

POLICY: **CIRCULATION and COLLECTION USE (including Fees and Fines)****SECTION:** **Section III – Public Service Policies****MOTION#/DATE:** 98 - 23 – January 29, 1998
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16 – xxx – March 21, 2016**Effective Date**~~June 23, 2015~~March 21, 2016**Policy Objective**

The purpose of the Toronto Public Library (the Library) Circulation and Collection Use Policy is to:

- make materials widely available to the community;
- maximize use of collections and services;
- facilitate requests for materials;
- retrieve overdue materials.

Underlying Principles

The Circulation and Collection Use Policy reflects the Library's mission and values. The Public Libraries Act (R.S.O. 1990, c. P.44, section 23) permits the Library to impose fees and make rules.

Fines, fees, loan periods and borrowing limits are all reviewed on a regular basis to ensure that they are reasonable, effective and in line with nearby libraries and with other large urban Canadian public libraries.

Policy Statement

The Library's Circulation and Collection Use Policy will:

- provide a mechanism for ensuring the equitable access and fair use of collections and services;
- determine rules and regulations that protect library collections and services in a manner that is consistent with the principles of financial accountability and the Library's responsibility to its stakeholders.
- be administered in a manner that respects the dignity and independence of persons with disabilities.

Scope

The policy applies to all users of all Toronto Public Libraries. It covers activities relating to the registration of library users and the borrowing and use of library collections and services. It sets:

- conditions and use of the library card;
- borrowing privileges, responsibilities and restrictions;
- a schedule of fines and fees.

Specific Directives

1.1 Eligibility

Any person who lives, works, attends school or owns property in the City of Toronto or who has an immediate family member living at the same address, who owns property in the City of Toronto, is eligible to receive a library card with borrowing privileges without charge, upon presentation of acceptable identification and is entitled to use the Library's services.

A **Non-Resident** is an individual who does not work, live, own property or attend school in Toronto and may borrow materials from the Toronto Public Library by paying a non-refundable fee. Payment of a household fee entitles each member of the non-resident household to a library card. Non-resident privileges can be purchased for a 3 month or 12 month period at a time.

1.2 Customer Age Categories

A **Child** is an individual from birth up to and including age twelve (12).

A **Teen** is an individual from thirteen (13) years up to and including age seventeen (17).

An Adult – Under 25 is an individual from eighteen (18) years up to and including age twenty four (24).

An **Adult** is an individual who is twenty five eighteen (2518) years old and older.

1.3 Freedom of Information and Protection of Privacy

To obtain a library card, customers must disclose name and address information to staff. Customers age seventeen and under must disclose date of birth. Certain additional personal information may be supplied in whole or in part and is not a requirement for registration or re-registration.

- A parent or guardian of a person up to sixteen years of age may exercise the right of access to the child's personal information in the customer or circulation databases.
- An individual customer who has requested and been assigned supplementary library card privileges and who has signed the accompanying consent form, voluntarily gives a right of access to the personal information in his/her customer and circulation database records to the individual documented on the consent form.
- When requests for personal information in the customer and circulation databases are received from offsite, the number of the library card or the customer database identification or the customer database identification number, and name and address will constitute acceptable identification. A Personal Identification Number (PIN) must be entered by individuals in order to access their own personal circulation records through the public access catalogue where available.
- In accordance with Section 32(g) of the Municipal Freedom of Information and Protection of Privacy Act, the staff member in charge of the branch at the time has the authority to release personal information to a law enforcement agency in Canada to aid an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result. The information requested must be documented on the form created for this purpose.
- In accordance with Section 32(l) of the Municipal Freedom of Information and Protection of Privacy Act, the staff member in charge of the branch at the time has the authority to release personal information in compassionate circumstances to facilitate contact with the next of kin or a friend of an individual who is injured, ill or deceased.
- The circulation records of Home Library Service customers are retained with their permission.
- Items returned remain on a customer's record until the end of that working day. Information messages on a customer's record related to holds are deleted after 7 months. A customer's borrowing history is only retained if requested by the customer, once additional circulation enhancements are available.
- Borrowing activity information is retained in the customer database as long as the circulation record indicates that an item remains on loan or fees remain unpaid, subject to the purging schedule (Section 1.12).

- Backup files of customers' borrowing activity are temporarily retained for the purpose of restoring data in cases of system failure and file corruption. These files are subsequently destroyed on a scheduled basis

1.4 Library Card - Conditions and Use

To obtain a library card, applicants must present acceptable identification to library staff.

