

Legislation Text

File #: 17-2964, **Version:** 1

Consider an ordinance revising the schedule of civil fines, fees, and other charges collected by the Mesquite Public Library System and related definitions and repealing Ordinance No. 4352, effective October 1, 2017.

The Mesquite Public Library System is seeking approval to eliminate fines for overdue library materials and change the definition of “replacement cost” as related to the overall ordinance for fines, fees and other charges.

Many public libraries across the nation have discontinued overdue fines. The American Library Association, the Texas State Library, and the Texas Library Association all provide information on this growing trend. Locally, the Irving Public Library eliminated overdue fines more than 30 years ago without an increase in the percentage of overdue items after the change in policy. The cities of Frisco, Flower Mound, Little Elm and Coppell have eliminated overdue fines. Several other local cities, such as Richardson, are considering fine-free policies.

Overdue fines are intended to serve as an economic incentive to return library items on time in order to avoid paying a fine. Yet history has shown that fines are often an ineffective deterrent and can even be counter-productive. The Library staff’s experience has been that fines often have no effect on patrons returning materials in a timely manner and the threat of overdue fines may keep patrons from bringing the item back.

The Mesquite Public Library would still hold patrons responsible for the cost of damaged items or materials not returned at all. With the proposed policy, a patron would not accrue overdue fines. If the overdue item is not returned within 10 weeks of the original check out date, the item would be declared “lost” and the Library would block the patron’s account and bill the account for the replacement cost of the item plus and processing fee. In order to remove the block from their account, the patron would either return the item or pay for it. Should the patron locate the item after paying for it, they may request a reimbursement for the replacement cost of the item, but not the processing fee, as long as the request is made within 90 days of the payment. If the Library locates the item after the payment, staff would reimburse the patron the full amount.

The Library would like to change the definition of “replacement cost” to mean “the original purchase price of the item being replaced.” The current definition of “the publisher’s or manufacturer’s current suggested list price” is very difficult to ascertain without large amounts of staff time. The time saved by staff research would, in most cases, more than cover any price difference between the two costs.

The anticipated benefits of the ordinance changes would include:

- Goodwill with residents
- More positive customer service interaction
- Increased public access to library resources
- More staff time to provide additional services
- More library materials returned to the Library
- Less money spent replacing library materials

Staff recommends approval of the ordinance.

Proposed Ordinance

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