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# **Terms and Conditions of Use Handbook**

**February 2018 (revised)**

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## *Introduction*

The Library's *Terms & Conditions of Use* set the conditions for the usage of Library materials, equipment and public spaces. They are designed to preserve and protect the Library's materials, equipment, facilities and property and to support a safe and welcoming environment for all. The *Terms & Conditions of Use* are administered by the Director of Library Services.

The Library Board approves policy as outlined in the *Library Board Policy Manual*. Policy Sections covered by the *Terms & Conditions of Use* include the following:

- 4.4 Rules for Use of Group Space
- 4.5 Rules for Borrowing Physical Materials
- 4.6 Rules for Acceptable Use of Public Internet and Computers
- 5.3 Room Rentals

# 1. Borrowing

The terms and conditions for borrowing provide a mechanism for ensuring equitable access and fair use of collections. They are intended to make materials widely available to the community; maximize the use of collections and services; and secure the return of materials.

The terms and conditions cover activities relating to the registration of Library users and the borrowing and use of Library collections and services. They set:

- conditions and use of library cards
- borrowing privileges, responsibilities and restrictions
- a schedule of fees, which is subject to the approval of the Library Board

Borrowing limits, periods and overdue fees are reviewed on a regular basis to ensure that they are reasonable, effective and in line with nearby libraries.

## 1.1 Library Cards

### 1. West Vancouver Residents

A library card is free to all residents of West Vancouver, including those who own property, operate a business, are employees of the Municipality or the West Vancouver School Board, and are a student of a West Vancouver school. A Photo ID and proof of current address is required to register.

Persons up to and including age 11 are issued a youth library card. Issuance of a youth library card requires the consent of a parent or guardian. An adult library card is issued on or after age 12.

### 2. Lower Mainland Residents

Library cards are also free to all residents of Bowen Island, Burnaby, Coquitlam, Fraser Valley, Gibsons, Lillooet, New Westminster, North Vancouver City, North Vancouver District, Pemberton, Port Moody, Richmond, Sechelt, Squamish, Surrey, Vancouver and Whistler. Libraries in these municipalities comprise [Interlink](#).

If you live within the InterLINK system, you can register for a library card at any InterLINK Library by presenting appropriate identification (usually photo ID with current address). You may register using your home library card or, depending on the library, obtain a separate card from each library.

### 3. Non-residents

If you are a resident of a community not served by InterLINK (e.g. Lions Bay, Belcarra), annual membership fees are \$50.00 for adults; \$25.00 for children who are not students of West Vancouver schools.

#### 4. BC OneCard

BC residents with an active card at their home library are eligible to borrow materials from any library in the province through the [BC OneCard](#) service.

Each library determines what kind of materials may be borrowed. At West Vancouver Memorial Library, BC OneCard patrons from other library systems may borrow materials in any format, with the exception of eReaders, tablets, Playaways and technology kits, to a maximum of 10 items at a time. Holds cannot be placed on items with a BC OneCard.

#### 5. Visitor's Cards

For temporary or non-BC residents, visitor's cards provide full borrowing privileges for three months. Visitor's cards may be purchased for \$40, of which \$20 is refundable when the card is returned in good-standing. Visitors who would like access to the internet and public computers may obtain an Internet Access card at no charge.

#### 6. Internet Access Card

People wishing to use the Library's public computers who are not eligible for a West Vancouver Memorial Library card may obtain a free guest Internet Access card.

The Internet Access card allows the holder to use the Library's public computers; it does not include borrowing or remote database privileges. To register, one piece of personal ID is requested (photo or address ID is not essential.) The card expires one year after the date of registration. A parent's consent is required for anyone under 12 years of age.

#### 7. Library Card Renewals

Library cards expire after 5 years. Please visit the Account Services Desk with a photo ID and proof of address if your card has expired.

All card holders are responsible for reporting changes to contact information, including address, telephone number and email address.

#### 8. Lost Cards

To prevent unauthorized use of your library card, please report its loss immediately; cardholders are responsible for all materials checked out on their card. Replacement cards cost \$3.

## 1.2 Borrowing Item Limit

Cardholders may borrow up to 50 items on a library card at any given time.

## 1.3 Borrowing Periods and Renewal Limits

### 1. West Vancouver Memorial Library Collections

Cardholders are responsible for all borrowed materials.

