in May of each year.

#### 1.2.1.4

Any vacancy on the Library Board arising from any cause other than the expiration of the term for which the member was appointed is filled for the unexpired portion of the term only.

#### 1.2.1.5

Library Board members serve without remuneration but may be paid travel and other expenses that are necessarily incurred in connection with their duties and are approved by the Board.

#### 1.2.1.6

Upon their appointment to the Smithers Public Library Board trustees receive material relating to the policies and administration of Smithers Public Library together with background material concerning Library trusteeship. Trustees receive reports, minutes, policy statements, etc., from time to time thereafter. Upon termination of office, trustees must return items of a confidential nature, unpublished plans and policy manuals.

### 1.2.2 Library Board Operation

#### 1.2.2.1.

At its first meeting in each year normally in September, after the regular annual appointments to the Board by the Town Council, the Library Board elects from its members a Chairperson. This officer is elected for one year, and is eligible for re-election.

#### 1.2.2.2.

At its first meeting, following the election of the Chairperson, the Library board elects from its members a Vice-Chairperson. This officer is elected for one year, and is eligible for re-election.

#### 1.2.2.3

In the event that the Chairperson is absent from a meeting or has vacated the chair for the purposes of debate, the Vice-Chairperson shall take the chair (pro tem). In the event that the Chairperson resigns, or is absent for whatever reason for three consecutive regularly scheduled Board meetings, the position shall be declared vacant and the Vice-Chairperson shall be declared Chairperson and the Board shall elect a new Vice-Chairperson from its members. The person shall serve the remainder of the term and shall be eligible for re-election.

#### 1.2.2.4.

##### Committees

At the discretion of the Chairperson, specific committees may be created to investigate, or develop information and recommendations on matters of concern to the Library Board. Membership, purpose and status of the committee will be specified in the terms of reference for such committees.

##### 1.2.2.4.1

At its first meeting following the election of the Chairperson, the Board elects from its members a Human Resources Committee. This Committee shall consist of a Chairperson, the Board Chairperson and up to two more members. The terms of reference of the Committee include:

1. Negotiating a collective agreement with Local 1570 of the Canadian Union of Public employees.
2. Assist the Board Chairperson in settling any grievances submitted under section 19.03 Step Two of the Collective Agreement
3. Negotiate a contract with the Library Director that includes a detailed job description.
4. Conduct an annual performance review of the Library Director.

##### 1.2.2.4.2

At its first following the election of the Chairperson, normally in September, the Board elects from its members a Finance Committee. This Committee shall consist of a Chairperson, the Board Chairperson and up to two more members. The terms of reference of the Committee include:

1. Responsibility for the general oversight of Library finances.
2. Preparation of an annual operating budget for the Library in collaboration with the Library Director.
3. Preparation of an annual funding request to the Town of Smithers, normally in the form of a presentation to the Town of Smithers Finance Committee.
4. Oversight of other government funding sources including the Regional District of Bulkley Nechako and the Government of British Columbia.

##### 1.2.2.4.3

At its first meeting, following the election of the Chairperson, the Board elects from its members a Fund Raising Committee. This Committee shall consist of a Chairperson and up to two more members. The terms of reference of the Committee include:

1. The Chairperson shall act as the Board's representative to the Friends of the Smithers Library.
2. Act as liaison with the Friends and co-ordinate fundraising goals and activities between the Board and the Friends.
3. Arrange for at least one joint meeting annually of the Friends and the Board.
4. Conduct any fund raising activities the Board wishes to pursue either with or without the participation of the Friends.

### **1.2.3 Library Board Meetings**

The Library Board shall meet at regular intervals at least 6 times a year.

### **1.2.4 in Camera Meetings**

In camera meetings of the Library Board take place following the regular Board Meeting. Matters of a confidential nature, including but not limited to personnel, property and litigation, are normally discussed during in camera meetings.



## **1.2.5 Delegations**

### 1.2.5.1

Any person or organization wishing to appear as a delegation before the Library Board shall submit a written request to the attention of the Secretary of the Board (Library Director) not less than ten (10) days prior to the regular monthly meeting of the Library Board. The request must indicate the subject matter and particulars upon which the delegation wishes to make the presentation.

### 1.2.5.2

Late submissions will not be accepted unless otherwise determined by the Secretary of the Board (Library Director).

### 1.2.5.3

The Library Board reserves the right to refuse a request for delegation appearance.

### 1.2.5.4

Upon approval, the delegation shall be allotted a period of time to make a presentation, with additional time for board members to ask questions. The allotted time shall be set by the Board Chair.

## **1.2.6. Board Development**

Board Members are encouraged to pursue activities that will enhance their ability to perform their duties and bring to the Library information and ideas gained from programs and contacts. The Library will fund the following activities:

### 1.2.6.1

#### Association Membership

- British Columbia Library Trustees Association
- Other Trustee related associations at the discretion of the Chairperson.

### 1.2.6.2

#### Attendance at Conferences and Workshops

Requests to attend conferences are granted whenever possible, depending on the availability of funds. Approval of the Board Chairperson is required.

Expenses incurred for authorized attendance will be reimbursed as outlined in Appendix A

## 1.3.0 Financial Control

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### 1.3.1 Finance - General

#### 1.3.1.1

The Library is financed according to the provisions of the Library Act.

#### 1.3.1.2

The fiscal year for Smithers Public Library runs from January 1 to December 31.

#### 1.3.1.3

Monies remaining in the budget as surplus at the end of the fiscal year are carried over to the following year for use by the Library. Deficits at the year-end are normally funded out of the following year's budget.

#### 1.3.1.4

##### Expenditures

- General - Budgeted expenditures up to **\$5,000** must be approved by the Library Director. Expenditures of more than **\$5,000** must be approved by the Library Director together with the Chairperson or Vice-Chairperson of the Library Board.
- Travel – All travel expenditures must be pre-approved by the Library Director.

#### 1.3.1.5

##### Purchasing

Purchasing decisions are made on the basis of price, quality of goods, delivery and availability of service. A controlled procedure, including the Library Director initialling invoices prior to payment, for receiving and paying of goods and services will be followed.

#### 1.3.1.6

##### Disposition of Surplus Property

The Library may dispose of Library materials, equipment or furniture, which are no longer required or appropriate for Library use.

Property with an estimated value of less than \$1000 may be disposed of either by sale at a fixed price or by sale at a public auction.

Property with an estimated value of \$1000 or more may be disposed of by a method determined by the Board. Methods of disposal may include: sale at a fixed price, sale at a public auction or sale by sealed bid.

Library materials with little or no value may be disposed of at the discretion of the Library Director.

All monies received from the sale of surplus items will be returned to the general revenue fund of the Smithers Public Library.

### 1.3.1.7 Patron Charge

Charges levied against a patron must be paid in the following tenders: cash or cheque. The Library will not accept donations of books or other materials in lieu of payment. The Library may accept in lieu of payment for a lost item another new copy of that same item.

A service charge will be levied for payments that do not clear, such as cheques marked Not Sufficient Funds. The charge will be in the amount of any additional processing charges incurred by the Library.

Smithers Public Library will follow patron-charges policies of the North Coast Library Federation for member libraries. See Appendix B

## **1.3.2 Annual Budget Preparation**

### 1.3.2.1 Contingency Fund Allocation

It is both a good business practice and prudent for the Library to establish and maintain a contingency fund for unanticipated expense, deficits or grant shortfalls. It is the intention of this policy statement to provide direction to the Library Board regarding maintaining a yearly Contingency Fund.

#### 1.3.2.1.1

The Contingency Fund shall be maintained in each fiscal year to cover unanticipated costs within the Library, Deficits or reduced grant funding

#### 1.3.2.1.2

The Contingency Fund shall be calculated as a minimum of 10% of the anticipated next year total revenue. The Board may decide to increase this percentage as warranted at the time of preparation of the proposed budget.

#### 1.3.2.1.3

Once established the Contingency Fund shall be carried forward from year to year as a Library asset

#### 1.3.2.1.4

The Contingency Fund shall be invested and held in an interest earning account at a recognized financial institution until such time that it, or a portion, is needed.

#### 1.3.2.1.5

Should the Contingency Fund be used it shall be replenished at the earliest convenience to the determined percentage.

### 1.3.2.2 Building Replacement Fund

It is the intention of the Library Board to annually accumulated funds for replacement of the Library building. The Building Replacement Fund is intended for construction of future Library space.

#### 1.3.2.2.1

The library shall establish and add to a Long Term Building Replacement Fund.

1.3.2.2.2

At the end of each fiscal year a portion or the entire accumulated surplus may be applied to the Long Term Building Replacement Fund, on the approval of the Library Board.

1.3.2.2.3

The Board shall invest the agreed upon surplus into a safe, high interest return investment to earn interest until such time that the funds are needed.

**1.3.3 Finance - Departments**

1.3.3.1

All monies collected are incorporated into the general revenue fund, unless otherwise specified.

1.3.3.2

The Library maintains a Petty Cash fund. Expenditures from Petty Cash funds must have prior approval from the Library Director.

**1.3.4 Risk Management**

1.3.4.1

Contents Insurance All library buildings, furniture, equipment and library materials are covered under the Town's comprehensive insurance policy.

1.3.4.2

Liability Insurance

The Library is covered under the Town's Municipal Insurance Association' liability insurance.

## 1.4.0 Personnel

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### 1.4.1 Hiring Policy

The Smithers Public Library is an Equal Employment Opportunity Employer. All appointments to positions within the Library shall be based on merit and be in accordance with pertinent provincial and federal government legislation concerning employment equity and human rights. Friends or relatives of the applicant must remove themselves from the selection process. This policy shall also apply to promotions and transfers.

#### 1.4.1.1

Criminal Record Checks External applicants, who are above the age of 18 years, shall agree to a criminal record check as a condition of employment.

The Library shall determine the relevancy of a confirmed criminal record and reserve the right to subsequently deny the applicant the employment opportunity.

### 1.4.2 Performance Appraisal

After completion of the probationary period all employees will receive a Performance Appraisal at least once annually.

### 1.4.3 Violence in the Workplace

Smithers Public Library seeks to provide a safe and healthy work environment for its employees, in accordance with Workers Compensation Board requirements. The Library will strive to ensure that staff be educated and procedures be developed and implemented in an effort to eliminate and/or minimize the risk of violence in the workplace.

### 1.4.4 Harassment

Smithers Public Library seeks to provide a safe, healthy and rewarding work environment for its employees. It is the Library's policy that harassment of any nature will not be tolerated in the workplace. For the purposes of this policy, harassment can be of a personal, discriminatory or sexual nature.

### 1.4.5 Staff Development

Smithers Public Library is committed to providing a high level of service to both Library patrons and the community as a whole and as part of this commitment actively encourages development and job-related training for employees. The Library will fund the following activities:

#### 1.4.5.1

##### Association Membership

At the discretion of the Library Director, membership in:

- British Columbia Library Association
- Other Library-related associations.

#### 1.4.5.2

##### Attendance at Conferences and Workshops

Employees are encouraged to attend conferences and workshops in order to enhance their ability to perform their duties and bring to the Library information and ideas gained from programs and contacts.

Applications for attendance should be addressed to, and must be approved by, the Library Director. Approval of requests to attend conferences depends on appropriateness of program content to job duties, departmental workloads, schedules and available funds.

Leave with pay is granted for the scheduled working time on which the conference falls. Travel time to and from conferences and or workshops is generally not reimbursed.

Expenses incurred for authorized attendance will be reimbursed as outlined in Appendix A.

#### 1.4.5.3

##### Courses and Training Programs

All employees are encouraged to take advantage of the opportunities for continued growth and career development. Employees are encouraged to participate in courses and training programs that will increase their skills level and job satisfaction, increase their ability to contribute to Library service and assist them in preparing for advancement opportunities.

Employees considering enrolling in job-related courses and programs of their own choice may request that the Library pay course fees.

The Library Director will review course requests and may pay 100% of costs for registration fees, texts and materials for approved courses: 50% upon enrolment and 50% upon successful completion. Employees, who fail or do not complete the course for reasons other than serious illness, may be required to refund the initial 50% advance for course fees, texts or materials.

