

Form and Correctness Approved: *BAP*

Contents Approved:

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NORFOLK, VIRGINIA

R-2 **ORDINANCE NO. 48,624**

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 23 OF THE CODE OF THE CITY OF NORFOLK, 1979, AS AMENDED, SO AS TO UPDATE IT.

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BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That Chapter 23 of the Code of the City of Norfolk, 1979, as amended, is hereby amended and reordained and shall read as follows:

Chapter 23 - LIBRARIES

ARTICLE I. - IN GENERAL

Sec. 23-1. - Creation of Norfolk Public Library and Slover library.

Pursuant to Charter sections 2 (20) and 52, there are hereby created two departments to serve as public libraries: the Norfolk Public Library and the Slover Library.

Sec. 23-2. - Fee to borrow electronic books and other online electronic media.

The fee to borrow electronic books and other online electronic media shall be thirty-five dollars (\$35.00) per year, except for registered borrowers who reside, work or are business owners in the city.

Sec. 23-3. - Penalty for overdue books and for other library property.

(a) The following penalties shall be charged for overdue library materials. Twenty cents (\$0.20) per day on all circulating books, periodicals, audio books, and art, provided however that no more than a maximum fee of six dollars (\$6.00) shall be charged per item. Overdue fees for videos, films, kits and equipment shall be one dollar and twenty-five cents (1.25) per day, provided however that no more than a maximum fee of ten dollars (\$10.00) shall be charged per item. Overdue fees for audiovisual equipment shall be five dollars (\$5.00) per day; maximum fee per item shall be equal to the replacement cost. Fines totaling ten dollars (\$10.00) or more will result in suspension of borrowing privileges. Fees for unpaid library accounts collected by a collection agency shall be no more than a maximum fee of ten dollars (\$10.00).

(b) Upon the recommendation of the library director, the library board is hereby authorized to suspend the penalties imposed for overdue library books and other property by establishing from time to time certain fine-free days.

Sec. 23-4. - Failure to return book or other library property after notice so to do.

(a) It shall be unlawful for any person who has borrowed or otherwise removed any book or other library property from the library or any branch thereof to fail to return such book or other property within thirty (30) days after receiving written notice so to do from the librarian or his authorized agent; provided, however, that if such book or other property has been lost or destroyed, such person may, within thirty (30) days after being so notified, pay to the librarian or his authorized agent the value of such book or other property, the value to be determined by the library board.

(b) A violation of this section shall constitute a Class 2 misdemeanor.

Sec. 23-5. - Injuring, defacing books and other library property.

Any person who willfully, maliciously or wantonly writes upon, injures, defaces, tears, cuts, mutilates or destroys any book or other library property belonging to or in the custody of the library, or any branch thereof, shall be guilty of a Class 1 misdemeanor.

Sec. 23-6. - Rental periods for determining fees.

The fees for the rental of the facilities shall be determined as follows:

Full day: Over four (4) hours

Half day: Up to four (4) hours

Forum: After hours rental only beginning at 6:00 p.m.

ARTICLE II. NORFOLK PUBLIC LIBRARY

Sec. 23-7.- Director as department head.

The head of the Norfolk Public Library shall be known as the director. The director is responsible for the overall administration of the affairs of the department. The director shall perform such other duties as may be prescribed by the city manager or by the council. The director shall be a librarian who meets the qualifications established by the State Library Board.

Sec. 23.8.- Norfolk Public Library branches.

The Norfolk Public Library consists of the following branches:

- (1) Mary D. Pretlow Anchor Branch
- (2) Jordan-Newby Anchor Branch Library at Broad Creek
- (3) Barron F. Black
- (4) Blyden
- (5) Janaf
- (6) Lafayette
- (7) Larchmont
- (8) Little Creek
- (9) Park Place
- (10) Richard A. Tucker Memorial Library
- (11) Van Wyck.

Sec. 23-9 - Divisions designated.

There shall be in the Norfolk Public Library the following divisions:

(a) *Division of library collection and support services.* The division of library collection and support services shall be responsible for the functions supporting public library services, including collection development, book and materials acquisition, circulation, automation, electronic resources, research support, facilities and staff training.

(b) *Division of library programs.* The division of library programs shall be responsible for the delivery of programs for all ages, marketing outreach, mobile services, volunteers, interns and the federal work-study program.

