

[Administrative Code - Eliminating Fines for Overdue Library Materials]

Ordinance amending the Administrative Code to eliminate fines for overdue library books and other materials and equipment, and forgiving outstanding patron debt for overdue fines.

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. Chapter 8 of 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 ~~finest 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	\$5
Phonorecords	\$0.10	\$5
Audiocassettes	\$0.10	\$5
Books-on-Tape	\$0.10	\$5

<i>Compact Discs</i>	<i>\$0.10</i>	<i>\$5</i>
<i>Magazines</i>	<i>\$0.10</i>	<i>\$5</i>
<i>Paperbacks (Cataloged)</i>	<i>\$0.10</i>	<i>\$5</i>
<i>Paperbacks (Uncataloged)</i>	<i>\$0.10</i>	<i>\$2</i>
<i>VHS, DVD, & Blu-ray</i>	<i>\$0.10</i>	<i>\$5</i>
<i>JUVENILE MATERIALS</i>	<i>DAILY</i>	<i>MAXIMUM</i>
<i>All Juvenile Materials</i>	<i>\$0.10</i>	<i>\$5</i>
<i>SPECIAL MATERIALS</i>	<i>DAILY</i>	<i>MAXIMUM</i>
<i>Sheet Music</i>	<i>\$0.10</i>	<i>\$5</i>
<i>Orchestral/Music Sets</i>	<i>\$0.10</i>	<i>\$5</i>
<i>Vertical File Materials</i>	<i>\$0.10</i>	<i>\$5</i>

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

<i>OVERDUE FINES for Seniors, Children, and Teens</i>	<i>DAILY</i>	<i>MAXIMUM</i>
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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>Seniors (over 65)</i>	<i>\$0.05</i>	<i>\$5.00</i>
<i>Children and Teens (0-17 years)</i>	<i>No fines</i>	<i>No fines</i>

* * * *

Section 2. Outstanding Patron Overdue Fines. The City shall forgive all outstanding debt accrued by patrons for the overdue fines repealed by this ordinance and any other overdue fines that have been previously repealed.

Section 3. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By:



BRADLEY A. RUSSI
Deputy City Attorney

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FILE NO. 190631

LEGISLATIVE DIGEST

[Administrative Code - Eliminating Fines for Overdue Library Materials]

Ordinance amending the Administrative Code to eliminate fines for overdue library books and other materials and equipment, and forgiving outstanding patron debt for overdue fines.

Existing Law

Existing law authorizes the Public Library to collect fines for overdue books, materials, and equipment.

Amendments to Current Law

The proposed ordinance would amend the Administrative Code to eliminate all overdue fines the Public Library is currently authorized to collect. The proposed ordinance would also forgive all outstanding debt that patrons owe the Public Library for overdue fines.

Background Information

On January 17, 2019, the Library Commission adopted a resolution urging the Board of Supervisors to adopt an ordinance eliminating overdue fines. The Library Commission resolution notes that such fines disproportionately impact low income San Franciscans and impose an unfair barrier of access to the Library for such individuals. On March 21, 2019, the Library Commission adopted a resolution urging the Board of Supervisors to pass an ordinance forgiving outstanding patron debt arising from overdue fines.

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SAN FRANCISCO PUBLIC LIBRARY COMMISSION

RESOLUTION NO. 2019-01

RESOLUTION URGING BOARD OF SUPERVISORS TO ADOPT ORDINANCE AMENDING ADMINISTRATIVE CODE TO AMEND LIBRARY FINES AND FEES SCHEDULE TO ELIMINATE ALL OVERDUE FINES.

WHEREAS, Section 8.21-2 of the San Francisco Administrative Code sets the fines and fees schedule for the San Francisco Public Library ("Library") system; and,

WHEREAS, The Board of Supervisors last amended the Library's fines and fees schedule set forth in Section 8.21-2 in 2017; and,

WHEREAS, In the time since the fines and fees schedule was last amended, the Library has recognized that the application of fines for overdue materials imposes an unfair barrier to access, which disproportionately impacts residents of lower socioeconomic status; and,

WHEREAS, To correct this disproportionate impact and ensure access to library services is equitable for all patrons, the proposed changes to the fines and fees schedule contained in Section 8.21-2 would eliminate overdue fines for all Library materials and equipment; and,

WHEREAS, Pursuant to Section 2.109 of the City Charter, the fines and fees schedule cannot be amended without approval by the Board of Supervisors; now, therefore, be it

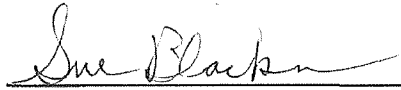
RESOLVED, that the Library Commission urges the Board of Supervisors to adopt the ordinance attached hereto modifying Section 8.21-2 of the San Francisco Administrative Code as stated in this resolution.

Approved on January 17, 2019

By a vote of: 6 - 1

AYES: Dunning, Huang, Mall, Ono, Wardell-Ghirarduzzi and Wolf

NAYS: Lee

A handwritten signature in cursive script, reading "Sue Blackman", written in dark ink. The signature is positioned above a horizontal line.

Sue Blackman

Library Commission Secretary

Attachment: Draft Ordinance

SAN FRANCISCO PUBLIC LIBRARY COMMISSION

RESOLUTION NO. 2019 - 02

**RESOLUTION URGING BOARD OF SUPERVISORS TO ADOPT ORDINANCE
FORGIVING ALL LIBRARY FINES OWED TO COMMENCE WITH AMENDED FINES
AND FEES SCHEDULE.**

WHEREAS, Section 8.21-2 of the San Francisco Administrative Code sets the fines and fees schedule for the San Francisco Public Library ("Library") system; and,

WHEREAS, The Board of Supervisors last amended the Library's fines and fees schedule set forth in Section 8.21-2 in 2017; and,

WHEREAS, In the time since the fines and fees schedule was last amended, the Library has recognized that the application of fines for overdue materials imposes an unfair barrier to access, which disproportionately impacts residents of lower socioeconomic status; and,

WHEREAS, To correct this disproportionate impact and ensure access to library services is equitable for all patrons, during the Library Commission meeting of January 17, 2019, the Library Commission approved changes to the fines and fees schedule contained in Section 8.21-2, eliminating overdue fines for all Library materials and equipment; and,

WHEREAS, Pursuant to Section 2.109 of the City Charter, the fines and fees schedule cannot be amended without approval by the Board of Supervisors; and,

WHEREAS, Contingent upon the Library's fines and fees schedule being amended by the Board of Supervisors to eliminate overdue fines for all Library materials and equipment, the levy of future fines for overdue Library materials and equipment on patrons' accounts will no longer occur; and,

WHEREAS, To date, Library patrons previously have incurred overdue fines for Library materials and equipment borrowed and not returned prior to the due date, and may have outstanding debt resulting from unpaid overdue fines remaining on their accounts, restricting their access to library collections and services; and,

WHEREAS, the Library Commission recognizes that the forgiveness of remaining existing overdue fines will eliminate barriers to the use and enjoyment of the Library, and benefit residents by increasing access to library services; now, therefore, be it

RESOLVED, that the Library Commission urges the Board of Supervisors to pass an ordinance forgiving all outstanding overdue fines owed to the Library and authorizing the San Francisco Public Library to write-off all overdue fines from patron accounts as stated in this resolution.

Approved on: March 21, 2019

By a vote of: 4 - 0

AYES: Huang, Ono, Wardell-Ghirarduzzi, and Wolf

NAYS: none

A handwritten signature in cursive script, appearing to read "Sue Blackman", is written over a horizontal line.

Sue Blackman

Library Commission Secretary

Attachment: Draft Ordinance