Adult materials

ITEM	BORROWING PERIOD	RENEWALS
Adult Books, Large Print books, CDs, Puzzles, Energy Meters and technology kits	21 days	4
Adult DVDs	21 days	2
Adult New Books	14 days	1
E-Readers (Kindles, Kobos) & Video Tablets (iPads)	21 days	2
New DVDs, Holiday DVDs, Magazines	7 days	1

Youth materials

ITEM	BORROWING PERIOD	RENEWALS
Youth Books, Magazines, CDs (Music and Audiobook), Technology Kits, E-readers	21 days	2
All other materials/bags, DVDs	21 days	1

### 2. Interlibrary Loan Books

Books borrowed through Interlibrary Loan have borrowing periods of 14 or 21 days, depending on the lending library's terms. Interlibrary loans are non-renewable.

### 3. Six-week Borrowing Period

For adult materials, cardholders may request a six-week borrowing period on all items except New 14 Day Loan books, magazines, new and holiday DVDs, magazines and video tablets.

For youth materials, cardholders may request a six-week borrowing period on all books and audiobooks.

Six-week loans are only available on the permitted items if there are no subsequent holds.

### 4. Ebooks and Downloadable Audiobooks

Loan periods and borrowing limits for ebooks and downloadable audiobooks from Library2Go are as follow:

- 21 day default load period (can be changed to 7 days by the borrower)
- Cardholders may have a maximum of 5 checkouts and 5 holds

### 5. Loan periods and borrowing limits for other electronic collections vary according to the collection

## 1.4 Overdue Fees

Overdue fees are charged for all materials returned after their due dates.

### 1. West Vancouver Memorial Library Materials

Adult materials

ITEM	DAILY FEE	MAXIMUM FINE
Adult Books, CDs, DVDs, Energy Meters, Magazines	35¢	\$10.00
Adult New Books, Holiday DVDs, New DVDs	50¢	\$10.00
E-Readers (Kindles, Kobos), Video Tablets (iPads)	\$1.00	\$10.00
Large Print Books, Talking Books, Puzzles,	No fee	n/a

## Youth materials

ITEM	DAILY FINE	MAXIMUM FINE
Youth Books, Magazines	No fee	n/a
Youth CDs (Music and audiobook), DVDs, Grow-a-reader Bags, Music Kits, Playaways, Theme Boxes	35¢	\$10.00
E-readers and technology kits	\$1.00	\$10.00

## 2. Interlibrary Loan Books

Overdue fees for Interlibrary Loan books are 35¢ per day with a maximum fine of \$10.

## 1.5 Requested Item Fees

Fees for requested items will be assessed as follow:

- A fee of \$1.00 is charged for each hold that is not picked up.
- A fee of \$1.00 will be charged for Interlibrary Loan books that are not picked up.

## 1.6 Unpaid Charges

Privileges will be suspended temporarily when a person owes \$10.00 or more.

## 1.7 Lost or Damaged Items

Lost items will be charged at full replacement cost plus a \$10.00 handling fee. A cost assessment will be made for damaged items. Library customers should not purchase replacements in the event of a lost or damaged item.



## 2. *Library Spaces and Sound Levels*

The Library spaces have a wide variety of purposes and accommodate people of many ages. To balance these differing needs, the Library has designated uses for spaces within the facility and associated sound levels.

### 2.1 Library Spaces

Library spaces available to people include meeting rooms, quiet spaces, group study and work spaces as well as gathering spaces. These spaces provide for the individual needs of the people whether they are working, studying, relaxing, socializing or conducting a meeting. The following sections provide guidance on the terms and conditions for the use of these spaces.

#### Meeting Rooms

Meeting rooms are available for rent providing the public with a dedicated space to conduct business, information sessions or provide a service.

Renters fall into two groups:

- Business
- Private/Non-Profit/Educational

Two corresponding rate categories have been established for the use of the spaces.

Business users are defined as a commercial enterprise, political party, governmental agency, an elected official or an election candidate; this category may host a meeting or an information session for a discrete group or for the general public. Charging for the sale of products, the provision of services, event registration and all other types of financial remuneration are not permitted. Election candidates are not permitted to lobby for votes.

Private users are defined as an individual or a group who is neither a commercial enterprise, nor a political party, governmental agency, an elected official or an election candidate, nor a Non-Profit nor an educational service provider; this category may host a meeting or an information session for a discrete group. Charging for event registration and membership fees is permitted. Charging for the sale of products and the provision of services is not permitted.

Non-Profit and Educational users are defined as an individual or a group who is a registered Non-Profit, a society or an educational service provider. Proof of Non-Profit status must be provided by Non-Profit organizations. This category may host a meeting or an information session, and/or provide a service for a discrete group or for the general public. Charging for event registration, membership fees and provision of services are permitted. Collecting donations is only permitted for a discrete group and not when the activity is open to the general public. Use of the room primarily for the sale of product(s) is not permitted.

