



City of Westworth Village
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ORDINANCE NO. 353

AN ORDINANCE OF THE CITY OF WESTWORTH VILLAGE AMENDING CHAPTER 1, ARTICLE 1.11 OF THE WESTWORTH VILLAGE CODE OF ORDINANCES, MODIFYING SCHEDULE A - RULES AND REGULATIONS OF THE WESTWORTH VILLAGE PUBLIC LIBRARY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING FOR PUBLICATION; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Westworth Village (the “City”) is a Type A General Law city located in Tarrant County Texas; and

WHEREAS, the City has determined that it is necessary and advisable to amend the rules and regulations of the Public Library, to ensure the health, safety, welfare, of the employees and patrons, and protecting the peace and order of the Public Library.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WESTWORTH VILLAGE, TEXAS:

Section 1. Chapter 1 General Provisions, of the Westworth Village Code of Ordinances, is hereby amended, by amending Article 1.11 thereof entitled “Library” to read as follows:

“Sec. 1.11.001 Purpose

The purpose of the Westworth Village Public Library is to provide its patrons with a safe and confidential environment to pursue intellectual, educational and recreational interests through diverse services and resources, in a variety of formats.

Sec. 1.11.002 Rules and Regulations

The Rules and Regulations for the operation of the Westworth Village Public Library shall be established and amended by city council. The most current Rules and Regulations are posted in the Public Library and are available by contacting the City Secretary.

Sec. 1.11.003 Offense, Penalty for Violation

- a) A person commits an offense if the person fails to follow the rules and regulations as approved by the city council.
- b) Whenever such an offense is found to exist, the city may issue a citation and file a complaint against the person or persons in violation of this section.
- c) An offense under this section is a misdemeanor punishable by a fine not to exceed five hundred dollars (\$500.00). Each day any such violation shall be allowed to continue shall constitute a separate violation and be punishable hereunder. If action is taken to correct the offense by the defendant after receiving a citation and prior to the first appearance in court, the code enforcement department can recommend in writing, to the prosecutor, that the citation(s) be dismissed upon payment of a dismissal fee (see court fee schedule).”

- Section 2.** Article 1.11 of the Westworth Village Code of Ordinances is hereby modified.
- Section 3.** This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Westworth Village, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.
- Section 4.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction; such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.
- Section 5.** Violation of this ordinance shall constitute a misdemeanor punishable by a fine of up to \$500.00. Each day a violation occurs or is allowed to continue shall constitute a separate offense punishable hereunder. Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation.
- Section 6.** All rights and remedies of the City are expressly saved as to any and all violations of the provisions of the City Code amended or revised herein, or any other ordinances affecting the matters regulated herein which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.
- Section 7.** This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

AND IT IS SO ORDAINED.

PASSED AND APPROVED this, the 9th day of April, 2013.

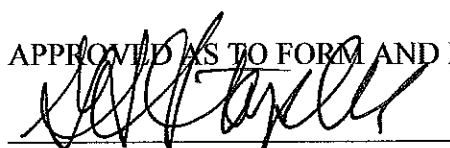
CITY OF WESTWORTH VILLAGE

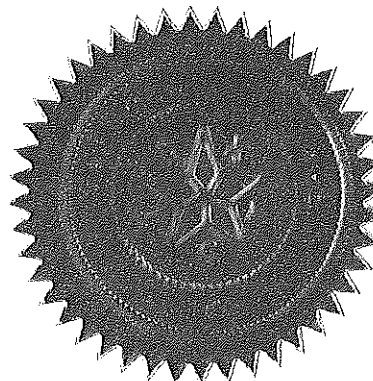
By: 
 Anthony Yeager, Mayor

ATTEST:


 Carol Ann Borges, City Secretary

APPROVED AS TO FORM AND LEGALITY:


 George A. Staples, Attorney



Schedule A

Rules and Regulations of the Westworth Village Public Library

Library Services:

The purpose of the Westworth Village Public Library is to provide patrons with a safe and confidential environment to pursue intellectual, educational and recreational interests through diverse services and resources, in a variety of formats. Reciprocal borrowing privileges are in effect with certain other North Texas Library Consortium (NTLC) libraries.

Access to Services:

A library card is required to obtain services, use equipment or check out materials.

