

BOARD of SUPERVISORS



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## MEMORANDUM

TO: Adele Carpenter, Director  
Youth Commission

FROM: Angela Calvillo, Clerk of the Board

DATE: November 3, 2016

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS

The Board of Supervisors has received the following proposed legislation which is being referred to the Youth Commission as per Charter Section 4.124 for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

**File No. 161108**

**Ordinance amending the Administrative Code to modify the fines and fees of the Public Library.**

Please return this cover sheet with the Commission's response to **Linda Wong, Assistant Clerk, Budget and Finance Committee.**

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**RESPONSE FROM YOUTH COMMISSION**      Date: \_\_\_\_\_

\_\_\_\_\_ **No Comment**

\_\_\_\_\_ **Recommendation Attached**

\_\_\_\_\_  
**Chairperson, Youth Commission**

[Administrative Code - Library Fines and Fees]

**Ordinance amending the Administrative Code to modify the fines and fees of the Public Library.**

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
**Additions to Codes** are in *single-underline italics Times New Roman font*.  
**Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
**Board amendment additions** are in double-underlined Arial font.  
**Board amendment deletions** are in ~~strikethrough Arial font~~.  
**Asterisks (\* \* \* \*)** indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Administrative Code is hereby amended by revising Section 8.21-2, to read as follows:

**SEC. 8.21-2. LIBRARY FINES AND FEES.**

(a) **Fee Schedule.** The Library Commission is hereby authorized to charge fines and fees for the use of library materials and services in accordance with the following schedule:

**SAN FRANCISCO PUBLIC LIBRARY FINES AND FEES SCHEDULE**

OVERDUE FINES By Material		
ADULT MATERIALS	DAILY	MAXIMUM
Books	\$0.10	<del>\$5.00</del>
Phonorecords	\$0.10	<del>\$5.00</del>
Audiocassettes	\$0.10	<del>\$5.00</del>
Books on Tape	\$0.10	<del>\$5.00</del>

Compact Discs	\$0.10	\$5.00
Magazines	\$0.10	\$5.00
Paperbacks (Cataloged)	\$0.10	\$5.00
Paperbacks (Uncataloged)	\$0.10	\$2.00
Videos and Digital Video Discs (DVDs) VHS, DVD, & Blu-ray	\$0.10	\$5.00
<b>JUVENILE MATERIALS</b>	<b><u>DAILY</u></b>	<b><u>MAXIMUM</u></b>
<i>Depends on age of borrower (See Overdue Fines "by Patron" below.)</i>		
<u>All Juvenile Materials</u>	<u>\$0.10</u>	<u>\$5</u>
<b>SPECIAL MATERIALS</b>	<b>DAILY</b>	<b>MAXIMUM</b>
Sheet Music	\$0.10	\$5.00
Orchestral/Music Sets	<u>\$0.25-\$0.10</u>	<u>\$10.00 \$5</u>
Vertical File Materials	\$0.10	\$5.00

<b><u>OVERDUE FINES By Equipment</u></b>		
<b><u>PUBLIC ACCESS TECHNOLOGY</u></b>	<b><u>DAILY</u></b>	<b><u>MAXIMUM</u></b>
<u>Laptop Computer</u>	<u>\$0.10</u>	<u>\$5</u>
<u>iPad/Tablet Device</u>	<u>\$0.10</u>	<u>\$5</u>
<u>Peripherals/Accessories</u>	<u>\$0.10</u>	<u>\$5</u>

<b>OVERDUE FINES <i>for Seniors, Children, and Teens</i> by Patron</b>	<b><u>DAILY</u></b>	<b><u>MAXIMUM</u></b>
<i>Fines: Adult (18-64 years)</i>	<i>\$0.10</i>	<i>\$5.00</i>
<i>Notwithstanding the overdue fines identified above, the following overdue fines shall apply to the patron groups identified below for all types of materials and equipment:</i>		
<i>Fines: Seniors (over 65)</i>	<i>\$0.05</i>	<i>\$5.00</i>
<i>Fines: Children and Teens (13-0-17 years)</i>	<i>No fines</i>	<i>No fines</i>
<i>Fines: Children (0-12 years)</i>	<i>No fines</i>	<i>No fines</i>

