



**WIMMERA  
REGIONAL LIBRARY  
CORPORATION**

your local library

**WIMMERA REGIONAL  
LIBRARY CORPORATION**

**LOCAL LAW NO. 2 - 2017**

**LIBRARY SERVICES LOCAL LAW**

# WIMMERA REGIONAL LIBRARY CORPORATION

## LIBRARY SERVICES LOCAL LAW

### Local Law No. 2

#### Table of Contents

1.1	TITLE.....	3
1.2	OBJECTIVES OF THIS LOCAL LAW .....	3
1.3	POWER TO MAKE THIS LOCAL LAW .....	3
1.4	OPERATIONAL DATE OF THIS LOCAL LAW .....	3
1.5	DATE THIS LOCAL LAW CEASES OPERATION .....	3
1.6	Definitions .....	3
2.1	EXERCISE OF DISCRETIONS .....	5
2.2	POWER OF THE CHIEF EXECUTIVE OFFICER .....	5
2.3	APPEAL.....	5
3.1	MEMBERSHIP .....	6
3.2	FEEES AND CHARGES.....	6
3.3	ACCESS .....	6
3.4	RIGHT TO REFUSE ENTRY .....	6
3.5	CONDUCT .....	7
4.1	OFFENCES.....	9
4.2	INFRINGEMENT NOTICES .....	9

# WIMMERA REGIONAL LIBRARY CORPORATION

## LIBRARY SERVICES LOCAL LAW

### Local Law No. 2

#### PART 1 - PRELIMINARY

---

#### 1.1 TITLE

- 1.1.1 This Local Law will be known as the Wimmera Regional Library Corporation Local Law No. 2 and referred to below as this Local Law.

---

#### 1.2 OBJECTIVES OF THIS LOCAL LAW

- 1.2.1 The objectives of this Local Law is to regulate the management and control of library services provided by the Wimmera Regional Library Corporation.

---

#### 1.3 POWER TO MAKE THIS LOCAL LAW

- 1.3.1 This Local Law is made under the provisions of Part 5 of the *Local Government Act 1989*.

---

#### 1.4 OPERATIONAL DATE OF THIS LOCAL LAW

- 1.4.1 This Local Law shall come into operation from the day following publication in the Victorian Government Gazette.

---

#### 1.5 DATE THIS LOCAL LAW CEASES OPERATION

- 1.5.1 Unless this Local Law is revoked earlier, its operation will cease ten years after it became operative.

---

#### 1.6 Definitions

- 1.6.1 In this Local Law, the words listed below have the meaning indicated:

Act	Means the Local Government Act 1989
Authorised Officer	Means a person appointed as an authorised officer pursuant to the Local Law and section 224 of the Act
Board	Means the governing body of the Wimmera Regional Library Corporation

Chief Executive Officer	Means the person appointed by the Corporation as Chief Executive Officer in charge of the Library service generally
Corporation	Means Wimmera Regional Library Corporation established by an agreement made under section 196 of the Act
Due Date	Means the date recorded by the Library staff when Borrowed Library Material must be returned to the Library
Item	Includes any and every book, magazine, newspaper, pamphlet, video recording, digital video recording, music score, picture, print, map, chart, manuscript, toy, reading or listening equipment, electronic resource, compact disk, audio tape recording, software program or any other article forming part of the contents of the Library available for borrowing, reference or perusal whether or not the property of the Corporation
Library	Means all library facilities, resources and activities provided by or under the management or control of the Corporation
Library Service	Means all or any Library outlet under the management and control of the Corporation, and includes without limiting the generality of the foregoing, all buildings or portions thereof, mobile library and other areas, facilities and vehicles used in connection with the provision of the library service
Member	Means a person, school or institution holding a current and valid membership card issued in accordance with this Local Law
Membership Card	Means a current and valid card issued to a member by the Library in accordance with this Local Law as an authority to borrow items
Patron	Means any person making use of the library service

## **PART 2 – ADMINISTRATION OF THIS LOCAL LAW**

---

### **2.1 EXERCISE OF DISCRETIONS**

- 2.1.1 In exercising any discretion contained in this Local Law the Corporation must have regard to:
- a. the objectives of this Local Law; and
  - b. any guidelines or policies made by the Corporation from time to time.
- 2.1.2 The Corporation may from time to time make guidelines for use by the Corporation, its officers and other persons for the purposes of this Local Law.
- 2.1.3 Guidelines made by the Corporation must not be inconsistent with the objectives of this Local Law.

---

### **2.2 POWER OF THE CHIEF EXECUTIVE OFFICER**

- 2.2.1 Any person using the library service shall obey the lawful directions of the Chief Executive Officer or an Authorised Officer in charge of the library service generally or any branch, section or portion thereof.

---

### **2.3 APPEAL**

- 2.3.1 Any person who is aggrieved by any matter under this Local Law may apply to the Corporation to be heard and may make a written submission for consideration by the Corporation, but this right will not in any way remove that person's obligation to act in accordance with any directions or notices which are applicable under this Local Law.

## **PART 3 – LIBRARY SERVICES**

---

### **3.1 MEMBERSHIP**

- 3.1.1 The Board may establish conditions of membership for the Library Service.
- 3.1.2 A person who is a member of the Library Service must comply with any conditions of membership which have been established under Clause 3.1.1 and which are applicable to him or her.

---

### **3.2 FEES AND CHARGES**

- 3.2.1 The Board may set fees or charges in connection with the use of any Library Service.
- 3.2.2 A person must pay any fee or charge set under Clause 3.2.1 which is payable by him or her.

