

CIRCULATION

LENDING RULES/PROCEDURES

Anyone with a library card in the Mid-Hudson Library system may borrow materials from the Philmont Public Library (Library). Library cards may be obtained with a photo ID, lease agreement, or utility bill, as long as the document confirms the applicant's current address.

Temporary online cards must be verified within 30 days at the library where a permanent card will be issued.

LOAN PERIODS

1. Museum passes – 3 days
2. At-home learning kits – 1 week
3. Regular DVDs – 1 week
4. Long loan DVDs – 2 weeks
5. New items – 2 weeks
6. Most other materials, including books, audio books, CDs – 3 weeks

RENEWALS

1. If an item does not have any current holds, it shall be automatically renewed one time. Patrons shall be notified via email.
2. Items requested via interlibrary loan have a limit of 2 renewals each.

CHECKOUT LIMITS

A maximum of 6 DVDs at a time may be borrowed from the Library's collection. There is no limit for DVDs ordered through interlibrary loan.

FINES ON OVERDUE MATERIALS

The Library does not charge fines for overdue materials, but items are still expected to be returned in a timely manner.

LOST OR DAMAGED MATERIALS

1. Patrons shall be charged a replacement fee and billed for items that are lost or deemed by the Director to be significantly damaged.
2. Patrons are advised to check with the Library staff or Director if a borrowed item has been lost. The staff may be able to find the book for a lower cost than is marked on the record. If so, the replacement cost shall be adjusted accordingly.

3. If the lost item is found and returned, its loss shall be taken off the patron's record and the replacement fine for that item shall be waived.

BOOK DROPS

The Library has 2 drop boxes at the back entrance to the Library. Each is marked with the type of materials to be placed inside. Drop boxes are NOT to be used for donations.

LENDING AGREEMENT FORM

See Appendix I.

USE OF TOOLS AND EQUIPMENT

Tools and equipment that may be borrowed from the Philmont Public Library include, but are not limited to, gardening items, laptops, and hot spots.

1. Patrons must be age 18 or over to borrow any tools or equipment from the Philmont Public Library (Library).
2. Prior to borrowing tools or equipment, all patrons must sign the Use Agreement, Waiver and Indemnification Form. (See Appendix J.)
3. By taking possession of any item(s), patrons are certifying that they are capable of using the item(s) in a safe and proper manner.
4. Patrons borrowing the Library's tools or equipment are responsible for the safe and appropriate use of those tools and equipment by themselves or any other person(s) whom they permit to use those items while under the patrons' supervision.
5. Patrons may borrow up to two tools or pieces of equipment at a time. The Library reserves the right to make exceptions to this policy.
6. Tools and equipment may be reserved by patrons by calling the Library. Patrons will be notified when reserved tools or equipment become available and will have three (3) days to pick them up. The Library reserves the right to make exceptions to this policy.
7. Patrons agree to pay a refundable deposit of \$15 for tools or equipment whose replacement cost is between \$30.00 and \$50, and \$25 for those with a replacement cost over \$50.00.
8. All tools and equipment have a lending period of seven (7) days. The Library reserves the right to make an exception to this policy.
9. All tools and equipment borrowed are to be returned to the Library by the close of business on their due date. Tools and equipment may be returned only during the Library's open hours and may not be returned in the book drop.
10. Patrons may not renew the check-out of tools and equipment. The Library reserves the right to make exceptions to this policy.
11. If tools or pieces of equipment are returned late, the borrowers will be responsible for late fees. Late fees will be assessed at \$5.00 per day for every day the Library is open until the item is returned, and will be deducted from the refundable deposit. Fines in excess of \$10 will prevent patrons from borrowing additional items from any collection.
12. Tools or equipment shall be deemed severely overdue if not returned in two (2) weeks from the due date. The Library may replace tools and equipment that are severely overdue, holding the borrowers responsible for the full replacement cost. The Library reserves the right to use appropriate steps to retrieve unreturned tools and equipment or unpaid fines or fees. The Library also reserves the right to forgive fines and fees due to special circumstances.

13. Patrons agree that the Library is not responsible for any manufacturing defects in the materials or the quality of workmanship inherent in any borrowed tools or equipment or for any other defective conditions of the borrowed tools or equipment.
14. Patrons agree that if any borrowed tool or piece of equipment becomes unsafe or falls into a state of disrepair, they must immediately discontinue its use and notify the Library of the issue on return, if not earlier. Patrons acknowledge the importance of bringing such conditions to the prompt attention of the Library.
15. All tools and equipment are to be returned in the same (or better) condition as when issued, barring normal wear and tear. **All tools and equipment must be returned clean.**
16. Patrons agree a) to accept the Library's assessment of the condition of all returned items, b) to accept the Library's assessment of fair restitution for damage, soiled condition, or delinquency in returning the item(s), and/or loss of any item(s) in part or in total, and c) to pay for the damage to or loss of any items. This restitution amount may equal, but not exceed, the full replacement cost of the item(s).
17. Failure to comply with any of these rules may result in suspension or revocation of patrons' borrowing privileges, and/or legal action against the patrons.
18. The Library reserves the right to refuse the loan of any items at its discretion.

LAW ENFORCEMENT INQUIRY

The Philmont Public Library (Library) recognizes and strives to follow the practices of the American Library Association Code of Ethics, Article III, "We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted," to the fullest extent of our abilities. The Library also supports the rights and privacy of our patrons with "Civil Practice Laws and Rules Section 4509 Library Records."

Civil Practice Laws and Rules Section 4509 of Library Records, states "Library records, which contain names of other personally identifying details regarding the users of public, free association, school, college and university libraries and library systems of this state, **including but not limited to records related to the circulation of library materials, computer database searches, interlibrary loan transactions, reference queries, requests for photocopies of library materials, title reserve requests, or the use of audio-visual materials, films of records**, shall be confidential and shall not be disclosed except that such records may be disclosed to the extent necessary for the proper operation of such library and shall be disclosed upon request or consent of the user of pursuant to subpoena, court order or where otherwise required by statute."

The Library Director is responsible for handling law enforcement requests. **All Library staff should understand that it is lawful to refer the agent or officer to an administrator in charge of the Library, and that they do not need to respond immediately to any request.**

PROCEDURE DURING A VISIT

1. If anyone approaches a staff member alleging to be a law enforcement official requesting information, **do not disclose any information.**
2. Ask for identification and then immediately refer the agent or officer to the Library Director. If the Director or Assistant Director is not available, the President or the Vice President of the BOT should be contacted. Photocopy identification or take business card.
3. The Director or other Library representative will meet with the agent and ask to see the court order (for example, a search warrant, subpoena, or National Security Letter) authorizing law enforcement.
4. If the agent or officer does not have a court order compelling the production of records, the Director or officer should explain the Library's confidentiality policy and/or the state's confidentiality law (NYS 4509) and inform the agent or officer that users' records are not available except when a proper court order in good form has been presented to the Library.
5. If there is no court order presented, the FBI and/or local law enforcement has no authority to compel cooperation with an investigation or require answers to questions (other than the name and address of the person speaking to him). If the agent or officer

makes an appeal to patriotism, the Director will explain that, as good citizens, the Library staff will not respond to informal requests for confidential information, in conformity with professional ethics, First Amendment freedoms, and state law.

6. If the agent or officer does present a court order, the Director should immediately refer the court order to the Library's legal counsel for review.