Employees are normally expected to attend courses on their own time; however, a Leave of Absence without pay may be considered in special circumstances to facilitate course requirements.

Expenses incurred while attending courses which have application to employment at the library may be reimbursed as outlined in Appendix A.

#### **1.4.6 Health & Safety**

A joint Health and Safety committee shall be maintained and will be responsible for establishing procedures and ensuring staff and the employer are aware of these procedures and their responsibilities.

## 1.5.0 Volunteers

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Members of the public may offer their time and energy to the Library. Library staff supervises volunteers.

### 1.5.1

Volunteers must provide a current criminal records check and driver's license abstract if requested.

### 1.5.2

The Board regards its paid staff as the backbone of its service to the public. It considers the maintenance of good staff morale and job security as fundamental to the success of the Library and endorses the position that no employee is to be removed or displaced in favour of an unpaid volunteer.

### 1.5.3

Volunteer activities, while providing a source of personal satisfaction and growth for those members of the community who seek such activities, are regarded by the Board as subordinate, supportive and complementary to the role played by Smithers Public Library's employees.

### 1.5.4

Using volunteers enables the Board and staff to enhance the quality of service offered.

### 1.5.5

Volunteers must perform their functions to the standard set by the Library; those who do not do so are subject to having their names removed from the Library's volunteer roster.

### 1.5.6

The Board is receptive to suggestions from any source that will aid in developing trust and mutual respect between employees and volunteers to the benefit of everyone, particularly Library patrons.

### 1.5.7

Volunteers are eligible to apply for paid positions as outside applicants.

## 1.6.0 Electronic Communications

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### 1.6.1

Employees are responsible for the appropriate, job-related only, use of electronic communications devices. These devices must be used in accordance with local, provincial or federal law that governs the use of these communication devices in Canada.



### 2.1.0 General

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#### 2.1.1

Library membership is granted to any person who meets the residency requirements outlined in Sections 2.2 and 2.3.

#### 2.1.1.1

Persons 13 years of age and older will be considered adults for the purposes of library membership and privileges.

#### 2.1.2

Lost cards may be replaced for a fee of \$2.00

#### 2.1.3

If a card remains unused for 3 years, membership registration information may be deleted.

#### 2.1.4

Library cards expire after 1 year and may be renewed upon verification of borrower information.

## 2.2.0 Residents

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### **Smithers Residents**

All residents of Smithers and the Smithers Rural Recreation & Culture Local Service Area (SRRCLSA) may have a Library card provided that they can show satisfactory proof of identification and residence. When proof of resident's address cannot be provided, a borrower may register as a visitor. Library membership is free to residents of Smithers and the SRRCLSA.

### 2.3.0 Non-Residents

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#### 2.3.1 Institutions

##### 2.3.1.1.

Any business or other organization, which pays for a business license in Smithers, may join the Library without charge. Responsibility for borrowed materials lies with the institution. A signing officer of the business or organization must authorize such responsibility.

#### 2.3.2 Taxpayers

##### 2.3.2.1.

Persons and families residing outside the Town of Smithers or the SRRCLSA but owning property or a business within Smithers may join the Library as personal members without charge, upon presenting satisfactory identification.

#### 2.3.3 Students

##### 2.3.3.1.

Persons living outside the Town of Smithers or the SRRCLSA but attending an education institute within the School District #54 (Bulkley Valley) attendance area and Fort Babine may join the Library without charge upon presenting satisfactory identification and proof of school registration.

#### 2.3.4 Reciprocal Borrowers

##### 2.3.4.1

Members of libraries with which Smithers Public Library has reciprocal borrowing agreements may have the same member privileges without charge upon presenting satisfactory identification: [Appendix C](#)

#### 2.3.5 Temporary Members

##### 2.3.5.1

Temporary memberships will be issued to visitors after paying a fee of \$20.00 and presenting satisfactory identification. A portion (\$10.00) of the fee will be refunded upon returning their membership card, all outstanding items and pays all overdue fines and/or other charges owing.

#### 2.3.6 Out of Town Members

2.3.6.1 Out-of-town members are Adults or Children who do not fall into one of the exemptions above, and may obtain a Library card after paying a non-refundable fee of \$33.00 per person or \$35.00 per family (members of the same household) or \$28.00 for a student or \$20.00 for an individual Seniors (65 years or older) Adult rate with suitable identification

### **2.3.7 BC OneCard Members**

#### **2.3.7.1**

Members of libraries participating in the BC OneCard programs may join the library without charge upon presenting satisfactory identification and proof of membership in their home library.

#### **2.3.7.2**

BC OneCard members shall access online subscription databases through their home library website.

#### **2.3.7.3**

Those who wish to register for a library card and who reside in areas that do not pay taxes for library service, may obtain a non-resident card for a non-refundable fee upon presenting satisfactory identification: [Appendix D](#)



## **2.4.0 Suspension of Borrowing Privileges**

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### 2.4.1

Borrowing privileges may be suspended when a patron

- exceeds \$10.00 in fines,
- is issued a Bill for Replacement or a Collection Agency warning, or
- violates other Library policies.

### 2.4.2

The Smithers Public Library card is the property of the Smithers Public Library and must be returned on request.

## 2.5.0 Confidentiality of Records

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### 2.5.1

All records relating to patron registration and the circulation materials are confidential. No person or organization outside the Library may have access to them, with the exception of a Collection Agency for the purpose of tracking delinquent accounts. See Privacy Policy – Section 12

### 2.5.2

The Library does not reveal information about an individual's use of its resources.

### 3.1.0 Materials Circulation

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#### 3.1.1 Loans

##### 3.1.1.1

Registered borrowers may borrow materials from and return them to any NCLF Library.

##### 3.1.1.2

Loan periods are set to provide reasonable and equal access to library materials and to ensure the return of items: [Appendix B](#)

##### 3.1.1.3

Materials which are in heavy demand, such as seasonal or holiday books, school project materials, award books or best sellers may be given shorter than usual loan periods.

##### 3.1.1.4

In order to provide prompt service on an equal basis to all patrons, reference materials are generally non-circulating.

#### 3.1.2 Renewals

##### 3.1.2.1

If no holds have been placed on an item, it may be renewed twice for the normal loan period. There may be exceptions on particular items.

##### 3.1.2.2

Renewals are permitted, in person, by phone or online.

#### 3.1.3 Holds

Holds may be placed on catalogued items and on items requested for purchase. No holds may be placed on inter-library loans from other institutions.

##### 3.1.3.1

Patrons are not normally restricted in the number of holds, which they may place at one time.

#### 3.1.4 Overdue Materials

The library may impose fines, or other penalties for overdue materials where required to ensure the return of borrowed materials. (See [Appendix D](#))

##### 3.1.4.1

The fine or penalty is calculated from the due date of renewal or return.

##### 3.1.4.2

The following are not subject to overdue fines: materials delivered to Library Home Service patrons, and talking books on loan to people with to Special Needs.

##### 3.1.4.3

Patrons are contacted by telephone, email or mailed notices to remind them to return overdue materials or to pay fines.

### **3.1.5 Lost or Damaged Materials**

#### **3.1.5.1**

The library bills patrons for lost or damaged materials. If a patron pays for replacement of an item but later finds it and returns it to the Library within six months, the replacement cost of the material is refunded, less the amount of the processing fee and overdue fines accrued between the due date of the item and the patron's payment of replacement cost.

If a patron does not pay for the replacement of an item the Library may forward the account to a collection Agency. If the account remains unpaid the patron may be taken to Small Claims Court.



### 3.2.0 Library Home Service

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#### 3.2.1

Subject to funding and available volunteers, Library Home Service may be available to library members who are confined to a private residence or institution as a result of ill health or a physical, disability.

#### 3.2.2

The Library participates in the DAISY Book collection provided through Libraries and Literacy. Audio books are loaned to patrons who meet the eligibility requirements set by those organizations.

#### 3.2.3

##### Offsite Computer Tutoring

The Smithers Public Library is committed to providing digital literacy assistance to the public. We strive to accommodate homebound patrons while recognizing our limited resources and ensuring the comfort and safety of both patrons and staff. This policy states the circumstances under which the library may conduct offsite computer tutoring (a.k.a. "housecalls").

- Offsite computer tutoring is limited to those patrons who are **unable to travel to the library or effectively attend sessions there** (e.g. cannot hear in a group setting).
- Sessions shall only take place in **institutional settings** such as The Meadows or Pioneer Place.
- A minimum of **two people who are not library staff besides the Computer Tutor must be present** for the entire session unless it occurs in a common room of the institution.
- Offsite computer tutoring is available **once per month** on a day arranged by the Computer Tutor to accommodate transportation and the maximum number of sessions. Due to limited hours and funding, it may not be possible to visit all homebound patrons every month.

-October 31, 2016; revised February 10, 2017; and February 15, 2017. To be reviewed in August 2017.

### 3.3.0 Programs

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#### 3.3.1

Smithers Public Library may offer a wide range of public programs as part of its normal service to the community. The programs are designed to fulfill one or more of the following functions:

- a) Supplement the collection by providing an alternate format for communicating ideas or information.
- b) Highlight and encourage the use of particular parts of the collection or promote the Library as a resource center for further exploration of issues.
- c) Actively assist the public in discovering the resources that pertain to their needs and interests.
- d) Provide effective publicity so that potential users are attracted to the Library and so that community awareness of, support for and use of the Library is increased.
- e) Actively encourage the benefits of reading and promote literacy.

#### 3.3.2

Programs organized by the Library are open to the public, but when necessary, numbers may be restricted and registration required.

#### 3.3.3

Programs may be conducted by staff members or qualified speakers from outside the Library. Speakers do not usually receive a fee or travel expenses but exceptions may be made with the approval of the Library Director.

#### 3.3.4

The Library may charge fees to recover costs associated with planning and implementing the programs.



### **3.4.0 Use of Library Building for Events and Extra-Curricular Events**

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#### **3.4.1**

As a guideline, all programs taking place in the library building should conform to the objectives of the library as previously stated. Non library related events may take place at the discretion of the Library Director.

#### **3.4.2**

All library events are open to all members of the public and usually no charge is made to those attending.

### 3.5.0 Community Information

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#### 3.5.1

As part of its regular service to the community, the Library provides space and facilities for announcements, pamphlets, newsletters, newspapers and magazines in print and other media, which deal with cultural, recreational, informational and educational activities. Space may also be provided for displays and petitions that contribute to the free flow of information on issues of importance to the community. Every effort will be made to ensure that all sides of an issue have the opportunity to present their views.

#### 3.5.2

Materials are made available in response to the diverse informational, recreational, cultural and educational needs of the community.

#### 3.5.3

Materials are provided that represent varying points of view that are of current interest. The materials will reflect current conditions, trends and controversies so that members of the community may inform themselves and make individual judgments. Particular beliefs or views are not promoted, nor is the acceptance of any item for this space equivalent to endorsement of the viewpoint expressed therein. Materials accepted for display may represent a range of viewpoints.

#### 3.5.4

In providing these materials, it is accepted that while people have the right to reject for themselves material of which they do not approve, they do not have the right to restrict the freedom of others.

#### 3.5.5

Access to materials is guided by the B.C. Human Rights Amendment Act, 1993, which guarantees that no person shall be discriminated against "because of the race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation or age of the person or that group or class of persons." (See [Appendix E](#))

#### 3.5.6

Materials may not be posted or publicly displayed on Library property, nor petitions circulated, without the Library's prior permission.

#### 3.5.7

The Library does not participate in partisan politics nor take an advocacy role on issues outside the library world.

#### 3.5.8

The Library reserves the right to remove materials at any time.

### 3.6.0 Displays

---

#### 3.6.1

The Library provides for exhibits, which direct the public's attention to the materials and services of the Library, provide exposure to the work of artisans and artists or provide information on subjects of general public interest. All exhibits will be constructed and dismantled under the direction of library staff.

#### 3.6.2

Exhibitors must assume all risk for articles displayed. A signed release form will be required.

#### 3.6.3

The Library reserves the right to reject any part of an exhibit or to revise displays.