Fundraising events, direct solicitation of money and charging an admission fee at the door are not permitted in either category.

Renters acknowledge that the Library reserves the right to determine whether an event, the “Event”, interferes with the use of the Library or if the planned services or programmes replicate Library offerings. Booking approval for an Event that replicates Library offerings is subject to the sole and absolute discretion of the Library.

The number of attendees for an Event will not exceed the posted room capacities and exits will be kept clear. Alcoholic beverages, illegal substances and smoking or open flames are not permitted on Library premises.

Failure to abide by any of these conditions may result in the refusal or cancellation of a booking.

### Room Charges

The following table details the rental charges, inclusive of \$25 deposit and taxes, for the meeting rooms

MEETING ROOM	MINIMUM RENTAL	BUSINESS	PRIVATE/EDUCATIONAL/NON-PROFIT
		Rate	Rate
McDonald Creek	1 hour	\$30/hr	\$25/hr
Welsh Hall East	2 hours	\$50/hr	\$30/hr
Welsh Hall West	2 hours	\$50/hr	\$30/hr
Welsh Hall	2 hours	\$60/hr	\$40/hr

### Additional Charges

Additional charges may include the following:

- A catering fee of \$20 will be applied if the Renter wishes to provide food and/or beverages at an Event; this fee will be waived if the Library’s café, *Caffination*, provides the food and beverage service
- A staffing fee of \$50 per hour will be added to the room rental charge for an Event extending past the Library’s regular business hours. Requests for after-hour use must be made at the time of booking and approval will depend on available staffing. If the Renter and/or attendees does not vacate the meeting room 30 minutes prior to the Library’s closing time, the Renter may be subject to after-hour charges.

## Cancellation and Refunds

If the Renter cancels the booking at least seven (7) days prior to the Event then the Renter will be entitled to a full refund less the paid deposit. No refunds are issued for bookings cancelled within seven (7) days of the event.

If the Library cancels or refuses a booking a full refund will be issued; failure to pay or other default by the Renter will not result in the issuance of a refund.

## Advertising

The Library, by permitting the Renter to hold an Event at the Library, does not in any way endorse the Event. Any advertising or promotion of the Event may solely refer to the Library as being the venue for the Event and in no way imply that the Library either sponsors or endorses the Renter of the Event.

## Intellectual Property

The Renter is responsible for securing all applicable permissions and licenses for the user, publication, transmittal, distribution and display of all material used at the Event, whether written, audio, visual or audio-visual. The Renter is also responsible for the payment of all fees, royalties and other charges that are required to be paid in respect of copyright, trademark, industrial design or any other intellectual property of any kind.

## Damages

The Library shall not be responsible for any loss or damage to the Renter's materials or equipment.

## Indemnity

The Renter shall indemnify and save harmless the District of West Vancouver and the Library, their trustees, officers, employees, agents, licensees and contractors (collectively, the "**Indemnitees**") from and against all claims, demands, suits, actions, damages, fees, losses, liabilities, proceedings, costs and expenses, including without limitation legal fees and disbursements on a solicitor and own client basis, personal injury including death and loss or damage to property (all of the foregoing, collectively, the "**Claims**"), by whosoever brought, incurred, or made and arising out of or in connection with or related to, whether directly or indirectly, the following, except to the extent that any damage, loss or injury is caused by the gross negligence of the District of West Vancouver or the Library:

- The rental of the meeting room by the Renter;
- The Renter's breach of any of the provisions set out in these Terms and Conditions of Use; or
- Any advertisements or promotions posted by the Renter or submitted by the Renter to the Library which the Library posts on its premises or on its website; or
- The Renter's violation of any third-party rights, including without limitation, any intellectual property, personal property or privacy right.

### **Quiet Spaces**

Quiet spaces include the Main Floor study carrels, Peter J. Peters Reading Room, the Mezzanine alcoves and the Quiet Study Room on the lower floor.

### **Gathering Spaces**

Spaces for quiet conversation include the Musto Lounge, the Main Hall Lounge by the Library's café, *Caffination*, the Courtyard on the Main Floor, the seating area near the West Wing north wall and the Waterfall Lounge and Study Booths on the Lower Level.

Cell phones may be used in gathering spaces, provided their use does not interfere with other people's enjoyment of the Library.