A customer must present his/her library card or confirm customer status to borrow materials and access some collections and services of the Toronto Public Library.

The library card is not transferable (i.e. library privileges apply to individuals only and may not be transferred from one individual to another).

Upon signing a consent form, a customer may authorize one other customer to access his or her customer record including borrowing privileges.

Customers who do not have a Toronto Public Library card can apply for a temporary online account using the Toronto Public Library's website. Online accounts are temporary and expire after 30 days. Online Library Card Registration accounts have temporary access to many of the Library's web and interactive services for 30 days. Customers who have registered online can obtain a library card with borrowing privileges in accordance with the eligibility statements listed in section 1.1 above, upon presentation of acceptable identification at any branch of the Toronto Public Library.

Customers are entitled to one library card only. A second library card may be issued for children of divorced/separated parents, a separate card for use with each caregiver.

The library card is the property of the Toronto Public Library Board, and must be returned on request.

Loss or theft of a library card must be reported immediately. Card holders are responsible for any materials borrowed on their cards until loss or theft is reported.

Change of address, name or phone number must be reported immediately.

The library card must be renewed annually with confirmation of relevant information. All outstanding fines and fees must be cleared at time of renewal.

Customers, thirteen and over, must sign the card upon registration unless unable to do so due to a disability.

The parent/guardian of a child (from birth up to and including age 12) must present identification to register the child for a library card and sign the child's card. If the parent/guardian is not present, the child will be given a registration form for the parent/guardian complete and authorize.

In signing the card, or, in the case of children, the registration form, the signer accepts responsibility for the choice, use and return of all materials borrowed and for charges on items that are overdue, lost or damaged

Applicants whose identification does not satisfy requirements will be limited to borrowing one item on the initial visit. This includes applicants who provide name only identification as well as non-residents who must submit proof of eligibility (see 1.1 Eligibility). Full borrowing privileges will be granted upon presentation of full identification requirements.

Customers in temporary housing (e.g. shelters or hostels) who are unable to provide a permanent address may borrow 5 items at a time and must renew their card every three months.

A charge is levied for the replacement of a lost or stolen card. (Schedule 5.2)

Inactive customer records are purged on a regular basis provided there are no outstanding fines, fees or items.

1.5 Limits

The number of items which a customer may borrow may be limited on the basis of local demand and material supply.

Remote access to electronic products may be restricted based on licensing agreements.

Toronto Public Library establishes and reviews annually, the maximum number of items which may be checked out on a customer's card at any one time. (Schedule 2.1)

An extended loan period is available on request unless there is high demand on materials or limited availability.

1.6 Loan Period

A customer must check material out properly, treat it with care, and bring it back on time so that material will be available to other customers.

A standard loan period of three weeks exists for materials borrowed except for those materials for which special loan periods have been established. (Schedule 3.1)

1.7 Renewals

Most library materials may be renewed if there are copies available to fill existing holds. (Schedule 3.2)

Renewals may be requested in person, by telephone, by automated telephone renewal service or through the website in branch or remotely.

1.8 Holds

Most library materials may be reserved in person or by telephone, or by catalogue access in branch or remotely. (Schedule 2.3)

A charge is imposed when a hold is filled for a customer but not picked up. (Schedule 4.5)

1.9 Interlibrary Loan

Interlibrary loan is made available to registered customers of the Toronto Public Library and to external libraries upon request.

The Toronto Public Library does not charge customers for interlibrary loan services unless charged by the lending institution, in which case the charge will be passed on to the customer. (Schedule 5.6)

A charge is imposed when an interlibrary loan request is filled for a customer but not picked up. (Schedule 4.5)

Materials from other library systems are subject to loan conditions specified by the lending library.

1.10 Returns

Materials borrowed from the Toronto Public Library may be returned to any branch of the library system.

Exceptions may exist for some unique collections.

1.11 Damaged/Lost Items

All customers are responsible for library materials borrowed from any branch of the Toronto Public Library.

The Library will charge a replacement cost for material which is long overdue, and for material which is damaged or lost. (Schedule 5.3 and 5.7)

The replacement cost will be the invoiced price or the order price, whichever is greater, or default cost.

Replacement in kind - or substitution - for lost or damaged materials is not accepted.