### 3.7.0 Internet

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#### 3.7.1

The Library will provide Internet access as a complement to other information resources and to enhance access to electronic services. Patrons who do not abide by the Library's Internet Acceptable Use Statement (See [Appendix F](#)) may be denied access to the Library's Internet workstations.

#### 3.7.2

Persons wishing to use the library's public access computers who are not library members will be issued a guest pass.

### 4.1.0 General

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#### 4.1.1

The Library cooperates with other libraries, agencies and educational institutions in order to meet more fully the needs of the community, but will not unnecessarily duplicate materials and services available elsewhere.

### 4.2.0 Reciprocal Borrowing

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Reciprocal agreements with other libraries are established and maintained where possible in order to augment the services and materials of Smithers Public Library. The library is a member of NCLF which grants library privileges to any resident of the participating northern communities: Appendix C. The library also participates in BC OneCard program. (see also 2.3.7 and Appendix G)



### 4.3.0 Interlibrary Loans

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#### 4.3.1 Borrowing from Other Libraries

##### 4.3.1.1

Specialized, rarely requested or out-of-print items, which are beyond the scope of the Library's collection, are sought through interlibrary loan. Both print and non-print materials, such as micro-film may be requested. Audio-visual material and items published within the past 12 months may not be requested.

##### 4.3.1.2

Interlibrary loans may be requested only by Smithers Public Library members with valid library cards.

##### 4.3.1.3

Library members may request up to three interlibrary loans at one time. Any exceptions are at the discretion of the librarian.

##### 4.3.1.4

If the lending institution requires a fee, this fee will be charged to the patron.

##### 4.3.1.5

Loan periods and renewal policies are set by the lending institution.

#### 4.3.2 Lending to other Libraries

##### 4.3.2.1

The Library does not allow interlibrary loan of the following materials: reference books, ~~microform~~, audio-visual materials, periodicals or newspapers, best sellers or high demand titles, and books published within the last 12 months. These items may be loaned to other NCLF libraries.

##### 4.3.2.2

No charges are levied for interlibrary loans

##### 4.3.2.3

Renewals may not be permitted if the materials on loan are in demand at the Smithers Public Library.

### 5.1.0 Preamble

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The success of a democracy is dependent on the full range of human ideas being accessible to all members of the community. Proponents of various points of view must be able to fully explore, express and communicate their points of view. These principles are guaranteed in the Constitution Act, Part 1, Canadian Charter of Rights and Freedoms (See [Appendix H](#)). This charter protects the free expression of ideas and the private reading rights of individuals.

The Library plays a key role in the realization of this democratic ideal by offering access to a marketplace of ideas that is diverse and inclusive. For this reason, the Library collection will be selected and maintained so that it enables each person to find the Library materials and information that he or she wants according to his or her free choice. The collection, taken as a whole, will be an excellent and unbiased source of information and will include as wide a selection as possible.

The Library exists not to protect people from diversity but to empower them to deal with it in a positive and meaningful way.

### 5.2.0 Statement of Principles

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#### 5.2.1

The selection of all materials and media of communication used or collected by the Library is guided by the principles defined in the Library's vision, mission, and values statements.

#### 5.2.2

Collections are developed in response to the diverse informational, recreational, cultural and educational needs of the community. Materials are included to meet demand, and also for their potential to foster or create interests and to contribute to a balanced collection.

#### 5.2.3

Materials and information resources are selected in appropriate formats to enhance accessibility. Qualified staff will evaluate new technologies and formats to determine their suitability, feasibility and longevity for the Library.

#### 5.2.4

Materials are acquired that represent varying points of view which are of current interest and future significance. The materials will reflect current conditions, trends and controversies so that members of the community may inform themselves and make individual judgments.

#### 5.2.5

Materials collected will support current interests or recurring interests of the local community.

#### 5.2.6

Where appropriate, the Library will cooperate with other Library systems to provide access to resources through services such as interlibrary loan and consortium purchasing.

#### 5.2.7

In upholding these principles it is accepted that, while people have the right to reject for themselves material of which they do not approve, they do not have the right to restrict the freedom of others.

### **5.3.0 Responsibility for Selection**

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5.3.1

The responsibility for the selection of all library materials lies with the Library Director acting in accordance with the policies established by the Library Board.

5.3.2

The Library Director may delegate the task of selection to qualified staff.

### 5.4.0 Intellectual Freedom

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#### 5.4.1

Selection is guided by the Constitution Act, Part 1, Canadian Charter of Rights and Freedoms, Section 2b, that guarantees “everyone the following fundamental freedoms...b) freedom of thought, belief, opinion and expression, including freedom of the press and other media communication.”

#### 5.4.2

Particular beliefs, philosophies or viewpoints are not promoted, nor is the selection of any given item equivalent to endorsement of the viewpoint expressed therein. Materials will be provided that represent a range of opinions on issues.

#### 5.4.3

Selections will be made based on the merits of the work in relation to developing the collections and to serving the interests of the members of the community.

#### 5.4.4

Selection will not contravene the provisions of the Canadian Criminal Code with regard to the distribution of illegal material.

#### 5.4.5

Some patrons may take issue with the selection of any specific item. Patrons’ opinions on library materials are welcome and a process for review is provided for this purpose. An item will be reviewed in terms of its compliance with the Library’s selection policy: [Appendix I](#)

### 5.5.0 General Criteria for Selection

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#### 5.5.1

Materials are considered for selection in terms of the following criteria:

- Popular demand and current trends;
- The importance of the author/creator;
- The suitability and durability of physical form for library use;
- The relationship of the item both to the existing collection and to other material on the subject; also the uniqueness of the item's content;
- The present and potential relevance of the material to community needs;
- Recommendations for purchase from the public;
- The attention of critics, reviewers and media;
- The cost of each item considered in relation to its contribution to the overall development of the collection;
- Materials will be selected to include both of Canada's official languages and languages which reflect the diverse linguistic and cultural heritage of the community. The same principles of selection and intellectual freedom will apply to these materials;
- Textbooks of similar material that support school curricula, higher education courses or training programs will be selected only if they fulfill the general informational needs of the community. The Library will not purchase multiple copies of books to meet the demand for school assignments.

#### 5.5.2

An item need not meet all of the above criteria in order to be acceptable.

#### 5.5.3

Material that has been adjudged illegal by the courts will not be acquired nor retained.

#### 5.5.4

Internet resources or web sites may be included in the Library catalogue or on the Library's web site according to the criteria of 5.6.1, 5.6.2, and 5.6.3.

### 5.6.0 Organization and Access

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#### 5.6.1

The classification, organization and labelling of the Library's collection are designed to minimize barriers and enhance access to the collection. Materials will not be marked or identified to show approval or disapproval of the contents. Videos rated as Restricted will be labelled as such, in accordance with the Motion Picture Act of British Columbia.

#### 5.6.2

No items are sequestered except to protect them from damage or theft.

#### 5.6.3

Programs, brochures, reader's advisory services and the Smithers Public Library website will be provided to assist children and their parents or guardians to make reading, listening or viewing choices that complement their personal and family values and goals.

## 5.7.0 Collection Maintenance

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### 5.7.1

Regular discarding of material is important to keep the collection current and relevant to community needs and in a state of good repair. It will entail the same care, thought and judgment as selection and will be based on the same guiding principles.

### 5.7.2

Materials that are lost or damaged will be replaced depending on the availability, cost and demand for the item.

### 5.7.3

Materials that are in poor physical condition will be discarded if they cannot be mended.



## 5.8.0 Policy Review

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### 5.8.1

This policy for the selection of materials will be periodically reviewed and revised or reaffirmed by the Board.

### 6.1.0 General

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#### 6.1.1

The Library maintains a Marketing Plan that includes goals and activities promoting community awareness of the Library's services and resources, to stimulate public interest in and usage of the Library and to ensure that the Library's role in the community is perceived as a prominent one.

#### 6.1.2

Board members and staff are encouraged to participate in community activities and to make public appearances as representatives of the Library. Staff members must obtain approval for such activity from the Library Director; Board members should consult with the Board Chairperson.

### 7.1.0 Intellectual Freedom

---

#### 7.1.1

The Library encourages its patrons to conform to the provisions of the Canadian Copyright Act and the Public Library Copying License agreement with CanCopy (The Canadian Copyright Licensing Agency).

#### 7.1.2

Notices warning about the risk of copyright infringement are posted at public photocopiers in the Library. Copies of the Act are held at branches: [Appendix J](#)– Copyright Warning and [Appendix K](#) – Public Use of Photocopier Copyright Notice.

#### 7.1.3

The Library assumes no responsibility for patrons' infringements of copyright should they occur.

#### 7.1.4

Library staff will comply with the provisions of the Canadian Copyright Act and the Public Library Copying Licence Agreement with CanCopy. Notices are posted at staff photocopiers: [Appendix K](#) – Information for Library Staff.

### 8.1.0 Conduct in the Library

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#### 8.1.0 General

The Library attempts to be inclusive and welcoming to the broadest possible spectrum of the community. Patrons are expected to conduct themselves in a manner that is supportive of this philosophy.

## 8.2.0 Acceptable Conduct

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The following appendices cover the by-laws and legislation relating to breaches of acceptable conduct in the Library (disruptive, dangerous, offensive or threatening behaviour; damage to Library premises; theft):

Appendix L – Section 47 of the Library Act of British Columbia

### 8.2.1

Patrons are not permitted to disturb other library users, conduct themselves in a disorderly or offensive manner or engage in behaviour that is judged to be dangerous or threatening to staff, the public, library premises or property.

### 8.2.2

Patrons who cause damage to library premises or property may be charged with repair or replacement costs.

### 8.2.3

Patrons who attempt to steal material from the Library may be charged with a criminal offence.

### 8.2.4

Violation of any component of this policy may result in the application of the provisions of library policies as authorized by Section 47 of the Library Act of the Province of British Columbia (Appendix L) and/or the Criminal Code of Canada. Such patrons will be subject to the penalties prescribed by law and may be denied access to library facilities and services and have their library membership suspended.

### 8.2.5

Reinstatement of library membership or access to library facilities and services will be at the discretion of the Library Director.

### 9.0.0 Children in the Library

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#### 9.0.1

Responsibility for the control and safety of children in the library rests with the parent or guardian.

#### 9.0.2

The Library will not usurp parental authority by restricting materials or services available to children with the exception of videos rated Restricted, which are not loaned to those under the age of 18, in accordance with the Motion Picture Act of British Columbia. It is the prerogative of parents or guardians to develop, interpret and apply their code of acceptable conduct in their own families.

### 10.1.0 General

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#### 10.1.1 General

The Library attempts to contact owners of lost items whenever possible. Inexpensive articles found on Library premises are retained at the library for three months, and then forwarded to a charity organization. Valuable articles are forwarded to the RCMP within one month.

### 11.1.0 General

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#### 11.1.1

The Smithers Public Library is a municipal library and, as such, is not a legal entity. A separate society, the Friends of the Smithers Library, has been established for the sole purpose of raising funds for and supporting the operations of the Smithers library. To receive recognition and federal income tax receipts where applicable, all gifts, donations and bequests intended for the library must be made to the Friends of the Smithers Library or the town of Smithers.

#### 11.1.2

The Library welcomes gifts of money, securities, books, non-print material, equipment furnishing, materials, services and other miscellaneous items that assist in the provision of Library service to the community, in accordance with the mission, roles and philosophy of the library.

#### 11.1.3

Any conditions attached to donations to the Library of money or other assets are subjected to established procedures or approved by the Library Board.

#### 11.1.4

The Library reserves the right to refuse gifts that may not be in keeping with the goals and policies of the Library or of financial benefit to its mission of enhancing Smithers Public Library Services.

#### 11.1.5

The Friends of the Smithers Library will issue donors with tax receipts for all eligible gifts over \$35.00 and on request for smaller eligible gifts.



## 11.2.0 Donations of Materials

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### 11.2.1 Donations of Materials

#### 11.2.1.1

Donations of materials are evaluated according to the same selection criteria that govern the acquisition of purchased material.

11.2.1.2 The Library reserves the right to refuse donations of materials that may not be in accordance with the Selection Policy.

