



Honorable President

and Members of the City Council:

Transmitted herewith is an Ordinance approving the elimination of daily overdue fines for library materials and approving the forgiveness and waiver of all outstanding debt accrued on patron accounts for the overdue fines repealed by this Ordinance, making Omaha Public Library a fines-free library.

The American Library Association (ALA) adopted a resolution in January 2019 “urging libraries to scrutinize their practices of imposing fines on library patrons and actively move towards eliminating them” (see Exhibit A). Fines create an economic obstacle to accessing library materials and services. After the unprecedented year that our community has faced, it is vital that we work to eliminate all barriers to access that we are able to.

This elimination will not adversely impact the Library’s operating budget. It should optimize library staff time and increase efficiency while improving patron relationships with the library.

Pursuant to Section 14-5 of the Omaha Municipal Code (Code 1980, § 14-5), “Penalties imposed or accruing by any by-law or regulation of the library board may be recovered in a civil action before any court having jurisdiction, such action to be instituted in the name of the public library board of the City of Omaha; and the moneys collected in such actions shall be forthwith placed in the City treasury to the credit of the library fund.” As inferred in Section 14.5, programs waiving monies owed to the Library shall be approved by the City Council prior to implementation. Library staff will develop all procedures and policies needed to implement the elimination of daily overdue fines for late materials.



**Omaha
Public
Library**
Open Your World

The Library Department, in conjunction with the Mayor of the City of Omaha and the Omaha Public Library Board of Trustees, requests your consideration and approval of this Ordinance.

Respectfully submitted,

Approved as to Funding:

Laura Marlane 3-16-21
Laura Marlane
Library Director
Date

Stephen B. Curtiss 3/23/21
Stephen B. Curtiss
Finance Director
AA
Date

Referred to City Council for Consideration:

Jan Stothart 3/24/21
Mayor's Office
Date

1280jlg

ORDINANCE NO. _____

AN ORDINANCE to approve the elimination of daily overdue fines for library materials; to approve the forgiveness and waiver of all outstanding debt accrued on patron accounts for the overdue fines repealed by this Ordinance; and, to provide for the effective date hereof.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

Section 1. That, as recommended by the Mayor and the Omaha Public Library Board of Trustees, the elimination of daily overdue fines for late materials and the forgiveness and waiver of all outstanding debt accrued on patron accounts for the overdue fines repealed by this Ordinance, is hereby approved.

Section 2. That, Library administration will develop procedures and policies to implement the elimination of daily overdue fines.

Section 3. That, the Library will still charge other fees, such as fees for missing and/or damaged materials.

Section 4. That, this Ordinance, not being of legislative character, shall be in full force and take effect immediately upon its date of passage.

INTRODUCED BY COUNCILMEMBER

APPROVED BY:

MAYOR OF THE CITY OF OMAHA DATE

ORDINANCE NO. _____


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PASSED _____

ATTEST:

CITY CLERK OF THE CITY OF OMAHA DATE

APPROVED AS TO FORM:



CITY ATTORNEY 3/18/21
DATE

1281jlg

Resolution on Monetary Library Fines as a Form of Social Inequity

Whereas monetary fines present an economic barrier to access of library materials and services;

Whereas there is mounting evidence that indicates eliminating fines increases library card adoption and library usage;

Whereas monetary fines create a barrier in public relations, and absorb valuable staff time applying, collecting, and managing dues;

Whereas the first policy objective listed in ALA Policy B.8.10 (Library Services to the Poor) as approved by ALA Council on January 27, 2019, states that the American Library Association shall implement these objectives by "Promoting the removal of barriers to library and information services, particularly fees, and overdue charges";

Whereas ALA Policy B.4.2 (Free Access to Information) "asserts that the charging of fees and levies for information services, including those services utilizing the latest information technology, is discriminatory in publicly supported institutions providing library and information services";

Whereas in Economic Barriers to Information Access, An Interpretation of the Library Bill of Rights, ALA states "All library policies and procedures, particularly those involving fines, fees, or other user charges, should be scrutinized for potential barriers to access;

Whereas libraries will need to take determined and pragmatic action to dismantle practices of collecting monetary fines

Whereas libraries of all types are responsive to bodies, be they school districts, boards of trustees, college and university administration, or government entities and therefore need to be able to make the case to those bodies about eliminating fines; and

Whereas monetary fines ultimately do not serve the core mission of the modern library; now, therefore, be it

Resolved, that the American Library Association (ALA), on behalf of its members

1. adds a statement to the Policy Manual that establishes that “The American Library Association asserts that imposition of monetary library fines creates a barrier to the provision of library and information services.”;
2. urges libraries to scrutinize their practices of imposing fines on library patrons and actively move towards eliminating them; and
3. urges governing bodies of libraries to strengthen funding support for libraries so they are not dependent on monetary fines as a necessary source of revenue.

Mover: Peter Hepburn, Councilor At-Large, 773.426.8082

Seconders: Matt Ciszek, Councilor At-Large, 330.397.3650

Sara Dallas, Councilor At-Large, 518.859.0742

Ed Garcia, Councilor At-Large, 401-497-8992

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March 18, 2021

Library Trustees:

Attached for your consideration is a Resolution approving the elimination of daily overdue fines for all Omaha Public Library patrons. After an unprecedented year, Omaha Public Library does not want to further burden any patrons with daily overdue fines. This Resolution seeks to retroactively eliminate existing overdue fines on patron accounts, and eliminate Omaha Public Library from charging patrons daily overdue fines in the future. The elimination of these daily overdue fines will not adversely impact the Library's operating budget. The Library will continue to charge patrons other fees, such as fees for missing and/or damaged materials.

Eliminating daily overdue fines will remove a significant barrier to access, and your favorable consideration is appreciated.

Respectfully submitted,



Laura Marlane
Executive Director

**Omaha Public Library
Board of Trustees
Omaha, NE**

RESOLVED BY THE OMAHA PUBLIC LIBRARY BOARD OF TRUSTEES:

WHEREAS, the Library is committed to providing patrons access to needed resources in our community; and,

WHEREAS, the Library seeks to retroactively eliminate existing overdue fines on patron accounts; and,

WHEREAS, the Library will eliminate the act of charging patrons daily overdue fines for materials; and,

WHEREAS, the Library will still charge other fees, such as fees for missing and/or damaged materials; and,

WHEREAS, the Library administration will develop procedures and policies to implement the elimination of daily overdue fines; and,

WHEREAS, the Mayor of the City of Omaha has recommended the elimination of daily overdue fines.

NOW, THEREFORE, BE IT RESOLVED BY THE OMAHA PUBLIC LIBRARY BOARD OF TRUSTEES:

THAT, the elimination of daily overdue fines for late materials and making Omaha Public Library a fines-free library, is hereby approved, subject to approval by the City Council of the City of Omaha.

RESOLUTION NO. 2021-02

**Approved by the Board of Trustees
of the Omaha Public Library March 18, 2021**