In the event that items are damaged, the Toronto Public Library reserves the right to determine the amount of repair or replacement charges.

The Toronto Public Library reserves the right to retain library materials even in cases where full replacement cost has been paid. If an item that was reported lost and paid for is subsequently found, the replacement cost, less any overdue fines accumulated to the date the item is returned, will be refunded upon presentation of material, within six

months of original payment. The maximum fine deducted shall not exceed the original payment.

Damaged/lost items outstanding are purged from the database on a regular basis:

- when the last use of the library card is more than two years and the total balance owing is less than \$100.00;
- when the last use of the library card is more than five years and the total balance is greater than \$100.00

Toronto Public Library is not responsible for damage to any equipment or software incurred during the playback of any material, e.g., videos, cassettes, compact discs, CD-ROMS, DVDs .

1.12 Overdue Fines

It is the responsibility of the customer to ensure that materials are returned on time so that they will be available to others. The Board has established fines as an incentive for prompt return of materials. Customers will be notified of materials that are overdue.

Fines are charged to all registered borrowers for the late return of library materials. No fines are charged for days when the Library is closed. Fines will not be applied to the following library customers:

- Home Library Service customers
- Persons with Disabilities Status
- Talking Book customers
- **Volunteers**

Fines are calculated according to customer age categories, the age category of the materials borrowed. Adults pay adults fines on all materials borrowed including teen and children's materials. Adults – Under 25 and teens pay teen fines on all materials borrowed including adult, teen and children's materials. Children pay children's fines on all materials borrowed including teen and adults materials. Adult fine rates apply to adult materials, and child and teen rates apply to children's and teens' materials, respectively. (Schedule 4) Separate fine rates may apply to materials as specified. (Schedule sec 4.2 and 4.23)

The parent/guardian of a child up to and including age 12, is responsible for fines and charges for late, lost, or damaged material borrowed by the child.

Fines outstanding are purged from the database on a regular basis:

- when the last use of the library card is more than two years and the total balance owing is less than \$100.00;
- when the last use of the library card is more than five years and the total balance is greater than \$100.00

1.13 Suspension of Borrowing Privileges

Borrowing privileges are suspended in the following cases: (Schedule 1.5)

- prescribed limits to the amount of fines or fees a borrower may owe the Library have been exceeded
- prescribed limits to the number of admissible overdue items have been exceeded

If these limits are exceeded by a library customer, the stop service provision in the circulation system will be implemented until the borrower restores his/her circulation record to within the acceptable range.

Borrowing privileges are suspended when a customer account is referred to a collection agency . In this situation, the stop service provision in the circulation system will be implemented until the customer resolves his/her account.

Library privileges are revoked from customers, who receive system-wide exclusions of six or twelve months, for that time period.

1.14 Use of a Collection Agency

A collection agency will be used to collect long overdue unpaid fines and recover materials from adult borrowers age 18 years and older when the amount owing is more than \$10.00. An additional fine will be charged to those customers whose accounts are turned over to a collection agency.

1.15 Digital Equipment Lending

Digital equipment (including audio-visual and other technology) may be borrowed by customers for in-branch use where the service is available. Customers must sign a Use Agreement to use this service. In the case of Child and Teen customers a parent or legal guardian must accept responsibility for the equipment.

1.16 Museum and Arts Pass

Museum and Arts Passes may be borrowed by adult and adult – under 25 customers. A customer may borrow one pass per week, and one pass for each venue every three months (depending on availability).

Schedule

1 Borrowing Privileges and Restrictions

1.1 Video and DVD

- restricted video/DVD available to persons 18 and over
- adult accompaniment to persons 14 and over
- all other video/DVD available to all customers

1.2 Talking Books

- restricted to customers with perceptual disabilities and who are registered as Talking Book customers

1.3 Museum and Arts Pass

- restricted to adult and adult – under 25 borrowers only
- restricted to one pass per borrower per week
- restricted to one pass for each venue every three months (depending on availability)

1.4 Digital Equipment

- available to child, teen, –adult – under 25 and adult borrowers
- child and teen borrowers must obtain authorization from parent/guardian

1.5 Suspension

When the customer:

- has more than 15 items overdue, or
- has more than \$30.00 in fines or charges, which includes both unpaid fines on returned materials and fines accruing on items not yet returned
- account has been referred to a collection agency
- received a system-wide exclusion of six or twelve months

