

ORDINANCE NO. O-2016-28

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING CHAPTER 9, "LIBRARY", OF THE CODE OF ORDINANCES, CITY OF TYLER, TEXAS, RELATING TO COLLECTION AGENCY FEES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, various fees for services are established in the City Code; and

WHEREAS, it is important for the City Council to update and revise various fees in the City Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS;

PART 1: That Tyler City Code Chapter 9, "Library", is hereby amended by amending Section 9-1 to read as follows:

Sec. 9-1. Fees.

a. Non-resident fees

1. In the interest of equity, nonresidents of the City wishing to borrow materials from the library shall pay fees to borrow items and use the Library's computer workstations.
2. Nonresidents shall pay a membership fee that permits borrowing and computer use under the same conditions as residents.
3. The rate of charge for a membership fee shall be \$10 per person for a one month time period, \$50 per person for a six month time period or \$90 per person for a one year time period. (Ord. No. 0-2013-90; 9/25/13) (Ord. No. 0-2015-91; 9/22/15)

b. Late Return Fees.

1. In the interest of increasing the timely return of library materials, a late fee will be imposed for each day that an item is overdue.
2. The rate of charge per day for overdue items shall be *25 cents (\$.25)* not to exceed *ten dollars (\$10.00)* per item. The rate of charge per day for overdue DVDs shall be one dollar (\$1.00) not to exceed ten dollars (\$10.00) per item. The rate of charge per day for overdue eReaders shall be five dollars (\$5.00) per item not to exceed (\$35.00) per item. (0-2006-79; 9-13-2006) (Ord. 0-2009-103, 9/23/09) (Ord. No. 0-2013-90; 9/25/13)
3. A processing fee of five dollars (\$5.00) will be charged for each lost or damaged item.
4. A processing fee of twenty dollars (\$20.00) will be added to each delinquent patron account submitted for collection to a collection agency. (Ord. No. O-2016-28; 3/23/16)

c. General Fees.

Test proctoring will be administered at (\$10.00) per person per test. (Ord. No. 0-2013-90; 9/25/13)

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be

punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Since this ordinance has a penalty for violation, it shall not become effective until its publication in the newspaper as provided by Section 85 of the Charter of the City of Tyler, Texas, or later. The effective date of this Ordinance shall be April 1, 2016.

PASSED AND APPROVED this 23rd day of March, A. D., 2016.



MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:



CASSANDRA BRAGER, CITY CLERK





DEBORAH G. PULLUM,
CITY ATTORNEY