- a) Resident Library Cards - All residents and/or taxpayers in the City of Westworth Village are eligible to obtain a resident library card. The following are also eligible to obtain a resident library card:
 1. Persons residing outside of the City, but owning property or owning a business in the City.
 2. City employees.
- b) Non-resident Library Cards - Non-residents may obtain a library card, but are not eligible to participate in the reciprocal borrowing privileges of the NTLC. A non-resident library card costs \$15.00 annually. The following are eligible to obtain a non-resident library card:
 1. Persons residing in an area not serviced by the NTLC.
 2. Burton Hill Elementary students and staff who do not qualify for a resident card.

Applying for a Library Card:

Applications for library cards are available at the Library circulation desk.

- a) Adults, eighteen (18) or older may apply as individuals. Government Issued Photo identification, with proof of current physical address (e.g., a current city issued utility bill) will be required at the time of enrollment.
- b) Children, seventeen (17) or younger, may apply in conjunction with a parent/legal guardian enrollment. The child must reside at the same address and the parent/legal guardian must be present at the time of enrollment. Parent/legal guardians are held responsible for the actions of those enrolled.

Renewal/Replacement of Library Card:

An adult card holder must visit the library in person to renew or replace a library card or their under-age children library cards, with or without the child being present. A replacement fee will be charged to have a card replaced.

- a) Resident cards expire after two 2 years
- b) Non-resident cards expire after 1 year
- c) Card holders cannot renew or replace an existing card if the household fines are \$3.00 or more
- d) A new, replacement or renewal library card will not be issued if the household fines exceed \$3.00.

Checking out Materials:

A total of ten (10) items, of which only three (3) DVDs may be checked out per card. Materials can only be checked out using a valid Library Card. No additional material will be checked out until all fines and fees have been paid. Unless reserved by other card holders, books and audio books may be re-checked, every 14 days, for a maximum of six (6) weeks. Books and audio books may be renewed by phone; videos and DVDs cannot be renewed. The standard periods of time for items to be checked out are as follows:

- a) Audio books 14 days
- b) Books, print materials 14 days
- c) DVDs 7 days

Reserving Materials:

Card holders with a valid Library Card may place up to three (3) items on reserve. These requests shall be maintained by the Library staff on a first-come, first-served basis. Card holders will be notified of materials waiting for pick-up, and will be allowed three (3) days to pick up the items. On the fourth day, the hold will be canceled. This process will be repeated until all the holds are cleared and the item is re-shelved.

Returning Materials:

Materials are expected to be returned to the Library desk on or before the due date. A drop box for Books and AV materials is located by the front steps of the building. Items placed in the drop box are collected daily when the library opens. Credit for items retrieved from the drop box will be granted using the previous library business date.

Overdue, Lost or Damaged Materials:

Materials not returned by the due date will be considered overdue and a fine will be assessed. If an overdue item is on the reserved materials list the overdue card holder will be contacted immediately. As a courtesy, the library staff will attempt to contact all other overdue card holders.

Materials remaining overdue for more than 30 days will be considered lost. The Library assessed value and processing fee will be charged to the card holder for material that has been lost. Fines must be paid prior to checking out additional materials.

Materials that have been damaged should be presented to the Library staff, for repair or replacement and appropriate cost can be assessed to the card holder. The Library assessed value will be charged to the card holder for damaged material. If damage is not reported when the material is returned, the card holder who last checked out the material will be held responsible for the payment of the Library assessed value. It is the card holders' responsibility to check for damage prior to checking out material.

Fines and Fees:

Overdue fines:		Fees:	
Audio books	\$0.25 per day	Library assessed value	varies
Books, print materials	\$0.25 per day	Processing fee	\$5.00
DVDs	\$1.00 per day	Replacement of a lost or damaged library card	\$2.00
		Replacement of a video or audio case	\$3.00
		Replacement of a material barcode label	\$1.00

Children:

Children are welcome and parents are encouraged to bring them to use the library. The responsibility for the welfare and behavior of the child rests with the parent/legal guardian. This includes the responsibility for the selection of library materials checked out and used by anyone under the age of 18. Neither the library nor its staff assumes any responsibility in the selection of materials.

- a) Children ages nine (9) years and younger must be accompanied by a responsible adult. If they are attending special programs, the parent or legal guardian must have signed the appropriate registration form.
- b) Children ages ten (10) and older are allowed unaccompanied entrance into the library by presenting a valid library card. Disorderly children will be asked to immediately correct their behavior and warned that if they continue to behave in a manner disruptive to the library staff or other patrons, they will be asked to leave the library. If an unaccompanied child is asked to leave the library premises and indicates they should not, cannot or will not leave, the parent/legal guardian will be contacted by phone.