#### 11.2.1.3

Materials donated become the exclusive property of the Smithers Public Library, and or the Friends of the Smithers Library. The acceptance of a materials donation does not mean that the Library will automatically add the donation to the collection. Items may be disposed of as the Smithers Public Library or the Friends of the Smithers Library see fit.

#### 11.2.1.4

The Library Director may appraise donated books and materials which he/she wishes to accept to the collection for the purpose of issuing tax receipts. Such receipts shall be issued by the Friends of the Smithers Library as determined by Revenue Canada regulations.

### 11.2.2 Donations of Money

Donations of money or financial assets toward the purchase of materials are accepted provided any conditions attached thereto are approved by the Library Board in accordance with Library policies.

### 11.3.0 Recognition

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#### 11.3.1

The Smithers Public Library and the Friends of the Smithers Library respect their donors. The purpose of the recognition program is to thank donors, to encourage others to give, and to build healthy, long-term relationships between the Library and the Friends of the Smithers Library and donors. Every effort will be made to ensure that recognition is timely, meaningful to the donor, appropriate and equitable. Recognition of donors will be bestowed in accordance with established guidelines.

#### 11.3.2

- Gifts will be receipted in accordance with Revenue Canada guidelines.
- Each donor will receive a personalized thank-you letter.

#### 11.3.3

A donor recognition plaque may be installed in a prominent position at the library

#### 11.3.4

Donors may designate their gift to any validated need of the library. Every effort will be made to use these funds for the purposes identified and the designation recorded in the donor's file.

#### 11.3.5

Donations may be recognized in print material such as newsletters and annual reports.

#### 11.3.6

The Smithers Public Library or the Friends of the Smithers Library may consider individual plaques for substantial donations at the discretion of the Library Director in consultation with the Library Board.

#### 11.3.7

Gift recognition by means of standard bookplates designed by the Smithers Public Library and/or the Friends of the Smithers Library will be placed in solicited books and unsolicited books upon request. A special identification bookplate may be made for memorial gifts and major collection donations.

#### 11.3.8

From time to time the library board may approve of specific naming of collections and parts of the building associated with major gifts to the library.

#### 11.3.9

The board will provide recognition to contributors to the library's expansion on a graduated scale: [Appendix M](#)

## 11.4.0 Fundraising

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### 11.4.1

All funds raised will be used for the stated purposes and established priorities of the fundraising program as determined by the Friends of the Smithers Library and the Library Board. Subject to Library Board approval, funds will be used as designated by the donor.

### 11.4.2

Use of funds raised for fundraising operating expenses will be within the Revenue Canada Taxation guidelines and every effort will be made to maximize dollars raised in relationship to dollars spent.

### 11.4.3

All research on established and potential donors will be confined to information relative to the cultivation and solicitation process. Research methods will respect the individual's right to privacy.

### 11.4.4

All records pertaining to established and potential donors will be held confidentially.

## 11.5.0 Endowment Funds

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*An endowment fund policy will be written when required.*



## 11.6.0 Corporate Partnership & Sponsorship Policy

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### 11.6.1

A Corporate Partnership is a documented commercial agreement between Smithers Public Library and an outside organization, designed to benefit both parties.

### 11.6.2

A Corporate Sponsorship is a mutually beneficial agreement between Smithers Public Library and an outside organization, wherein an external party contributes funds, goods or services to the Library in return for recognition, acknowledgement or other promotional considerations.

### 11.6.3

Only organizations and arrangements deemed appropriate and compatible with the policies, mission, philosophy and priorities of the Library will be considered for potential partnerships or sponsorships. The Library's reputation must be considered in any agreement.

### 11.6.4

Any program undertaken by the Library and any of its partners must respect the Library's commitment to intellectual freedom. Partners cannot influence the selection of materials, nor require explicit endorsement of products or services.

### 11.6.5

The Library ensures the confidentiality of user records by not selling or providing access to patron records. (See also section 2.5.0)

### 11.6.6

All partnership agreements shall be presented to the Library Board for approval.

### 11.6.7

Recognition of the partnership or sponsorship and ongoing support will be handled by the Smithers Public Library staff, in accordance with guidelines set by the Library Board. (See section 11.3.0)

### 11.6.8

The parameters of any exclusivity agreement shall clearly define the nature, extent and duration of the exclusivity.

### 11.6.9

The Library reserves the right to terminate an existing partnership if the partner uses Smithers Public Library's name outside the parameters of the partnership association, without prior consent; or if the partner develops a public image inappropriate to the Library's service and philosophy.

### 11.6.10

Should there be a change in ownership or name or both of a partner during the term of the agreement, Smithers Public Library reserves the right to cancel the agreement if the new organization fails to meet any of the principles or conditions outlined in this policy, or in the contractual agreement.

## 12.0 Privacy Policy

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### 12.1. Introduction

Smithers Public Library is committed to protecting your privacy. Any personal information collected, used or disclosed by Smithers Public Library is in accordance with the *Freedom of Information and Protection of Privacy Act (FOIPPA)*.

### 12.2. What is personal information?

Personal information is defined by *FOIPPA* as information about an identifiable person. Some examples of personal information are name, age, home address, phone number, email address, IP address (a computer's address), identification numbers, reading choices and age. *FOIPPA*'s definition of personal information does not include work contact information, which is information that would allow a person to be contacted at a place of business, such as the person's name, title, business address, business phone number, and business email address.

### 12.3. Collection of personal information

When collecting personal information from you, Smithers Public Library will advise you of the purpose for collecting it and the legal authority for doing so. We will also provide you with contact information of the library's FOI/Privacy Officer, who can answer your questions regarding the collection.

The following are some examples of purposes for which Smithers Public Library may collect your personal information:

- issuing library cards
- identifying materials currently on loan
- placing and tracking inter-library loans
- identifying and recording overdue materials
- placing and tracking materials on hold
- providing answers to reference questions
- faxing materials
- providing information about library programs and services
- providing Home Service for patrons with special needs
- recording book suggestions
- recording comments or suggestions
- general library operations
- library fundraising

Patrons who do not wish to be contacted about library services and programs or for fundraising purposes may choose to opt-out.

### 12.4. How is personal information used?

Smithers Public Library will only use your personal information for the purposes for which it was originally collected or in a manner that is consistent with those purposes. The library will only use your personal information for different purpose if you explicitly consent to the new purpose or the use is authorized under *FOIPPA* or is otherwise required by law.

### 12.5. When is personal information disclosed?

Smithers Public Library does not sell or rent personal information. Personal information is disclosed only in accordance with *FOIPPA* or as otherwise required by law.

Where other organizations require personal information in order to provide services on behalf of the library, Smithers Public Library ensures that these organizations treat the personal information in compliance with *FOIPPA* and the library's privacy policies.

Examples of where personal information may be disclosed include:

- when a patron explicitly consents to the disclosure;
- to a collection agency for the purpose of collecting a debt;
- for law enforcement purposes, such as where required by a subpoena, warrant or other order;
- where there are compelling health and safety concerns; or
- to contact a person's next of kin if that person is injured, becomes ill or dies while visiting the library.

## **12.6. How is personal information kept secure?**

Smithers Public Library uses reasonable security measures to protect against risks such as unauthorized access, collection, use, disclosure or disposal.

Security measures include physical, technological and operational safeguards that are appropriate to the nature and format of the personal information.

## **12.7. How long is personal information kept?**

How long Smithers Public Library keeps your personal information depends on the purpose for which the information was collected.

If Smithers Public Library uses your personal information to make a decision that affects you, we must keep that information for at least one year so that you have an opportunity to access it.

Otherwise, the library will keep personal information only for the length of time necessary to fulfil the purposes for which it was collected. Personal information is securely destroyed when it is no longer needed.

## **12.8. Accuracy of personal information**

Smithers Public Library will endeavour to ensure the personal information is as accurate, complete and up-to-date as necessary.

## **12.9. How can I access or correct my personal information?**

You have a right to request access to personal information held by Smithers Public Library. To do so, you may submit a written request to Smithers Public Library's FOI/Privacy Officer (see contact information below). Your request should provide enough detail to enable a library employee to find the personal information (e.g. personal information I provided when I applied for a library card).

You also have a right to request that your personal information about you by Smithers Public Library be corrected if you believe it is incorrect. You may do so by submitting your request in writing to the FOI/Privacy Officer (see contact information below).

## **12.10. Children's personal information**

Children have the same rights as adults with respect to their personal information under *FOIPPA*. Where a child is "incapable" of exercising her right to access, correct or consent to the disclosure of his/her personal information, the child's parent or guardian may do so on her behalf.

Smithers Public Library assumes that children aged 12 years are generally capable of exercising their own rights for policy purposes.

## **12.11. Changes to this Privacy Policy**

Smithers Public Library's practices and policies are reviewed from time to time. This policy will be updated to reflect the changes.

## **12.12. Who can I contact about Smithers Public Library's privacy policies?**

If you have any questions or concerns about this policy or how Smithers Public Library treats your personal information, you may contact our FOI/Privacy Officer.

Library Director

Smithers Public Library

Box 55

Smithers, B.C. V0J 2N0

Phone: (250) 847-3043

Email: [director@smitherslibrary.ca](mailto:director@smitherslibrary.ca)

If you are not satisfied with how your complaint was handled by Smithers Public Library, you have the right to complain to the Information and Privacy Commissioner.

### **Office of the Information and Privacy Commissioner for British Columbia**

PO Box 9038, Stn. Prov. Govt.

Victoria, B.C. V8W 9A4

**Tel:** 250.387.5629 (Victoria)

**Toll free:** Call Enquiry B.C. at 604.660.2421 (Vancouver) or 1.800.663.7367 (elsewhere in B.C.) and request a transfer to 250.387.5629.

**Email:** [info@oipc.bc.ca](mailto:info@oipc.bc.ca)

**Website:** <http://oipc.bc.ca>



## Appendix A: Expense Reimbursement

Employees and Board members who travel or attend approved meetings, conferences or workshops on Library business may be reimbursed as follows:  
 Registration for conferences or workshops up to full amount.  
 Transportation – Economy return fare or equivalent, or mileage (see below). Airport limousine, taxi fares and parking costs where required.  
 Accommodation – single room rate.  
 Allowance for meals and incidentals up to \$50.00 per day.  
 Mileage – mileage allowance is paid to Library employees, when using their vehicles on Library business at the rate of .50/kilometre

### Smithers Public Library Expense Claim Form

Name: \_\_\_\_\_

Conference/Event: \_\_\_\_\_

Date: \_\_\_\_\_

Meals	Breakfast \$13	Lunch \$17	Dinner \$20	Total \$50
Day 1				
Day 2				
<b>Total</b>				

The rate for reimbursement of travel expense using own vehicle is \$0.50 per km.

**Total – Meals, Mileage & Other.**

Item	Description	Total
<b>Total Meals</b>		
<b>Total Mileage</b>		
<b>Accommodation</b>		
<b>Conference/Workshop</b>		
<b>Other</b>		
<b>TOTAL CLAIM</b>		

**SIGNATURE:** \_\_\_\_\_

## Appendix B: Loan Limits and Loan Periods

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### Loan Periods

Books	21 days
Magazines	21 days
Sound recordings	21 days
Interlibrary Loans	Variable
Audiobooks-for the print disabled	21 days
Audio books	21 days
Express Reads	7 days
Holiday books	21 days
DVDs & Videos	21 days
Electronic books and Audio books downloads	21 days
eReaders	21 days
Other materials	variable

Library Home Service (when available) patrons are eligible for a 28 day loan period.

Vacation Loans; on request, materials may be taken out on an extended vacation loan period.

## Appendix C: Reciprocal Borrowers

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Participating North Coast Library Federation Libraries:

- Houston Public Library
- Hazelton and District Public Library
- Kitimat Public Library
- Prince Rupert Public Library
- Smithers Public Library
- Stewart Public Library
- Terrace Public Library

The Smithers Public Library enjoys a special relationship with the libraries in the North Coast Library Federation. In order to enhance the experience of library users in our communities while maintaining the autonomy of each library, the library boards have agreed to extend full borrowing privileges to any member of a North Coast Library Federation Library.

The rules and procedures governing this relationship are laid out in the North Coast Library Federation Policy Manual.