<b><i>LIBRARY CARD REPLACEMENT</i></b>		
<i>Lost Card: Adult/Seniors</i>	<i>\$1.00</i>	
<i>Lost Card: Youth (0-17 years)</i>	<i>\$0.50</i>	

<b><i>PROCESSING FEE (PF)</i></b>		
<i>Processing fee; cataloged materials</i>	<i>\$5.00</i>	

Note regarding lost materials *and lost or damaged equipment*: Except for materials on interlibrary loan, (see subsection (c) below "Fees for Lost and Damaged Materials Owned by Other Libraries") the Library will charge the *fair market value (FMV) of lost materials. The FMV shall be determined by the Library staff after consulting with relevant sources, which may include The Bowker Annual: Library and Book Trade Almanac. Where there is a conflict between the standard prices below and the FMV as determined by the Library, the*



*Library shall charge the FMV value of lost materials and equipment as identified by the item record in the library catalog. Where there is an absence of an item cost in the library catalog item record, the Library shall charge the per item fee below.*

## REPLACEMENT OF LOST MATERIALS

Materials	Per Item	Maximum
Hardback: Adult/Teen Non-Fiction	\$35.00 + PF	\$40.00
Hardback: Adult/Teen Fiction	\$25.00 + PF	\$30.00
Hardback: Juvenile Non-Fiction	\$20.00 + PF	\$25.00
Hardback: Juvenile Fiction	\$15.00 + PF	\$20.00
Paperback: Cataloged		
Adult/Teen Non-Fiction	\$20.00 + PF	\$25.00
Adult/Teen Fiction	\$10.00 + PF	\$15.00
Juvenile Non-Fiction	\$10.00 + PF	\$15.00
Juvenile Fiction	\$5.00 + PF	\$10.00
Paperback: Uncataloged	\$5.00	
Paperback/Hardback: International Generic Record	Price varies: \$5.00-\$15.00 depending on <i>FMV fair market value</i>	
Periodicals/Magazines	\$5.00	

## ***SAN FRANCISCO PUBLIC LIBRARY FINES AND FEES SCHEDULE***

### ***REPLACEMENT OF LOST MATERIALS***

<i>Materials</i>	<i>Per Item</i>	<i>Maximum</i>
Phonorecords	\$15.00 + PF	\$20.00
Audiocassettes	\$5/tape \$10.00/tape + PF	FMV of set + PF
Videos, <del>and</del> DVDs, <del>and</del> Blu-rays	\$20.00 + PF	\$25.00
<i>Individual video, DVD, or Blu-ray disc from multi-video or multi-disc set</i>	\$5/video, DVD, or Blu-ray disc	
Supplementary materials, including booklets, libretti, maps, CDs, etc.	\$3.00/item	
Sheet Music/Scores	\$30.00 + PF	\$35.00
Sheet Music/Uncataloged	\$30.00 + PF	\$35.00
Audio Books	\$5.00/tape or CD	FMV of set + PF
Compact Discs	\$15.00 + PF	\$20.00
Language Sets	\$10.00/item	FMV of set + PF
Vertical/Picture File	\$5.00/item	
<b><u>LOST/DAMAGED FEES</u></b>		
<i>Media case (lost)</i>	\$1.00	
<i>Barcode label</i>	\$0.25	
<i>Barcode &amp; flyleaf</i>	\$1.00	
<b><u>REPLACEMENT OF LOST OR DAMAGED EQUIPMENT</u></b>		