### **Group Study and Work Spaces**

The Library's group study spaces are high demand community resources. In order to facilitate equitable and fair sharing of group study space, all persons are requested to maintain a respectful and friendly atmosphere by observing the following guidelines:

- Follow directions given by staff
- Share open seating and table space with others during peak periods (3-6 p.m. on weekdays, noon-5 p.m. on weekends)
- Use only the space you need when you need it. Unattended belongings will be removed and held at the closest staff service desk
- Keep furnishings in their intended place and position
- Maintain a conversational sound level
- Bring issues with the behaviour of others to the attention of staff

For those offering fee-based services, please note:

- Group space for appointments is not guaranteed, especially during peak periods
- Fee-based activities may only take place in designated areas

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Fee-based service providers are welcome in the following designated areas:

#### Second Floor

- Storyhouse (when not in use for library programming)
- Tables and carrels by the French collections
- Carrels facing out the south windows

#### Upper Mezzanine

- Table facing the main entrance

#### Lower Level

- The Waterfall Lounge
- Group study booths
- Open tables in the alcove

Tutors and educators may rent half of the Welsh Hall (East or West) at an educational rate to guarantee space for appointments. For information and bookings, see [room rentals](#).

## 2.2 Sound Levels

Sound levels in the Library spaces should be maintained at levels commensurate with the purpose of the space. Meeting rooms will involve presentations and open dialogue and discussion between the participants which in a closed space is expected.

- Quiet spaces are intended for those seeking space to focus and concentrate on their work or readings; conversations and eating are not permitted so as not to disturb the users of these spaces.
- Gathering spaces are places for people to socialize or collaborate where conversations are encouraged but at levels so as not to interfere with other's enjoyment of the Library and its spaces.
- Group study and work spaces are places for people to study and/or work where conversation may be a part of the collaborative learning environment although the levels should not interfere with other's enjoyment of the Library.

## 3. Youth Department

The Youth Department, located on the second floor, has three areas:

- Storyhouse
- Kids Area
- Room 14 (teen space)

Conversation is to be expected in these areas; staff are happy to assist patrons looking for silent study areas elsewhere in the library.

### 3.1 Storyhouse

The Storyhouse functions primarily as a space for library programming, most frequently between 10:00am-2:30pm. When it is not in use for library programming, tables and chairs are available on a first-come, first-served basis.

### 3.2 Kids Area

This space is designed for use by youth, families, caregivers and educators.

The Picture Book Circle offers many educational and literacy play opportunities. Noise is common in this area, especially before and after Storytime.

The computer workstations in the Kids Area are only for use by children. Adults are only permitted to use these workstations if they are accompanying a young person requiring assistance.

### 3.3 Room 14

Room 14 is the Library's dedicated teen space, created after hearing from almost 400 young people in West Vancouver. While patrons of all ages are invited to access the collections in Room 14, the seating, study space and computer workstations are designated for youth in Grades 8-12 only at all times.

## 4. Use of Public Computers

The Library provides access to the Internet and public computing equipment that supports digital literacy for all. The Library's public computers are located in public areas shared by people of all ages and backgrounds. Consideration should be given to the sensibilities of others when using the public computers.

### 4.1 Sign-in

To use a public computer, patrons must sign in with a Library card, Internet Access card or Guest Pass and agree to the *Terms of Use*.

### 4.2 Time Limits

Library card holders and Internet Access cardholders can use the Library's public computers for a total of 3 hours per day. Individual sessions are limited to one hour when others are waiting.

Guest passes are valid for one hour.

### 4.3 Reservations

Reservations can be made in person, for the same day only.

## 5. Donating Materials

New items or items in excellent condition may be considered for inclusion in the Library collection. Donated items are subject to the same selection and withdrawal criteria that is applied to items purchased by the Library. Other items may be sold in the *Friends of the Library's* Booksale. Items donated to the Library become the property of the Library and cannot be returned.

The Library prefers to receive the following:

- Books published in the last 5 years and recognized as classics
- Popular paperbacks
- Commercially produced CDs and DVDs
- Magazines for the Library's give-away basket

We cannot accept the following:

- Encyclopaedias, dictionaries, or textbooks
- VHS or audio cassette tapes
- Donations not in good physical condition (e.g. musty, mouldy, damaged, etc.)

The Library reserves the right to say "No, thank you" to donations that do not enhance the *Friends of the Library's* Booksale or Library collection.

Donations may be accepted anytime. Please bring donation to the Accounts Services desk in containers that do not need to be returned. Due to space limitations, the Library cannot accept more than 3 boxes of materials at a time.