## Appendix D: Non-Resident Membership Fees, Charges and Fines

### Non-Resident Fees

Fee	Cost
Individual non-resident membership	\$33.00
Family non-resident membership	\$35.00
Senior non-resident membership (65 years plus)	\$20.00
Temporary membership	\$20.00; \$10.00 refunded when membership card and library materials are returned and library fees and or fines are paid.

### Miscellaneous Fees and Charges

Item	\$ Cost
Photocopying per copy – black-and-white	.25
Photocopying per copy -- colour	1.00
Reference materials for students K- 12	Free
Printing (black) per copy	.25
Faxing - receiving per page	.50
Faxing - sending Local or toll free per page	.50
Faxing - sending long distance BC 1 <sup>st</sup> page	1.50
Other pages	1.00
Faxing - sending Canada 1 <sup>st</sup> page	2.00
Other pages	1.50
Faxing - sending US 1 <sup>st</sup> page	2.50
Other pages	1.50
Faxing – sending International 1 <sup>st</sup> page	5.00
Other pages	2.50
Replacement Patron Card	2.00

### Fines for Overdue Materials

Item	\$ Per Day	\$ Per Maximum
No fines on Smithers items designated as <b>Juvenile</b> materials. Adult items borrowed on a Juvenile card will incur fines.		
Books	.25	5.00
Magazines	.25	5.00
Audio books	.25	5.00
DVDs	.25	5.00
Technology	.25	5.00
Interlibrary loans	.25	5.00
Book Club Sets	2.00	5.00

Maximum amount owing in overdue fines before stop/block on patron record: \$10.00

Two amnesty periods will be held annually near the beginning and end of the school year. Each amnesty period shall be one week long. During this time, overdue materials may be returned and the items' accumulated fines will be voided from the patron's account.

### Replacement fees for Lost/Damaged Books

Cost is as shown on the computer record.



## Appendix E: Bill 33 Human Rights Amendment Act 1993

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Her majesty, by and with the advice of consent of the Legislative Assembly of the Province of British Columbia, enacts as follows;

1. The definition of "discrimination" in section 1 of the Human Rights Act, S.B.C. 1984, c.22 is amended by adding "2" after "section."
2. Section 2 is repealed and the following substituted:

### **Discriminatory publication**

1. No person shall publish, issue or display or cause to be issued or displayed any statement, publication, notice, sign, symbol, emblem or other representation that
  - a) indicates discrimination or an intention to discriminate against a person or a group or class of persons, or
  - b) is likely to expose a person or a group or class of person to hatred or contempt because of race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation or age of that person or that group or class of persons.
2. Subsection (1) does not apply to a private communication or to a communication intended to be private.

## Appendix F: Acceptable Use Statement

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### Internet Acceptable Use Statement

Smithers Public Library provides access to the Internet in support of the Library's role to develop collections, resources, and services that meet the cultural, educational, informational and recreational needs of the diverse community. The Library offers access to the World Wide Web on the Internet. There are no downloading capabilities.

The Internet provides access to a wealth of information that can be personally, professionally and culturally enriching. There is no central control over Internet content or users. Because the Internet is a vast and unregulated information network, it also enables access to ideas, information, images and commentary beyond the confines of the Library's collection, mission, selection criteria and collection development policies. Because of this and because sites on the Internet change often, rapidly, and unpredictably, the Library cannot protect users from information and images they might find offensive or disturbing.

Smithers Public Library strives to balance the rights of users to access a wide range of information resources with the rights of users to work in a public environment free from harassing sounds and visuals. We ask you to remain sensitive to the fact that you are working in a public space shared by people of all ages, with a variety of information interests and needs.

### Parental Responsibility and Child Safety on the Internet

**As with other library materials, parents or guardians are responsible for supervising their children's selection of information on the Internet.** (See other item under Registration).

Children who use the Internet unsupervised may be exposed to inappropriate or disturbing information. The library suggests that parents who are concerned about the types of materials available on the Internet work with their young children as they explore Internet sites and help them select resources consistent with their family's values and boundaries.

### Disclaimer

Not all the information available via the Internet is accurate, current or complete. Users are encouraged to exercise critical judgment in evaluating the validity of information accessed via the Internet. **The Library assumes no responsibility for any damages, direct or indirect, arising from its connections to the Internet. Smithers Public Library cannot be held liable for any information that may be lost, damaged or unavailable due to technical or other difficulties.**

### Responsible Use of the Internet

\* Using the Library's Internet resources for cultural, educational, informational, and recreational purposes.

\* Refraining from ILLEGAL, INAPPROPRIATE, or UNETHICAL use of the Internet. \* Refraining from attempting to alter or damage computer equipment, software configurations, or files belonging to the Library, other users, or external networks. \* Refraining from attempting unauthorized entry into the Library's network or to any other computer system. \* Refraining from behaviour which interferes with or disrupts other users, services or procedures. \* Refraining from libelling, slandering or otherwise harassing others. \* Refraining from distributing unsolicited advertising or propagation of computer viruses. \* Refraining from using the Internet for activities which in any way would embarrass the Smithers Public Library. \* Refraining from violating copyright, software license agreements or communication laws.

Refraining from the use of chat lines.

**Violation of these conditions of use may result in suspension or loss of the privilege to use these resources. Any illegal activity involving the Library's Internet resources will be subject to prosecution by the appropriate authorities.**



## Appendix G: BC OneCard Policy

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### Membership and Registration

- To register for BC OneCard membership at the Smithers Public Library, the applicant must show a card issued by their home library.
- Smithers Public Library ID requirements apply when signing up for BC OneCard.
- BC OneCard registrations expire 1 year after being issued.
- BC Resident who live in areas that are not paying taxes for library service must pay a non-resident fee and acquire a library card at a participating library in order to be eligible for BC OneCard service elsewhere.

### Borrowing Privileges

BC OneCard cardholders have the same borrowing privileges as Smithers Public Library members.

### Renewals

BC OneCard cardholders must contact the lending library to renew items or to pay fines and other charges.

### Returning Materials

- BC OneCard cardholders may return borrowed items to any public library participating in OneCard.
- The due date on items borrowed by BC OneCard cardholders will be the same as for Smithers Public Library members. There will be no penalty for mail time for items returned to a library other than the lending library.

### Fines and Overdues.

- Fines will be shared on items at the regular rate, based on the return date noted by the receiving library.
- BC OneCard cardholders are responsible for paying their fines to the Smithers Public Library.

### Interlibrary Loans

- Smithers Public Library does not accept Interlibrary Loan requests from BC OneCard cardholders.



## Appendix H: Canadian Charter of Rights and Freedoms

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Constitution Act, 1982

Part 1 – Canadian Charter of Rights and Freedoms, Section 2

2. Fundamental Freedoms. Everyone has the following fundamental freedoms:

- a) Freedom of conscience and religion
- b) Freedom of thought, belief, opinion, and expression, including freedom of the press and other media of communication
- c) Freedom of peaceful assembly
- d) Freedom of association



## Appendix I: Challenges to Library Materials

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### 1. Position of the Board

The Smithers Public Library Board endorses the Statement on Intellectual Freedom of the Canadian Library Association and the British Columbia Library Association Statement of Intellectual Freedom.

These guiding principles further describe the Board's commitment to making available the widest possible diversity of materials and its opposition to censorship of the collection.

However, it is prudent to establish a procedure for the evaluation of challenged materials in order to promote understanding and good working relations with the public. The following procedure shall be established to direct challenges in an equitable and timely manner.

### 2. Challenge Procedures

If a library employee is approached by a patron who wishes to complain about any library material, the complaint shall be treated with dignity and courtesy. Under no circumstances is the employee to express agreement or disagreement with the customer's concern.

The patron will be advised of Collections policy 5.3 to 5.5 and of the Challenges to Library Materials procedure.

If the patron wishes to file a written complaint, the employee should provide the complainant with a copy of the Request to Challenge an Item in the Smithers Public Library Collection form.

The employee must advise the complainant that no employee has the authority to remove any item from the collection.

If the complainant wishes to see the Library Director, or a designate, the employee should request that the complainant make an appointment after completing the form. No discussion will occur until the complainant has completed the form and made the appointment. At this stage, the board chair shall be advised of the challenge:

- The Library Director, or designate, shall meet with the complainant. If there is no resolution to the challenge at this stage, then a Challenge Committee shall be formed.
- The minimum requirement for membership on the Challenge Committee is: the Library Director and two trustees. The majority shall prevail in its decision.
- The members of the Challenge Committee shall read and review the material prior to convening an evaluation meeting.
- The Challenge Committee shall meet in a timely manner after receiving the challenge and reviewing the material.
- The Committee will recommend appropriate action within 90 days of meeting and reviewing the material and the Library Director will communicate this in writing to the complainant.

Request for reconsideration of Library Materials

Title \_\_\_\_\_

Author \_\_\_\_\_

Publisher \_\_\_\_\_

Request initiated by \_\_\_\_\_

Telephone \_\_\_\_\_ Address \_\_\_\_\_

\_\_\_\_\_

Do you represent

\_\_\_\_ Yourself

\_\_\_\_ An organization [name] \_\_\_\_\_

\_\_\_\_ Other group [name] \_\_\_\_\_

1. To what in the work do you object? [Please be specific – cite pages]

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Did you read the entire work? \_\_\_\_\_ or Which parts?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. What do you feel might be the result of reading this work?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. For what age group would you recommend this work?

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5. What do you believe is the theme of this work?

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6. Are you aware of judgments of this work by literary critics?

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7. What would you like the library to do about this item?

\_\_\_\_\_ return it to the librarian for re-evaluation

\_\_\_\_\_ Other, explain \_\_\_\_\_

8. In its place, what work would you recommend that would convey as valuable a picture and perspective of the subject treated?

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Signature \_\_\_\_\_

Date \_\_\_\_\_

## Appendix J: Copyright Warning Notice

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Under the Canadian Copyright Act, photocopying of a work which is subject to copyright is prohibited, unless permission is granted from the copyright owner or the quantity copied is insignificant, has no material effect on the potential market for sale of the original and is for the purpose of private study, research, criticism, review or newspaper summary. Users of the photocopy machine assume all risks of copyright infringement. Copies of the Copyright Act are available for consultation in the Library.



## Appendix K: Information for Library Staff – Copying and Public Use of Photocopier Copyright Notice

### COPYING LICENSE FOR PUBLIC LIBRARIES

#### COPYING UNDER THE COPYRIGHT ACT...

Canada's Copyright Act provides for civil and criminal penalties for copyright infringement. Under the Act, it is illegal to copy most published materials without permission. However, you may copy the following:

- Works whose authors died more than 50 years ago
- Portions of works for the purpose of private study, research, criticism, review or newspaper summary known as “fair dealing” under the Act. The limits of fair dealing copying have not yet been defined in the Act or in case law
- Works where the copyright owner has given their express permission (in the work itself or otherwise); e.g. the federal government permits copying of all federal laws and the British Columbia Queen’s Printer permits single copies for private research of BC statutes and regulations. If you require further information regarding the copying of BC government publications, contact the Queen’s Printer: 1-800-663-6105.