<u>Laptop Computer</u>	<u>\$500</u>
<u>iPad/Tablet Device</u>	<u>\$250</u>
<u>Peripherals/Accessories</u>	<u>\$50</u>

<b>SERVICE FEES</b>		
Borrowers		
San Francisco & California Residents	Free	
Visitor's Card (non-California)	\$10.00	Non refundable 3 months duration
Firm (business) card	Free	
Restricted (no proof of residency)	Free	
Reserves	Free	
Inter-Library Loan and LINK +	Free	
Returned Check Fee	<del>\$10.00-\$35.00</del> (current City-wide charge, subject to revision by City)	
Books-by-mail	<del>\$3.00 or cost of shipping and handling, whichever is greater</del> <u>Free</u>	



## DOCUMENT DELIVERY AND SPECIAL SERVICES

Inter-Library Loan Photocopy (in-state libraries) (maximum 50 pages/day)	<del>\$0.25/page</del> Pages 1-20, Free	Pages 21-50, <del>\$0.25/page</del> + \$5 processing fee
(maximum: 50 pages/day)		<del>\$5.00</del> rush
Inter-Library Loan: Photocopy (out-of-state libraries) (maximum 50 pages/day)	Pages 1-50, <del>\$0.25/page</del> + \$5 processing fee	
San Francisco History Center: photo shoot of photographs	\$1.00/photo	
San Francisco History Center: scanning of photographs	<del>\$15.00</del> per 300 dpi existing scan; <del>\$20.00</del> per 300 dpi new scan; <del>\$35.00</del> per 600 dpi scan; <del>\$50.00</del> per 1,200 dpi scan; <del>\$35.00</del> per 3,000 dpi slides, negatives, or glass plates; <del>\$1.00</del> per CD	
San Francisco History Center: permission to publish photographs (for commercial purposes)	<del>\$15.00</del> per project in a single type of media or <del>\$100.00</del> per project in unlimited types of media, <u>+ FMV plus, in</u> <u>either case, fair market value</u> of any additional labor required due to age or condition of photograph	

(b) **Fees for Special Meeting Room Uses.** The Library Commission is hereby authorized to charge fees for special uses of library meeting rooms in accordance with the following schedule:

Meeting Room Use	Free
Special Meeting Room Services	<del>Flat Fee</del>
	<del>Flat Fee</del>
Non-standard furniture set-up	<del>\$25.00</del>



Custodial Services, Light Refreshments	\$25.00
Custodial <del>Sendees</del> <u>Services</u> , Refreshments	\$100.00
VHS/VCR Monitor Technician	\$30.00
Microphone	\$30.00
Slide, VCR, Overhead projection	\$30.00 flat fee <u>except \$30</u> (per/hour in Koret Auditorium)
	Per Hour Fee
Video/Film Projector/Projectionist	\$30.00/hour
Multiple Microphone Set-up/Mixing	\$30.00/hour
Web site patch. Powerpoint presentations	\$30.00/hour
Audio Duplication/Technician	\$30.00/hour
<del>Engineer "Fire Watch" fee</del>	<del>\$30.00/hour</del>

(c) **Fees for Lost and Damaged Materials Owned by Other Libraries.** The Library is hereby authorized to collect fees for lost or damaged materials that its patrons have borrowed from another library via interlibrary loan (ILL) in accordance with the following:

(i) in the case of lost or damaged materials borrowed from a member library of the LINK+ library consortium, the Library may collect the replacement fee set by LINK+ ~~which is currently \$115.00 per item~~, provided that the Library shall collect only the actual replacement cost of the item when authorized to do so by the lending library:

(ii) for all other lost or damaged materials borrowed from another library via ILL, the Library may charge a replacement fee in the amount that is required by the lending library, which shall be either the FMV fair market value of the lost item(s) or an amount set by the lending library not to exceed \$200.00 per item.

The fees authorized by this subsection (c) shall be collected for the sole purpose of forwarding them to the lending library from which the lost or damaged item(s) was borrowed.