(c) *Division of library business and fiscal services.* The division of library business and fiscal services shall be responsible for the administrative operation, financial management, personnel, purchasing and facility maintenance.

Sec. 23.10.- Sargeant Memorial Collection.

The Sargeant Memorial Collection is housed in the Slover Library and is managed by the Norfolk Public Library.

Sec. 23-11. - Authority of director to enter into rental agreements.

The director is hereby authorized to enter into rental agreements, which in the director's opinion are in the best interest of the city, with groups, individuals and firms for the rental of any of the library facilities.

ARTICLE III. SLOVER LIBRARY

Sec. 23-12.- Executive director as department head.

The head of the Slover Library shall be known as the executive director. The executive director is responsible for the overall administration of the affairs of the department. The director shall perform such other duties as may be prescribed by the city manager or by the council.

Sec. 23-13. - Authority of executive director to enter into rental agreements.

The executive director is hereby authorized to enter into rental agreements with groups, individuals and firms for the rental of any of the library facilities which, in the director's opinion, are in the best interest of the city.

Sec. 23-14. - Rental fees—Slover Library Board Room.

Rental fees for the Slover Library Board Room are set as follows:

(a) *Non-profit, state, government, educational, and community-based groups.* The rental fee for non-profit, state, government, educational, and community-based groups shall be as follows:

(1) *Full day basic fee:* One hundred thirty-eight dollars (\$138.00);

(2) *Full day special fee:* Two hundred twenty dollars (\$220.00);

(3) *Half day basic fee:* Fifty-five dollars (\$55.00); and

(4) *Half day special fee:* One hundred thirty-eight dollars (\$138.00).

(b) *All other individuals, corporations and groups.* The rental fee for all other individuals, corporations and groups shall be as follows:

(1) *Full day basic fee:* Two hundred seventy-five dollars (\$275.00);

(2) *Full day special fee:* Five hundred fifty dollars (\$550.00);

(3) *Half day basic fee:* One hundred thirty-eight dollars (\$138.00); and

(4) *Half day special fee:* Two hundred seventy-five dollars (\$275.00).

Sec. 23-15. - Rental fee—Slover Library Community Engagement Room.

Rental fees for the Slover Library Community Engagement Room Are set as follows:

(a) *Non-profit, state, government, educational, and community-based groups.* The rental fee for non-profit, state, government, educational, and community-based groups shall be as follows:

(1) *Full day basic fee:* Eight hundred eighty dollars (\$880.00);

(2) *Full day special fee:* One thousand six hundred fifty dollars (\$1,650.00);

(3) *Half day basic fee:* Four hundred forty dollars (\$440.00); and

(4) *Half day special fee:* Eight hundred twenty-five dollars (\$825.00).

(b) *All other individuals, corporations and groups.* The rental fee for all other individuals, corporations, and groups shall be as follows:

(1) *Full day basic fee:* Two thousand seven hundred fifty dollars (\$2,750.00);

(2) *Full day special fee:* Three thousand three hundred dollars (\$3,300.00);

(3) *Half day basic fee:* One thousand three hundred seventy-five dollars (\$1,375.00);

(4) *Half day special fee:* One thousand six hundred fifty dollars (\$1,650.00).

Sec. 23-16. - Rental fees—Slover Library Flex Room.

Rental fees for the Slover Library Flex Room are set as follows:

(a) *Non-profit, state, government, educational, and community-based groups.* The rental fee for non-profit, state, government, educational, and community-based groups shall be as follows:

(1) *Full day basic fee:* One hundred ten dollars (\$110.00);

(2) *Full day special fee:* One hundred sixty-five dollars (\$165.00);

(3) *Half day basic fee:* Eighty-eight dollars (\$88.00); and

(4) *Half day special fee:* One hundred thirty-eight dollars (\$138.00).

(b) *All other individuals, corporations and groups.* The rental fee for all other individuals, corporations and groups shall be as follows:

(1) *Full day basic fee:* Two hundred twenty dollars (\$220.00);

(2) *Full day special fee:* Two hundred seventy-five dollars (\$275.00);

(3) *Half day basic fee:* One hundred ten dollars (\$110.00);

(4) *Half day special fee:* One hundred sixty-five dollars (\$165.00).