#### ...AND UNDER THE ACCESS COPYRIGHT LICENSE

<p>To authorize copying beyond what is permitted under the Copyright Act the Province of British Columbia has signed, on behalf of B.C. public libraries, a license with ACCESS COPYRIGHT, a nonprofit organization representing Canadian and foreign authors and publishers.</p> <p>Under the ACCESS COPYRIGHT LICENSE: YOU MAY COPY</p> <ul style="list-style-type: none"> <li>• Most published works, including books, magazines, newspapers and journals, as long as the work is published in a country covered by a CANCOPY license, including; CANADA, USA, UNITED KINGDOM, AUSTRALIA, DENMARK, FRANCE, GERMANY, ICELAND, IRELAND, ITALY, LIECHTENSTEIN, MALTA, NETHERLANDS, NEW ZEALAND, NORWAY, SOUTH AFRICA, SPAIN OR SWITZERLAND</li> <li>• Up to 10% of a published work, or more than</li> </ul>	<p>UNLESS PERMITTED UNDER THE COPYRIGHT OR BY THE COPYRIGHT OWNER</p> <p>1) YOU MAY NOT COPY:</p> <ul style="list-style-type: none"> <li>• Instruction manuals, including manuals for appliances, office equipment and computer software</li> <li>• Advertisements</li> <li>• Consumable materials such as workbooks</li> <li>• Business case studies and commercial newsletters</li> <li>• Print music</li> <li>• Unpublished works</li> <li>• Different parts of the same work within a twelve-month period beyond the limits of</li> </ul>
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<p>10% if it is:</p> <ul style="list-style-type: none"> <li>• An entire newspaper article or page</li> <li>• A whole chapter, which is no more than 20% of a book</li> <li>• A single short story, play, poem, essay or an article from a book, magazine issue or set of conference proceedings</li> <li>• An entire reproduction of an artistic work from a book or magazine issue or</li> <li>• An entire entry from an encyclopaedia, dictionary, annotated bibliography or similar reference work.</li> </ul> <p>Multiple copies are permitted</p>	<p>allowable copying under this License.  2) YOU MAY NOT MAKE COPIES OF PUBLISHED WORKS:</p> <ul style="list-style-type: none"> <li>• For sale or resale</li> <li>• For use in association with partisan political activities or endorsements or a cause or institution, or in association with advertising or sale of a commercial product or service</li> <li>• That is available for purchase as a separate publication</li> <li>• As a substitute for a published work that would ordinarily be purchased</li> <li>• Published in a county without a CANCOPY license, such as CHINA and INDIA</li> </ul>
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## Appendix L: Library Act

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### Part 1 — Introductory Provisions

#### Definitions

1 In this Act:

**"aboriginal government"** means an aboriginal organization exercising governmental functions;

**"elector"** has the meaning it has in the *Local Government Act*;

**"electoral participating area"** means an area that

(a) is within a service area for the service of participation in a regional library district under Part 3 of this Act, and

(b) is all or part of an electoral area as defined in the *Local Government Act*;

**"integrated public library system"** means an integrated public library system the operation of which is continued under section 60;

**"library board"** means,

(a) in Part 2, the library board of a municipal library,

(b) in Part 3, the library board of a regional library district,

(c) in Part 4, the library board of a public library association, and

(d) in Part 5, a library board referred to in paragraph (a), (b) or (c),

and includes

(e) a federated library board in sections 46 to 48, 50, 51 and 53 to 55, and

(f) an integrated public library system in sections 46 to 51;

**"library federation"** means a federation established by agreement under section 49;

**"municipal library"** means a library established under section 3;

**"municipality"** has the meaning it has in the *Local Government Act*, but in this Act includes the City of Vancouver;

**"net taxable value of land and improvements"** means net taxable value of land and improvements for hospital district purposes under section 26 (3) of the *Hospital District Act*;

**"newspaper"** has the meaning it has in the *Local Government Act*;

**"population"** means the population determined under section 22;

**"public library"** includes a municipal library, a regional library district, a public library association and an integrated public library system;

**"public library association"** means a public library association continued under section 31;

**"regional library district"** means a regional library district established under section 14.

#### Purposes of this Act

2 The purposes of this Act are:

(a) to encourage the extension and use of public library service throughout British Columbia,

(b) to enable the delivery of public library service in British Columbia by

(i) providing for the establishment and operation of municipal libraries, regional library districts and library federations, and

(ii) allowing existing public library associations and integrated public library systems to continue to operate, and

(c) to support improvements in public library service.

### Part 2 — Municipal Libraries

#### How a municipal library is established

3 (1) A municipality may, by bylaw, establish a municipal library.

(2) A municipal library may be established under subsection (1) in a municipality served by a public library association, but only if the association has requested the municipality to assume responsibility for providing library service in the municipality.

(3) When a bylaw is adopted under this section, the municipal council must send the minister a copy of the bylaw.

### **Role and status of the library board**

4 (1) A municipal library is to be managed by a library board called the "*[insert name of municipality]* Public Library Board".

(2) The members of the library board and their successors in office are a corporation with the powers and duties given in this Part.

### **How the library board is appointed**

5 (1) The municipal council must appoint the members of the library board at the first meeting of the municipal council after the coming into force of the bylaw establishing the municipal library.

(2) The library board is to consist of an uneven number of members, not fewer than 5 or more than 13, selected as follows:

(a) one from the municipal council;

(b) the remainder from people who are residents or electors of the municipality and who are not members of the municipal council or employees of the municipality or library board.

(3) All subsequent regular appointments are to be made each December at the first regular meeting of the municipal council.

(4) Before selecting anyone under subsection (2) (b), the municipal council must invite applications for membership by publishing a notice in a newspaper.

(5) A vacancy arising during the term of an appointment is to be filled, for the remainder of the term, by an appointment made at the first meeting of the municipal council after the vacancy arises.

(6) If an appointment is not made at the time specified in this section, the appointment must be made as soon as convenient.

### **Term of office**

6 (1) The member appointed to the library board from the municipal council holds office for one year, or for the remainder of the year for which the appointment is made.

(2) One half of the members first appointed to the library board under section 5 (2) (b) hold office for a term of one year, and the others hold office for a term of 2 years.

(3) All subsequent regular appointments under section 5 (2) (b) are for terms of 2 years.

(4) A member is eligible for reappointment, but no member may serve for more than 8 consecutive years.

(5) The term of office of a member continues until a successor is appointed unless the member is removed for cause.

(6) On receiving a report from the library board, the municipal council may remove a member of the library board for cause, including if the member

(a) fails to attend 3 consecutive regular meetings of the library board without its written approval,

(b) becomes an employee of the municipality or of the library board, or

(c) ceases to be a resident or elector of the municipality.

### **Election of chair and vice chair**

7 (1) The library board must elect a chair and a vice chair at its first meeting in each year after appointments are made to the library board.

(2) If the chair is not present at a meeting of the library board, the vice chair has all the powers of the chair and is subject to all rules applicable to the chair.

(3) If neither the chair nor the vice chair is present at a meeting of the library board, the members present may elect an acting chair who has, during the meeting, all the powers of the chair and is subject to all rules applicable to the chair.

## **Regular and special meetings of library board**

- 8** (1) The library board must meet at regular intervals at least 6 times a year.  
(2) A majority of all the members of the library board is a quorum.  
(3) The chair or any 2 members may call a special meeting of the library board by notifying, in writing, the other members at least 2 days before the meeting and stating in the notice the purpose of the meeting.

## **General powers and duties of library board**

- 9** The library board
- (a) may make rules for managing its business and for regulating the use of its facilities and services by the public,
  - (b) may appoint any committees of its members that it considers necessary to carry out its business,
  - (c) must appoint a Library Director,
  - (d) may hire and dismiss employees, enter into collective agreements with employees and set the terms of their employment, including fixing their remuneration and duties,
  - (e) may lease land or buildings for library purposes, but only with the prior approval of the municipal council,
  - (f) may acquire personal property for library purposes and dispose of personal property,
  - (g) may contract, for a term of not more than 5 years, for professional or other services for library purposes,
  - (h) may sue and be sued,
  - (i) may have a common seal and may alter or change it, and
  - (j) must prepare an annual report in the form approved by the minister and must send copies of the report to the minister.

## **Budget and financing**

- 10** (1) On or before March 1 in each year, the library board must prepare and submit to the municipal council its annual budget for providing library service in the municipality.  
(2) The municipal council must approve, with or without amendment, the budget submitted to it under subsection (1).  
(3) At the request of the library board, the municipal council may approve an amendment to the approved budget.  
(4) The municipal council must include in the municipality's annual budget a sum sufficient to finance the library board's approved budget.  
(5) The municipality must pay to the library board the sum included in the annual budget and the payments must be made on the dates scheduled by the library board and the municipality.

## **Expenditures and financial statements**

- 11** (1) The library board has, subject to the approved budget, exclusive control over the expenditure of
- (a) all money provided by the municipal council for library purposes,
  - (b) all money given to the library board,
  - (c) the revenue derived from any source, including
    - (i) fees,
    - (ii) fines, and
    - (iii) money recovered by the library board for detention, damage or loss of library materials, and
  - (d) all money received by the library board under an agreement to provide library service.
- (2) The library board must provide to the municipality annual financial statements that have been audited in the same manner and at the same time as the financial statements of the municipality.

## **Powers and duties of Library Director**

- 12** The Library Director
- (a) has general supervision and direction of the municipal library and its staff,
  - (b) is the secretary to the library board, and

(c) has the powers and duties the library board assigns to the Library Director from time to time.

### **Abolition of municipal library and dissolution of library board**

**13** (1) A municipal council may submit for the assent of the electors a bylaw to abolish a municipal library.

(2) If the bylaw receives assent under the *Local Government Act*, the library board is dissolved.

(3) When the library board is dissolved, the assets of the library board are vested in the municipality and any liabilities or obligations of the library board are assumed by the municipality.

### **Part 3 — Regional Library Districts**

#### **How a regional library district is established**

**14** (1) Two or more municipalities and one or more regional districts each representing one or more electoral participating areas may, by bylaw, enter into an agreement to request the Lieutenant Governor in Council to establish a regional library district.

(2) When the agreement is executed, the parties must send a copy to the minister for presentation to the Lieutenant Governor in Council.

(3) After receiving the agreement, the Lieutenant Governor in Council may establish a regional library district comprising

(a) the area within each municipality that is a party to the agreement, and

(b) the electoral participating areas of each regional district that is a party to the agreement.

#### **Role and status of the library board**

**15** (1) A regional library district is to be managed by a library board called the "[insert name] Regional Library District Board".

(2) The members of the library board and their successors in office are a corporation with the powers and duties given in this Part.

#### **How the library board is appointed**

**16** (1) The library board is to consist of a representative of each municipality and regional district that is a party to the agreement to establish the regional library district.

(2) A municipal council must, by resolution,

(a) appoint one of its members to be a member of the library board, and

(b) appoint another of its members as an alternate member to serve on the library board if the member appointed under paragraph (a) is absent or unable to act.

(3) If there is more than one electoral participating area in the regional library district, the regional district board must, by resolution,

(a) appoint from among the directors of the electoral participating areas a member of the library board, and

(b) appoint another of the directors of the electoral participating areas as an alternate member to serve on the library board if the member appointed under paragraph (a) is absent or unable to act.

(4) If there is only one electoral participating area in a regional library district,

(a) the director of the electoral participating area is a member of the library board, and

(b) the alternate director of the electoral participating area is the alternate member on the library board if the director of the electoral participating area is absent or unable to act.

#### **When members are appointed**

**17** (1) Each municipal council and each regional district board must appoint its representative and alternate representative at the first meeting of the municipal council or regional district board after the regional library district is established under section 14 (3).

(2) All subsequent regular appointments must be made each December at the first meeting of the municipal council or regional district board.

(3) A vacancy arising during the term of an appointment is to be filled, for the remainder of the term, by an appointment made at the first meeting of the municipal council or regional district board after the vacancy arises.

(4) If an appointment is not made at the time specified in this section, the appointment must be made as soon as convenient.

### **Term of office**

**18** (1) A member of the library board holds office for a term of one year, or for the remainder of the year for which the appointment is made.

(2) A member is eligible for reappointment, but no member may serve for more than 8 consecutive years.

(3) The term of office of a member continues until a successor is appointed unless the member is removed for cause.

(4) A municipal council or regional district board may remove its representative on the library board for cause, including if the representative fails to attend 3 consecutive regular meetings of the library board without the written approval of the library board.

### **Election of chair and vice chair**

**19** (1) The library board must elect a chair and a vice chair at the first meeting in each year.

(2) If the chair is not present at a meeting of the library board, the vice chair has all the powers of the chair and is subject to all rules applicable to the chair.

(3) If neither the chair nor the vice chair is present at a meeting of the library board, the members present may elect an acting chair who has, during the meeting, all the powers of the chair and is subject to all the rules applicable to the chair.

### **Regular and special meetings of library board**

**20** (1) The library board must meet at regular intervals at least 4 times a year.

(2) A majority of all the members of the library board is a quorum.

(3) The chair or any 2 members may call a special meeting of the library board by notifying, in writing, the other members at least 5 days before the meeting and stating in the notice the purpose of the meeting.