2 Limits

2.1 Maximum number of items checked out (including books, CDs, books on tape, videos, DVDs, CD-ROMs) at one time is 50

2.2 Maximum number of holds at one time is 100

2.3 Holds

Schedule of Materials Showing Whether a Hold Can Be Placed

Item	Can a Hold be Placed
Book	Yes
Best Bet	No
Video	Yes
DVD	Yes
New release Feature DVD	No
CD	Yes
Periodical or magazine	No
CD-ROM	Yes
eContent	Varies as determined by licensing agreement
Music score	Yes
Picture collection	No
Digital Equipment	No
Museum and Arts Pass	No
Pedometer	No
Reference material	No
Uncatalogued material (e.g., mass market paperback)	No

3 **Loan Periods**

3.1 **Loan Periods**

Schedule of Materials and Loan Periods

Item	Loan Period
Book	21 days
Best Bet	21 days
Video (except language learning video)	7 days
DVD – TV Series	14 days
Language learning video or DVD (including literacy)	21 days
DVD (except language learning DVD)	7 days
CD	21 days
Periodical or Magazine	7 days
CD-ROM	21 days
eContent	Varies as determined by licensing agreement
Music score	21 days
Picture collection	21 days
Items provided by Home Library Service	Extended loans as determined by City-wide Services
Digital equipment	2 hours
Museum and Arts Pass	Expiry date as specified on the Pass
Pedometer	21 days

3.2 Renewal

Schedule of Materials and Maximum Number of Renewal Loan Periods

Please note: Items with holds outstanding cannot be renewed.

Item	Maximum Renewal Length
Book	3 standard loan periods
Best Bet	2 standard loan periods
Video	2 standard loan periods
DVD	2 standard loan periods
New Release Feature DVD	None
CD	3 standard loan periods
Cassette	3 standard loan periods
Periodical or Magazine	2 standard loan periods
CD-ROM	3 standard loan periods
eContent	Varies as determined by licensing agreement
Music score	2 standard loan periods
Picture collection	3 standard loan periods
Digital equipment	2 hour periods, subject to demand
Museum and Art Pass	None
Pedometer	3 standard loan periods

4 Fines

4.1 General (for all items except Materials as Specified and Laptops)

Schedule Showing Fines per day and Maximum Fines for Each Category for the Material

Age Material Category	Fine Amount Per Day Per Item	Maximum Per Item for Each Loan Period*
Adult materials	\$0.3540	\$146.00
Adult – Under 25	\$0.15	\$6.00
Teen materials	\$0.1520	\$68.00
Children's materials	\$0.1020	\$48.00

*Note that each renewal is considered another loan period.

4.2 DVD's

Material	Fine Amount Per Day Per Item	Maximum Fine Per Item
Adult DVD's	\$1.00	\$20.00
Teen DVD's	\$0.50	\$8.00
Children's DVD's	\$0.50	\$8.00

4.2 4.3 Digital Equipment Fine

\$2.00 per hour

4.43 Use of a Collection Agency

\$15.00 for accounts owing \$40.00 or more
\$5.00 for accounts owing less than \$40.00

4.54 Holds, Reference Loans and Interlibrary Loans not Picked Up

\$1.00 per item not picked up.

5. Charges

5.1 Non-Resident

\$30.00 per household for 3 months
\$120.00 per household for 12 months

5.2 Replacement card

Schedule Showing Charge for Replacement Card for Each Age Category

Age Category	Charge
Adult	\$2.00
Adult – Under 25	\$1.50
Teen	\$1.50
Child	\$1.00

5.3 Lost item/Digital Equipment

Invoiced price or order price, whichever is greater, or default price. When that information is not available, the default price to be based on the previous year's average retail price taken from the Integrated Library System (ILS). (Note: "Reported/Claims returned" items change to "lost" status after 90 days.)

5.4 Photocopies and printing

Black and White - \$0.15

Colour - \$0.55

Colour Glossy – 8.5 x 14 - \$3.00

Colour Glossy – 11 x 17 - \$4.00

3D Prints - \$1.00 plus \$0.05 per minute

5.5 Interloan

Charge as applied by the lending library.

5.6 Damaged Materials/Digital Equipment

Invoiced price or order price, whichever is greater. When that information is not available, the default price to be based on the previous year's average retail price taken from the Integrated Library System (ILS).