Sec. 23-17. - Rental fees—Slover Library Landmark Room.

Rental fees for the Slover Library Landmark Room are set as follows:

(a) *Non-profit, state, government, educational, and community-based groups.* The rental fee for non-profit, state, government, educational, and community-based groups shall be as follows:

(1) *Full day basic fee:* One hundred thirty-eight dollars (\$138.00);

(2) *Full day special fee:* Two hundred seventy-five dollars (\$275.00);

(3) *Half day basic fee:* Seventy-two dollars (\$72.00); and

(4) *Half day special fee:* One hundred thirty-eight dollars (\$138.00).

(b) *All other individuals, corporations and groups.* The rental fee for all other individuals, corporations and groups shall be as follows:

(1) *Full day basic fee:* Two hundred seventy-five dollars (\$275.00);

(2) *Full day special fee:* Five hundred fifty dollars (\$550.00);

(3) *Half day basic fee:* One hundred thirty-eight dollars (\$138.00); and

(4) *Half day special fee:* Two hundred seventy-five dollars (\$275.00).

Sec. 23-18. - Rental fees—Slover Library Third Floor Business Center and Terrace.

Rental fees for the Slover Library Third Floor Business Center and Terrace and are set as follows:

(a) *Non-profit, state, government, educational, and community-based groups.* The rental fee for non-profit, state, government, educational, and community-based groups shall be one hundred thirty-eight dollars (\$138.00).

(b) *All other individuals, corporations and groups.* The rental fee for all other individuals, corporations and groups shall be two hundred seventy-five dollars (\$275.00).

Sec. 23-19. - Rental fees prescribed—Slover Library Forum.

Rental fees for the Slover Library Forum are set as follows:

(a) *Non-profit, state, government, educational, and community-based groups.* The rental fee for non-profit, state, government, educational, and community-based groups shall be six hundred eighty-eight dollars (\$688.00).

(b) *All other individuals, corporations and groups.* The rental fee for all other individuals, corporations and groups shall be one thousand one hundred dollars (\$1,100.00).

ARTICLE IV. - LIBRARY BOARD

Sec. 23-24. - Created; composition; appointment and terms of members.

There is hereby created an advisory board, pursuant to Norfolk's Charter Section 141, to be known as the public library board, which shall consist of nine (9) members, who shall be citizens of the city, shall be appointed by the council and shall reflect the rich and growing diversity of the City. The terms of such members shall be four (4) years and each member shall hold office during his/her term and until his/her successor is appointed and qualified. All vacancies shall be filled by appointment by the council for the remainder of the unexpired term.

Sec. 23-25. - Oath of members.

Each member of the library board shall take the oath of office prescribed by the Charter for city officials. If any person appointed as such member shall, for ten (10) days after receiving notice of such appointment, fail to take such oath, he shall be considered as having declined such office, and the same shall be deemed vacant.

Sec. 23-26. - Members not compensated.

Each member of the library board shall serve as such without compensation.

Sec. 23-27. - Organization; officers.

The members of the library board shall, immediately after their election and qualification, meet and organize. They shall elect a chairperson, a vice-chairperson and such other officers thereof, if any, as they may deem necessary. The librarian shall be, ex officio, secretary of the library board.

Sec. 23-28. - Quorum.

A majority of the library board shall constitute a quorum for the transaction of business.

Sec. 23-29. - Powers and duties generally.

The library board shall be consulted by and shall advise the council and the city manager, generally, regarding current best practices in public library systems nationally and on major library policy decisions, including hiring and firing of the Library Director(s), management and utilization of library facilities, provision of essential library services and programs to city residents, and other library-related matters as appropriate. The library board shall serve as liaison between the City's communities and the council and the city manager on matters affecting the library. The library board shall promote library services and programs, provide support for library management initiatives and decisions, and advise the council and the city manager on actions to take for the library. The library board shall, not less than once annually, deliver a formal written report to the council and the city manager, which shall provide information on the utilization and performance of the library and recommendations for actions to take for the library.

Section 2:- That this ordinance shall be in effect from and after its adoption.

**ADOPTED BY COUNCIL JANUARY 11, 2022
EFFECTIVE JANUARY 11, 2022**