### **General powers and duties of library board**

**21** The library board

(a) may make rules for managing its business and for regulating the use of its facilities and services by the public,

(b) may appoint any committees of its members that it considers necessary to carry out its business,

(c) must appoint a Library Director,

(d) may hire and dismiss employees, enter into collective agreements with employees and set the terms of their employment, including fixing their remuneration and duties,

(e) may acquire land and lease or construct buildings for library purposes,

(f) may dispose of land or buildings,

(g) may acquire personal property for library purposes and dispose of personal property,

(h) may contract, for a term of not more than 5 years, for professional or other services for library purposes,

(i) may sue and be sued,

(j) may have a common seal and may alter or change it, and

(k) must prepare an annual report in the form approved by the minister and must send copies of the report to the minister.

### **How population is determined**

**22** (1) For the purposes of sections 23 and 24, the minister is to determine the population of an area by compiling the population figures for the most recent year for which figures are available for that area.

(2) In determining population the minister may take into account any changes in the boundaries of an area and may use

information or estimates provided by the Minister of Finance and Corporate Relations,

(b) information in the most recently available Census of Canada, and

(c) other information the minister considers relevant.

### **Voting on expenditures**

**23** (1) On questions involving the expenditure of money,

(a) each member of the library board has one vote, plus one additional vote for each complete 1 000, after the first 1 000, of the population of the municipality represented by the member or of the electoral participating areas of the regional district represented by the member, and

(b) a majority of the weighted votes cast decides those questions, unless a proposal is adopted under subsection (2).

(2) If at least 2/3 of the municipalities and regional districts represented on the library board adopt a proposal on the number of votes each representative on the library board has on questions involving the expenditure of money, the proposal binds all the municipalities and regional districts represented on the library board.

(3) A proposal adopted under subsection (2) may be changed or cancelled by a resolution adopted by at least 2/3 of the municipalities and regional districts represented on the library board.

### **Sharing the cost of library service**

**24** (1) In this section, "**converted value of land and improvements**" means the converted value of land and improvements within the meaning of the *Local Government Act*.

(2) The cost of providing library service must be apportioned

(a) 1/2 on the basis of the converted value of land and improvements of each municipality and of the electoral participating areas of each regional district, represented on the library board, and

(b) 1/2 on the basis of the population of each municipality and of the electoral participating areas of each regional district, represented on the library board, unless a proposal is adopted under subsection (3).

(3) If at least 2/3 of the municipalities and regional districts represented on the library board adopt a proposal on apportioning the cost of providing library service, the proposal binds all the municipalities and regional districts represented on the library board.

(4) A proposal adopted under subsection (3) may be changed or cancelled by a resolution adopted by at least 2/3 of the municipalities and regional districts represented on the library board.

### **Budget and financing**

**25** (1) In each year the library board must prepare and approve a budget for providing library service in the next financial year.

(2) Before March 1 of the year for which the budget is approved, the library board must provide a copy of the budget to each of the municipalities and regional districts represented on the library board.

(3) The approved budget must show the share of the cost of providing library service that was apportioned under section 24 to each of the municipalities and regional districts represented on the library board.

(4) The secretary to the library board must provide to each of the municipalities and regional districts represented on the library board a certificate of the amount shown under subsection (3) in the budget for that municipality or regional district.

(5) Each municipality and regional district represented on the library board must pay the amounts certified under subsection (4) to the library board in equal instalments on March 1, June 1, September 1 and December 1 of each year.

(6) The library board may borrow money needed to meet its current expenditures if the amount borrowed

(a) is not more than 50% of the revenue the library board is to receive from all sources in the current year to cover those expenditures, and

(b) is repaid when the anticipated revenue is received.

### **Expenditures and financial statements**

- 26** (1) The library board has, subject to the approved budget, exclusive control over the expenditure of
- (a) all money provided to it for library purposes by the municipalities and regional districts represented on the library board,
  - (b) all money given to the library board,
  - (c) the revenue derived from any source, including
    - (i) fees,
    - (ii) fines, and
    - (iii) money recovered by the library board for detention, damage or loss of library materials, and
  - (d) all money received by the library board under an agreement to provide library service.
- (2) The library board must
- (a) prepare annual financial statements to be audited by the auditors appointed by the library board, and
  - (b) provide a copy of the audited financial statements to the municipalities and regional districts represented on the library board.

### **Powers and duties of Library Director**

- 27** The Library Director
- (a) has general supervision and direction of the regional library district and its staff,
  - (b) is the secretary to the library board, and
  - (c) has the powers and duties the library board assigns to the Library Director from time to time.

### **Extension of regional library district**

- 28** (1) A municipality or regional district may, by bylaw, enter into an agreement with the library board to extend the regional library district to include the municipality or the electoral participating areas within the regional district.
- (2) When the agreement is executed, the parties must send a copy to the minister for presentation to the Lieutenant Governor in Council.
- (3) When the agreement is approved by the Lieutenant Governor in Council, the area within the municipality or the electoral participating areas within the regional district, as the case may be, become part of the regional library district.
- (4) At its first meeting after the agreement is approved or as soon afterward as convenient, the municipal council or the regional district board that entered into the agreement must appoint its representative as a member of the library board under section 16 (2) or (3).

### **Withdrawal from regional library district**

- 29** (1) A municipality or regional district may submit for the assent of the electors a bylaw to withdraw from a regional library district.
- (2) No vote to obtain assent may be taken after October 1 in any year.
- (3) If the bylaw receives assent under the *Local Government Act*, the municipality or regional district that submitted it for assent must send a copy of the bylaw to the minister for presentation to the Lieutenant Governor in Council.
- (4) If the Lieutenant Governor in Council approves of the municipality or regional district withdrawing from the regional library district, the area within the municipality or the electoral participating areas within the regional district ceases to form part of the regional library district on January 1 after the date of approval.
- (5) If the Lieutenant Governor in Council approves of the municipality or regional district withdrawing from the regional library district, the library board may enter into an agreement with the municipality or regional district to transfer to it a reasonable share of library assets, including library materials.
- (6) If the share of library assets is not agreed on by January 1 after the date of approval, the library board must submit the matter for determination by one arbitrator appointed under the *Commercial Arbitration Act* and that Act applies to the dispute.

### **Disestablishment of regional library district by agreement**

**30** (1) The municipalities and regional districts represented on the library board may, by bylaw, enter into an agreement for disestablishing the regional library district and winding up the library board.

(2) When an agreement under subsection (1) is executed, the parties must send a copy to the minister for presentation to the Lieutenant Governor in Council.

(3) An agreement under subsection (1) has no effect until it is approved by the Lieutenant Governor in Council.

(4) The Lieutenant Governor in Council may approve the disestablishment of the regional library district and, in the order or any subsequent order, may provide for winding up the library board on any terms and conditions the Lieutenant Governor in Council considers advisable.

#### **Part 4 — Public Library Associations**

##### **Existing public library associations continued**

**31** (1) A public library association that was incorporated before, and provided library service until, August 26, 1994 is continued, and the association may continue to provide library service in the locality for which it was formed.

(2) A public library association has the powers and duties given to a library board under this Part.

##### **Who can become a member**

**32** On application and subject to the rules of the public library association, the following are eligible to become members of a public library association:

(a) residents in the locality for which the association was formed;

(b) residents in an area in which library service is provided by the association by agreement.

##### **Who cannot vote or hold office**

**33** No member under 18 years of age and no employee of a public library association is eligible to be elected to hold office in, or to vote at meetings of, the association.

##### **Continuation and role of the library board**

**34** (1) The board of management of a public library association is continued as the library board of the association.

(2) The library board is responsible for managing the library of the public library association and for exercising and performing on behalf of the association the powers and duties given in this Part.

##### **Composition of the library board**

**35** (1) The library board is to consist of

(a) not fewer than 5 or more than 9 members, elected by the members of the public library association from among themselves, and

(b) any person appointed to be a member of the library board by a municipal council or regional district board under subsection (2).

(2) A local government that provides a grant under section 176 (1) (c) of the *Local Government Act* to the public library association may

(a) appoint a representative from the council or from the directors of the participating areas to be a member of the library board for the financial year in which the grant or contribution is made, and

(b) dismiss the appointee, with or without cause, and appoint another.

##### **Elections and term of office of members**

**36** (1) Elections to the library board must be held each January or as soon afterward as is convenient.

(2) In the first election after August 26, 1994,

(a) if the number of elected members is even, 1/2 of them hold office for a term of one year, and the others hold office for a term of 2 years, and

(b) if the number of elected members is uneven, a bare majority of them hold office for a term of one year, and the others hold office for a term of 2 years.



- (3) All subsequent elections are for terms of 2 years.
- (4) A member is eligible for re-election or reappointment to the library board, but no member may serve for more than 8 consecutive years.
- (5) The term of office of an elected member continues until a successor is elected.
- (6) A vacancy arising during the term of office of an elected member is to be filled, for the remainder of the term, by an appointment made by the library board at the first meeting after the vacancy arises or as soon afterward as is convenient.
- (7) The library board
  - (a) may remove an elected member for cause, including if the member fails to attend 3 consecutive regular meetings of the library board without its written approval, and
  - (b) must remove an elected member who ceases to be eligible to hold office in or to be a member of the public library association.

### **Election of chair and vice chair**

- 37** (1) The library board must elect a chair and a vice chair at the first meeting after the elections to the library board and annually after that.
- (2) If the chair is not present at a meeting of the library board, the vice chair has all the powers of the chair and is subject to all rules applicable to the chair.
- (3) If neither the chair nor the vice chair is present at a meeting of the library board, the members present may elect an acting chair who has, during the meeting, all the powers of the chair and is subject to all rules applicable to the chair.

### **Regular and special meetings of library board**

- 38** (1) The library board must meet at regular intervals at least 6 times a year.
- (2) A majority of all the members of the library board is a quorum.
- (3) The chair or any 2 members may call a special meeting of the library board by notifying, in writing, the other members at least 2 days before the meeting and stating in the notice the purpose of the meeting.

### **General powers and duties of library board**

- 39** The library board
  - (a) may make rules for holding meetings of the public library association and for managing the association,
  - (b) may make rules for managing the business of the board and for regulating the use of its facilities and services by the public,
  - (c) may appoint any committees of its members that it considers necessary to carry out its business,
  - (d) must appoint a Library Director,
  - (e) may raise funds to support the public library association,
  - (f) may hire and dismiss employees, enter into collective agreements with employees and set the terms of their employment, including fixing their remuneration and duties,
  - (g) may lease land or buildings for library purposes or dispose of land or buildings acquired before August 26, 1994, but only with the prior approval of the minister,
  - (h) may acquire personal property for library purposes and dispose of personal property,
  - (i) may contract, for a term of not more than 5 years, for professional or other services for library purposes,
  - (j) may sue and be sued in the name of the public library association,
  - (k) may have a common seal and may alter or change it,
  - (l) must prepare an annual report in the form approved by the minister and must send copies of it to the minister, and
  - (m) must maintain a record of the members of the public library association.

### **Budget, expenditures and financial statements**

- 40** (1) In each year the library board must prepare and approve a budget for providing library service.

(2) The library board has, subject to the approved budget, exclusive control over the expenditure of

- (a) all money raised by or grants or contributions provided to the public library association,
- (b) all money given to the public library association,
- (c) the revenue derived from any source, including
  - (i) fees,
  - (ii) fines, and
  - (iii) money recovered by the library board for detention, damage or loss of library materials, and
- (d) all money received by the public library association under an agreement to provide library service.

(3) The library board must

- (a) prepare annual financial statements in accordance with generally accepted accounting principles,
- (b) provide a copy of the financial statements for inspection by the members of the public library association at or before the annual general meeting, and
- (c) provide a copy of the financial statements to any municipality or regional district that is eligible under section 35 to make an appointment to the library board.

### **Powers and duties of Library Director**

**41** The Library Director

- (a) has general supervision and direction of the library and its staff,
- (b) is the secretary to the library board and to the public library association, and
- (c) has the powers and duties the library board assigns to the Library Director from time to time.