1 (d) **Ratification of Prior Fines and Fees.** All fines and fees ~~previously~~ charged for the  
2 use of library materials and services before the effective date of the ordinance in Board File No.  
3 \_\_\_\_\_ are hereby ratified.

4 Section 2. Effective Date. This ordinance shall become effective 30 days after  
5 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
6 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
7 of Supervisors overrides the Mayor's veto of the ordinance.  
8

9 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
10 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
11 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
12 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
13 additions, and Board amendment deletions in accordance with the "Note" that appears under  
14 the official title of the ordinance.  
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16 APPROVED AS TO FORM:  
17 DENNIS J. HERRERA, City Attorney

18 By:



19 BRADLEY A. RUSSI  
20 Deputy City Attorney

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## **LEGISLATIVE DIGEST**

[Administrative Code - Library Fines and Fees]

### **Ordinance amending the Administrative Code to modify the fines and fees of the Public Library.**

#### **Existing Law**

Section 8.21-2 of the Administrative Code sets out the fines and fees that the Public Library (the "Library") is authorized to charge. The following aspects of the current law are relevant here:

- The overdue fine for orchestral and music sets is \$0.25/day with a maximum of \$10.00.
- There are no specific overdue fines or replacement costs for public access technology (laptops, iPads/tablets, and peripherals/accessories).
- The replacement fees for lost library cards are \$1.00 for adults and seniors and \$0.50 for youth.
- There is a \$5.00 processing fee for the replacement of all lost materials.
- Replacement costs for lost materials are based on fair market value as determined by Library staff, with maximum fines for most categories of materials ranging from \$10.00 to \$40.00.
- The replacement cost for an audiocassette is \$10.00/tape.
- The fee for lost or damaged media cases is \$1.00; for barcode labels the fee is \$0.25; for barcodes and flyleaves the fee is \$1.00.
- The fee for a returned check is \$10.00.
- The fee for the books-by-mail service is \$3.00 or the cost of shipping, whichever is greater
- The fee for photocopying of all inter-library materials is \$.25/page with a \$5.00 rush fee.
- For uses of the Library meeting rooms, there is a \$30.00/hour fee for engineer "fire watch."

#### **Amendments to Current Law**

The changes to the Library's fines and fees schedule contained in the proposed ordinance include:

- Reducing the overdue fine for orchestral and music sets to \$0.10/day with a maximum of \$5.00, to bring it in line with other types of materials;
- Creating an overdue fine for public access technology (laptops, iPads/tablets, peripherals/accessories) of \$0.10/day with a maximum of \$5.00;

- Removing the replacement fees for lost library cards;
- Removing the processing fee for replacing lost materials;
- Modifying the fines for the replacement of lost materials to be the cost of the item in the library catalog, unless there is no cost, in which case the fee schedule identifies the applicable fine;
- Removing the maximum replacement fines for all lost materials;
- Reducing the replacement cost for an audiocassette to \$5.00/tape;
- Clarifying that the fine for a lost disc or tape from a multi-tape or multi-disc set of VHS tapes, DVDs or Blu-rays is \$5.00/item;
- Removing the fines for lost or damaged media cases, barcode labels, and barcodes and flyleaves;
- Setting the replacement fines for lost or damaged laptops at \$500.00, iPads/tablets at \$250.00, and peripherals/accessories at \$50.00;
- Increasing the fee for a returned check to \$35.00;
- Removing the books-by-mail fee;
- Modifying the inter-library loan photocopying fees as follows: pages 1-20 free, pages 21-50, \$0.25/page plus a \$5.00 processing fee; for out of state libraries, pages 1-50 are \$0.25/page plus a \$5.00 processing fee;
- Removing the engineer "fire watch" fee for uses of the Library meeting rooms; and
- Other non-substantive changes for stylistic purposes or intended to clarify existing fines and fees.

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