The Westworth Village Police Department will be notified immediately:

1. If the action(s) of the child cause injury to others or property;
2. If the parent or guardian cannot be reached by phone;
3. If the parent/legal guardian does not remove the child within a reasonable time; or
4. If a child is left unattended on the library premises at closing time.

Rules of Conduct:

In order to insure the comfort and protection of our guests and to maintain an environment conducive to reading, the following is considered unacceptable while on Public Library property:

- a) Possessing weapons, of any kind, outside of a personal vehicle.
- b) Damaging or vandalizing the facilities, equipment or materials.
- c) Engaging in any behavior considered indecent, obscene or disruptive conduct, including gestures, exposure, abusive language, and aggressive or boisterous behavior.
- d) Abandoning, neglecting or leaving children unattended.
- e) Removing materials from the library without properly checking them out.
- f) Harassing, libeling, slandering or maliciously offending staff, patrons or visitors.
- g) Possessing or being under the influence of alcohol or illegal drugs.
- h) Smoking or using tobacco products.
- i) Sleeping in the building or on the property.
- j) Eating or drinking outside of designated areas.
- k) Using electronics in a manner that is disruptive or audible to others.
- l) Selling, soliciting, distributing or panhandling without proper permit from the Police Department.
- m) Bringing bicycles into the building, all skates & skateboards must be properly stowed or carried.
- n) Blocking any entrance, exit or aisle.
- o) Bringing in non-service animals; credentials may be asked for verification purposes.
- p) Using restrooms for shaving, bathing, or laundry.
- q) Entering office/workroom area without permission or unless accompanied by a staff member.
- r) Using electrical outlets without permission from Library staff.
- s) Wearing soiled or malodorous clothing or failing to wear proper footwear.
- t) Failing to abide by the rules and regulations of appropriate library when participating in the reciprocal borrowing services provided through the NTLC.
- u) Violating federal, state or local laws, regulations, or ordinances.

Computer / Internet Use Policy:

The Library is pleased to provide public access to internet. The Library does not monitor and has no control over the information accessed through the internet and cannot be held responsible for its contents. As with other library materials, restriction of a child's access to the internet is the responsibility of the parent/legal guardian. The Library is not responsible for users' loss of data.

- a) Card holders are limited to three 1-hour sessions per day.
- b) No more than two patrons at a computer at one time.
- c) Cardholders take full responsibility for damage to library computers.
- d) Charges for printing will posted in the computer area and determined by the Library staff. All printed pages will be paid for by the user. If unsure of printing procedures, ask for assistance. Pages printed and not paid for will have charges assessed to the card holder's account.
- e) Users will cease use of computers and printers 15 minutes prior to closing.
- f) The Copyright Law of the United States (Title 17 U. S. Code) prohibits the reproduction of copyrighted material. Our computer programs and software are protected by copyright code. Card holders will not be allowed to download, upload, or copy software programs via the Westworth Village Library computers.
- g) Library staff assistance will be minimal. One-on-one instruction is not available. All users should work quietly and independently without interrupting others.

By using the Library computers, card holders acknowledge that they are subject to, and agree to abide by all laws, and all rules and regulations of the Westworth Village Public Library, Tarrant County, the State of Texas and the federal government that are applicable to Computer and internet use. In most cases one warning will be given, if a second warning is needed the card holder will lose computer privileges for 30 days. If the violation is of a criminal nature the Police Department will be contacted and violator will be prosecuted.

Examples of unacceptable uses include but are not limited to the following:

- a) Attempting to crash, degrade performance, or gain unauthorized access to computer systems and networks.
- b) Damaging equipment, software, or data belonging to the Library or other users.
- c) Using the internet for malicious purposes such as intentionally propagating a virus.
- d) Sending unsolicited advertising.
- e) Operating an on-going business.
- f) Attempting to gain or gaining access to another person's files or authorization codes.
- g) Using another person's identification, bar code or pin number, with or without permission.
- h) Displaying obscene material, pornography, or sexual content that might be harmful to minors.
- i) Harassing other users with messages, prints or images.
- j) Violating copyright laws or software licensing agreements.

Computer access will not be granted if the card holder:

- a) Does not agree to the internet Use Policy.
- b) Has a fine of \$3.00 or more.
- c) Is under age 10 without a parent/guardian signed on the computer and monitoring the session.
- d) Is age 10 to 17 and does not have parental permission.
- e) Use will cause children to be unattended in the library.