5.7 Refund

Limit of 6 months. Full refund of invoiced price but not fines. The maximum fine deducted shall not exceed the price paid.

5.8 Cases (for Video, DVD, CD, plastic pouches)

\$2.00

5.9 SF cheque

\$25.00

5.10 Portable Data Storage Devices

USB Drives - \$10.00

5.11 Online payment service charge

\$0.50

6. Surplus Book Sale Prices

Schedule of Surplus Book Sale Prices

Item	Price
Adult hardcover	\$2.00
Children's hardcover	\$2.00
Mass market paperback	\$1.00
Trade or catalogued paperback	\$2.00
Periodical/magazine	\$0.50
Compact disc	\$2.00
Video cassette	\$2.00
DVD	\$2.00
Reference/special	individually priced

7. Replacement Price

Invoiced price or order price, whichever is greater. When that information is not available, the default price to be based on the previous year's average retail price taken from the Integrated Library System (ILS).

8. IntelliSearch

Schedule of Fees for Research Services Using IntelliSearch

Type of Service	Fee Charged
Research Service	\$100.00/hr; \$25.00 minimum charge plus applicable Access copyright license fees and/or actual database supplier charges
Rush Service	\$25.00 to be added to Research Service fee.
Fax Service	\$7.00 flat fee (5-25 pages) \$15.00 flat fee (over 25 pages)

9. Collection Reproduction

9.1 Digital reproduction - delivery by electronic means

Schedule of Fees for Digital Reproduction by Size of Original

Digital Image Size	Fee Charged
Existing digital image (any size original)	\$25.00
New digital image - from original – any size up to, but not including, 11"x17"	\$25.00
New digital image from 11"x17" to 40"x60"	\$50.00
Set up fee for oversize (one fee per order)	\$50.00

9.2 Digitization on Demand

Base Charge - Per book	Additional Charge - Per page
\$25.00	\$0.15

9.3 Paper reproduction on high quality paper – delivery by mail

Schedule of Fees for Paper Reproduction by Paper Size and Minimum Fees for Mailing

Paper Size / Mailing Destination	Fee Charged
8" x 10"	\$25.00
11"x 14"	\$40.00
16" x 20"	\$50.00
Mailing	
Within Canada	\$3.50 minimum
International	\$5.00 minimum

10. Asquith Press

Set up Fee	Per book charge	Per page Charge
\$25.00	\$6.00	\$0.04

11. Schedule of Image Licensing Fees for Non-Profit or For-Profit Use

End Use	Licensing Fee
Not for profit fund-raising	\$150.00
Commercial sales	\$1,000.00

Accountability

1. The City Librarian and the Directors are responsible for ensuring the policy is implemented and enforced.
2. The Circulation Policy Committee is responsible for recommending policy changes.

Appendices

Appendix 1: References
Appendix 2: Definitions

Appendix 1

References

Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, Chapter 11

Child and Family Services Act, R.S.O. 1990, Chapter C.11, Section 184

Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, Chapter M.56

The Public Libraries Act, R.S.O. 1990, c. P.44, section 23

Toronto Public Library. "Mission, Vision and Values." www.torontopubliclibrary.ca

Appendix 2

Definitions

Customer and Circulation Databases

Electronic files containing personal information and borrowing records.

Customer Database Identification Number

Unique number automatically assigned by the automated system to each customer record.

Persons with Disabilities

Persons with disabilities who may apply to have fine exempt status if they are unable to return materials within a set period of time because of a disability.

Home Library Service

The Home Library Service is provided for people who are homebound for at least 3 consecutive months due to age, illness, injury, or disability.

Hostel Customer

A Hostel customer is an individual who does not have a permanent address and includes customers who are homeless, living temporarily in a group home or shelter or hostel in Toronto.

Inactive Customer Record

A customer record that has expired and has not been used for one year.

Interlibrary Loan

A service that allows the borrowing and lending of materials between library institutions.

Museum and Arts Pass

A pass which provides free access for 2 adults and 2 or more children to one of a group of participating arts and cultural venues.

Remote Access

Online access to Toronto Public Library from locations outside of the library.

Talking Book Customers

Customers certified by a recognized authority as having a perceptual disability, resulting from visual, physical or comprehension impairment, that prevents them from reading works in their original format.

Volunteers

~~Individuals with six months or more of service as a volunteer in one of the Board's officially recognized volunteer programs, for the duration of said volunteer service.~~