

#2019-12

**ORDINANCE OF THE BOROUGH OF AUDUBON PARK, COUNTY OF CAMDEN
AND STATE OF NEW JERSEY, ENTITLED “PUBLIC LIBRARY”**

WHEREAS, the Borough of Audubon Park (“Borough”) is a municipal entity organized and existing under the laws of the State of New Jersey and located in Camden County; and

WHEREAS, the Governing Body has deemed it necessary and in the best interest of the public health, safety and general welfare of the residents to update the provisions pertaining to the establishment, membership, fees and duties of the Public Library of the Borough of Audubon Park; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Borough by law.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Audubon Park, County of Camden, and State of New Jersey, as follows:

SECTION 1: Ordinance #2019-12, entitled “Public Library” is hereby established to read as follows:

PUBLIC LIBRARY

1.1 Definitions

Lost item – material checked out under a person’s card and either lost or never returned by that person.

Damaged item – material checked out in good condition that is returned in a state that is beyond repair and needs to be replaced.

1.2 Failure to return borrowed property.

No person shall detain or fail to return any item, including but not limited to book, periodical, pamphlet, artistic reproduction, phonograph recording, audiovisual material or any other article borrowed from the Audubon Park Public Library after 30 days have elapsed from the date of posting by certified mail, return receipt requested, of a notice demanding return thereof, addressed to said person at the last address furnished to the library.

1.3 Damaging library materials.

No person shall cut, tear, deface, disfigure, damage or destroy any item, including but not limited to book, periodical, pamphlet, artistic reproduction, phonograph recording, audiovisual

material or other article, or any part thereof, which is borrowed from, owned by or is in the custody of the Audubon Park Public Library.

1.4 Giving false information; misuse of borrower's card.

No person shall register or furnish a false name or address or use without the owner's permission any card other than the one issued to said person for the purpose of borrowing any item, including but not limited to book, periodical, pamphlet, phonograph recording, audiovisual material or other articles from the Audubon Park Public Library.

1.5 Removal of materials from library.

No person shall take any book or property from the Audubon Park Public Library without having it charged to his borrower's card.

1.6 Enforcement.

The provisions of this chapter shall be enforced by the Borough Librarian or such other person as may, from time to time, be designated by the Borough Council.

1.7 Regulations.

If an item is lost or returned in a state that is damaged beyond repair, the person shall either (a) pay for the item based on the price as shown in the library's database, plus a processing fee of \$4.00 or (b) provide the library with a new or like new exact replacement of the lost or damaged item, plus a processing fee of \$4.00. A person may keep a damaged item once it is paid for.

SECTION 2: Except as set forth in Section 1 above, the balance of the Borough's ordinances shall not be affected by this Ordinance.

SECTION 3: All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

SECTION 4: If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 5: This Ordinance shall take effect upon passage and publication according to law.

Attest:

BOROUGH OF AUDUBON PARK

Introduced: November 4, 2019

Adopted: December ___, 2019

LAWRENCE E. PENNOCK, MAYOR

Certified to be a true copy of an Ordinance adopted by the Mayor and Borough Council of the Borough of Audubon Park at a regular meeting held on December ___, 2019.

DAWN M. PENNOCK, MUNICIPAL CLERK