### **Request to municipality to take over library**

**42** (1) A public library association may, by a vote of at least 1/2 of the members present at an annual meeting of the association or at a special meeting of the association called for the purpose, request the municipality in which the library of the association is located to assume responsibility for providing library service in the municipality.

(2) No request may be made under subsection (1) after October 1 in any year.

### **Dissolution if municipal library established or regional library district established or extended**

**43** (1) If, after receiving a request under section 42 from a public library association, a municipality adopts a bylaw under section 3 establishing a municipal library, the association is dissolved as soon as the bylaw takes effect.

(2) If, after an agreement is made under section 14 or 28, a municipality or part of a regional district in which the library of a public library association is located becomes part of a regional library district, the association is dissolved as soon as the agreement takes effect.

### **Dissolution of public library association by minister**

**44** The minister may, by order, dissolve a public library association on the date specified in the order if

- (a) the association, by a vote of at least 1/2 of the members present at an annual meeting of the association or at a special meeting of the association called for the purpose, requests the minister to dissolve the association,
- (b) the association has fewer than 50 voting members,
- (c) the library board has not met for 6 months or has not provided library service for 6 months, or
- (d) the library board has not complied with this Act or the regulations.

### **Transfer of assets on dissolution**

**45** (1) When a public library association is dissolved under section 43 or 44, its assets are vested in and its liabilities and obligations are assumed by

- (a) the municipality in which the library of the association is located, or
- (b) the regional district in which the library of the association is located if the library is not located in a municipality.

(2) The minister may direct the Registrar of Companies to cancel the certificate of incorporation of a public library association as of the date of its dissolution under section 43 or 44.

## **Part 5 — General**

### **Free basic public library service**

**46** (1) A library board must not charge for

- (a) admission to any part of a building used for public library purposes, or
- (b) using library materials on library premises.

(2) A library board must allow residents and electors of any area served by the library board to do the following free of charge:

- (a) borrow library materials that are normally lent by the library and that belong to prescribed categories of library materials;
- (b) use reference and information services as the library board considers practicable.

(3) A library board may charge fees for services not required to be provided free of charge under this section, including for the use of services described in subsection (2) by anyone who is not a resident or elector of an area served by the library board.

### **Enforcement of library rules**

**47** A library board may

- (a) impose fines for breaches of the library rules,
- (b) suspend library privileges for breaches of the library rules, or
- (c) exclude from the library anyone who behaves in a disruptive manner or damages library property.

### **Agreements**

**48** (1) Subject to subsection (2), a library board may enter into a written agreement to cooperate in the provision of library services with one or more of the following:

- (a) another library board;
- (b) a municipality;
- (c) a regional district;
- (d) an aboriginal government;
- (e) a board of school trustees;
- (e.1) a francophone education authority as defined in the *School Act*;
- (f) an institution under the *College and Institute Act*;
- (g) the board of governors of a university;
- (h) the minister;
- (i) a prescribed body.

(2) Before entering into an agreement under subsection (1), the library board of a municipal library must obtain the approval of the municipality that established the municipal library.

(3) An agreement under this section may provide as follows:

- (a) for the appointment of one or more members to the library board of a municipal library by a municipality, regional district or aboriginal government that enters into the agreement with that library board;
- (b) for the appointment of one or more members to the library board of a public library association by an aboriginal government that enters into the agreement with that library board.

(4) Members appointed by agreement under this section are additional to those appointed to the library board under any other provision of this Act and members appointed under this section may vote at meetings of the library board.

(5) An agreement under this section must be consistent with this Act and the regulations.

(6) A library board may spend money available from its budget for the purposes of an agreement under this section.

### **Library federations**

**49** (1) Two or more library boards may enter into a written agreement to establish a library federation.

(2) An agreement under subsection (1) has no effect until it is approved by the minister.

- (3) An agreement under subsection (1) must include terms
- (a) establishing a plan for the cooperative provision of library service,
  - (b) establishing a federated library board,
  - (c) establishing a procedure for adopting bylaws,
  - (d) establishing requirements for membership in the library federation,
  - (e) relating to the budget of the library federation, and
  - (f) providing for disestablishing the library federation, distributing its assets and assigning its liabilities.
- (4) A federated library board has the power and capacity of a corporation under the *Interpretation Act* and, in addition, may acquire and dispose of real property.

### **Unserviced areas**

- 50** (1) The minister may provide library service to individuals and communities that, in the minister's opinion, are unable to obtain public library service.
- (2) For the purpose of subsection (1), the minister may enter into an agreement with a library board, including an agreement under which a library board extends free library service to residents of a reserve as defined in the *Indian Act* (Canada).

### **Director of public library service**

- 51** (1) The minister must designate as director of public library service a person who is appointed under the *Public Service Act* and is a qualified librarian.
- (2) The director of public library service is responsible, under the direction of the minister, for administering this Act and promoting the improvement and extension of public library service throughout British Columbia.
- (3) Without limiting subsection (2), the director of public library service may
- (a) apportion money annually appropriated by the Legislature for grants to help library boards and to help public bodies that are engaged in promoting library service and improving library service,
  - (b) impose conditions for the payment of grants, and
  - (c) refuse or reduce a grant to a library board or public body that does not comply with a condition imposed under paragraph (b).

### **Advisory bodies**

- 52** (1) The minister may establish one or more bodies to advise the minister on matters relating to this Act.
- (2) The minister may appoint, or provide for the manner of appointment of, the members of a body established under this section and may set the terms of reference for those bodies.
- (3) The members of any body established under this section are entitled to be reimbursed for reasonable travelling and out of pocket expenses necessarily incurred by them in performing their duties under this Act, and may be paid for their services an amount determined by the Lieutenant Governor in Council.

### **Conflict of interest**

- 53** (1) A member of a library board who has a direct or indirect pecuniary interest in a matter considered at a meeting of the library board
- (a) must declare that he or she has a pecuniary interest in the matter,
  - (b) must not take part in the discussion and is not entitled to vote on any question respecting the matter,
  - (c) must leave the meeting, and
  - (d) must not attempt in any way, whether before, during or after the meeting, to influence the voting on any question respecting the matter.
- (2) Subsection (1) does not apply
- (a) if the matter relates to expenses payable to one or more members of the library board in relation to their duties as members, or
  - (b) if the pecuniary interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence the member in relation to the matter.

(3) A person who contravenes subsection (1) is disqualified from continuing to hold office as a member of the library board unless the contravention was done through inadvertence or because of an error in judgment made in good faith.

### **Protection against lawsuits**

**54** (1) No action for damages may be brought against an existing or former member, officer or employee of a library board or against a person acting under the direction of the library board for (a) anything said or done or omitted to be said or done in the performance or purported performance of a duty or the exercise of a power, or

(b) any alleged neglect or default in the performance or purported performance of a duty or exercise of a power.

(2) No action for the debts or obligations of a library board may be brought against an existing or former member, officer or employee of a library board or a person acting under the direction of the library board.

(3) Subsections (1) and (2) do not provide a defence if

(a) the member, officer, employee or person acting under the direction of the library board has, in relation to the conduct that is the subject of the action, been guilty of dishonesty, gross negligence or malicious or wilful misconduct, or

(b) the cause of action is libel or slander.

(4) This section does not absolve a library board from vicarious liability for anything said or done or omitted to be said or done by, or for any neglect or default of, an individual referred to in subsection (1), for which the library board would have been vicariously liable had this section not been in force.

### **Reimbursement of expenses**

**55** (1) The members of a library board are not entitled to be paid by the library board for their services but may be reimbursed by it for reasonable travelling and out of pocket expenses, including child care expenses, necessarily incurred by them in performing their duties under this Act.

(2) A library board may not reimburse a member for any expenses if another body reimburses the member for the expenses or pays the expenses.

### **Power to make regulations**

**56** The Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act*.

## **Part 6 — Transitional Provisions**

### **Existing municipal libraries**

**57** The following libraries are deemed to have been established under section 3 as municipal libraries and this Act applies to them:

(a) any library that was established by a municipality before August 26, 1994 as the library for that municipality;

(b) any library that was deemed, by the *Library Act*, R.S.B.C. 1979, c. 235, to be a municipal public library.

### **Existing regional library districts**

**58** (1) In this section "**regional library district**" means

(a) Fraser Valley Regional Library District,

(b) Okanagan Regional Library District, or

(c) Vancouver Island Regional Library District.

(2) The Lieutenant Governor in Council may, by regulation,

(a) require any regional district within a regional library district to participate, by bylaw, in the regional library district for the purpose of replacing the school districts or parts of school districts within the regional district that form part of the regional library district,

(b) designate a service area of the regional district to replace those school districts or parts,

(c) specify a period within which a bylaw must be adopted by a regional district to accomplish the purpose set out in paragraph (a), and

(d) provide for any other matter necessary to accomplish the purpose set out in paragraph (a).

(3) A regional library district, as modified under subsection (2), is deemed to have been established under section 14 and this Act applies to the regional library district.

### **Existing federated public library system**

**59** A federated public library system that was established before, and continued until, August 26, 1994 is deemed to have been established under section 49 of this Act as a library federation and this Act applies to that federated public library system.

### **Existing integrated public library system**

**60** A regional district that was operating an integrated public library system as a local service before August 26, 1994 may continue to operate the system, subject to this Act and to the terms and conditions contained in letters patent or any bylaws respecting that system.

### **No power to establish integrated public library system**

**61** (1) A regional district that was given the power to establish and operate an integrated public library system as a local service and that did not establish an integrated public library system before August 26, 1994 may not establish or operate an integrated public library system.

(2) Despite subsection (1) and the repeal of section 788 (1) (f) of the *Municipal Act*, R.S.B.C. 1979, c. 290, by section 66 of the *Library Act*, S.B.C. 1994, c. 31, a regional district that, before August 26, 1994, exercised the power referred to in that subsection by way of a contribution to the cost of library service may continue to exercise the power in that way, subject to this Act and the terms and conditions contained in letters patent or any bylaws respecting the service.

### **Existing regional district service to provide libraries**

**62** Despite the amendment of section 788 (1) (e) of the *Municipal Act*, R.S.B.C. 1979, c. 290, by section 66 of the *Library Act*, S.B.C. 1994, c. 31, a regional district that exercised the power to provide libraries as a local service may continue to exercise that power by way of a contribution to the cost of library service, subject to this Act and the terms and conditions contained in letters patent or any bylaws respecting the service.



## Appendix M: Recognition to Contributors Graduated Scale

The Smithers Public Library recognizes a series of donation honours, depending upon the size of donation.

Donation honour categories consist of the following:

<b>Name Library Building</b>	<ul style="list-style-type: none"> <li>- Minimum donation of \$3,000,000                             <ul style="list-style-type: none"> <li>• Must have approval of Smithers Town Council and Smithers Library Board</li> </ul> </li> </ul>
<b>Legacy Donor</b>	<ul style="list-style-type: none"> <li>- Donation range of \$750,000 to \$3,000,000</li> <li>Name a portion of the Library in honour of donor                             <ul style="list-style-type: none"> <li>• Areas available for naming include Community Meeting Room, Children’s Collection, Geosciences Collection, Computer Lab, Community Living Room, Special Collection/Interactive, Video Display and Garden of Contemplation</li> </ul> </li> </ul>
<b>Gold Donor</b>	<ul style="list-style-type: none"> <li>- Donation range of \$250,000 to \$750,000                             <ul style="list-style-type: none"> <li>• “Gold” recognition on Public Donation Plaque</li> </ul> </li> </ul>
<b>Silver Donor</b>	<ul style="list-style-type: none"> <li>- Donation range of \$50,000 to \$250,000                             <ul style="list-style-type: none"> <li>• “Silver” recognition on Public Donation Plaque</li> </ul> </li> </ul>
<b>Bronze Donor</b>	<ul style="list-style-type: none"> <li>- Donation range of \$5,000 to \$50,000                             <ul style="list-style-type: none"> <li>• “Bronze” recognition on Public Donation Plaque</li> </ul> </li> </ul>
<b>General Recognition</b>	<ul style="list-style-type: none"> <li>- Donation range of \$1,000 to \$5,000                             <ul style="list-style-type: none"> <li>• Acknowledgement on Public Donation Plaque</li> </ul> </li> </ul>