---

### **3.3 ACCESS**

- 3.3.1 Subject to the provisions of this Local Law, any person shall have access to the Library to use services, resources and facilities provided for public use
- 3.3.2 Persons shall enter only those parts of the Library open for public use and during hours of opening fixed by the Board, except with the permission of the Chief Executive Officer or an Authorised Officer.
- 3.3.3 Persons shall leave the Library at the times fixed for closing the Library or at the request of the Chief Executive Officer or an Authorised Officer.
- 3.3.4 A person who is in the library must leave the library and not re-enter it upon having been directed to leave and not re-enter by the Chief Executive Officer, an Authorised Officer or a member of the Victoria Police.
- 3.3.5 All persons shall have access to all items in the Library for consultation on the premises, with the exception of items determined by the Chief Executive Officer or Authorised Officer to be unavailable for lending or on restricted access.
- 3.3.6 The Library shall not exclude borrowing of any items to persons under the age of 18 unless the availability of such items is restricted by legislation.

---

### **3.4 RIGHT TO REFUSE ENTRY**

- 3.4.1 The Chief Executive Officer or any member of the Corporation's staff may refuse any person entry to a Library of the person is:
- a. or appears to be in an intoxicated condition, or under the influence of any drug;

- b. accompanied by an animal (except if that animal is a guide dog being used by a visually impaired person or a hearing dog being used by a hearing impaired person);
- c. carrying a firearm or an offensive weapon;
- d. not decently attired;
- e. under the age of 10 years and not in the apparent care of a reasonable person;
- f. in the opinion of a member of the Corporation's staff likely to behave in a disorderly manner while in the Library; offend against decency while in the Library, whether by reason of the person's appearance or behaviour; endanger any other person or any property in the Library; or destroy, damage, deface or interfere with the Library.

---

### **3.5 CONDUCT**

#### **3.5.1 A person who is in a Library must:**

- a. open for inspection at the request of any member of the Corporation's staff any bag, briefcase, container or other receptacle in his or her possession;
- b. relinquish any Item ordinarily held in the Library at the request of any member of the Corporation's staff;
- c. not commit any nuisance in the library;
- d. not interfere with another person's use or enjoyment of the Library;
- e. not act in a manner which endangers any other person in the Library;
- f. not behave in an indecent, offensive, insulting or riotous manner in the Library;
- g. not use indecent, insulting, offensive or abusive language in the Library;
- h. not destroy, damage, deface or otherwise interfere with the Library or any object located within the Library which is owned by or under the control of the Corporation;
- i. not remove any object from the Library unless it has been borrowed or its removal has been otherwise authorised by the Corporation;
- j. not act in a manner contrary to any restriction or prohibition contained in the inscription on a sign in the Library;
- k. not leave any pamphlet, poster or handbill in the Library without the consent of a member of the Corporation's staff;
- l. not smoke inside the Library or within 10 metres of a Library;
- m. not sell or offer for sale any goods or services in the Library without the authority of a member of the Corporation's staff;

- n. not bring into the library any substance, liquid or powder which may be dangerous or injurious to health; have the potential to foul, pollute or soil any part of the Library; or cause discomfort to any person; without the authority of a member of the Corporation's staff;
- o. not bring any animal, or allow any animal under his or her control to remain, in the Library without the consent of a member of the Corporation's staff unless that animal is an assistance dog;



## **PART 4 – ENFORCEMENT AND PENALTIES**

---

### **4.1 OFFENCES**

- 4.1.1 Where any provision in Part 3 of this Local Law requires that something may not be done at all, any person who does that act is guilty of an offence and liable to a penalty not exceeding 20 penalty units.
- 4.1.2 Where any provision in Part 3 of this Local Law required that something must be done, any person who fails to do that act is guilty of an offence and liable to a penalty not exceeding 20 penalty units.

---

### **4.2 INFRINGEMENT NOTICES**

- 4.2.1 An Authorised Officer may, as an alternative to prosecution, serve an infringement notice on a person whom the Authorised Officer believes has committed an offence against Part 3 of this Local Law, requiring the person to pay the penalty for that infringement within 28 days of the issue of the infringement notice.
- 4.2.2 A fixed penalty of 2 penalty units will apply in respect of each infringement notice.
- 4.2.3 In the event of the failure of a person served with an infringement notice to pay the amount specified within 28 days of the issue of the notice or such further time as the Board or the Authorised Officer may permit, the Board or the Authorised Officer may pursue the matter by prosecuting for an offence or by taking any steps which may be available for enforcing penalties under the Infringements Act 2006.
- 4.2.4 Any person served with an infringement notice is entitled to disregard the notice and defend a prosecution in Court.



Resolution for making this Local Law agreed to by the Board of the Wimmera Regional Library Corporation on the 18<sup>th</sup> day of August 2017

THE COMMON SEAL of the BOARD OF THE WIMMERA REGIONAL LIBRARY CORPORATION was hereunto affixed in the presence of:



.....  
*Julie*

)  
)  
)  
Member of the Board

.....  
*[Signature]*

Member of the Board

.....  
*amy*

Chief Executive Officer

Notice of confirmation of the Local Law was inserted in the Victorian Government Gazette dated the 29<sup>th</sup> day of June 2017 at page no. 1374.

Public notice of the proposal to make and confirmation of the making of this Local Law were inserted in the Wimmera Mail Times 28<sup>th</sup> June 2017; West Wimmera Advocate 28<sup>th</sup> June 2017; Warracknabeal Herald 27<sup>th</sup> June 2017; Stawell Times News 27<sup>th</sup> June 2017; Nhill Free Press 28<sup>th</sup> June 2017; Buloke Times 27<sup>th</sup> June 2017.

A copy of this Local Law was sent to the Minister responsible for Local Government on the day of 27<sup>th</sup> September 2017

