

Columbus Public Library  
**CIRCULATION POLICY**

**A. Registration**

Patrons must use a valid LINK bar-coded library card or photo identification to check out materials or equipment.

Patrons must fill out an application form to register for a new library card. The following statement is printed on the registration form for the patron's information and acceptance:

*I agree to be responsible for material drawn on the library card issued in the above name, including material drawn on it by others with or without my consent unless I have previously reported the loss of my card. I promise to comply with all library rules and policies both present and future and give prompt notice of change of address or loss of library card. I further understand that the library maintains access to a broad range of material and that it is my responsibility to judge for myself and for my children/minor dependents the appropriateness of that material for my/our personal use.*

*Signature (patron or parents/guardians name for juveniles) \_\_\_\_\_*

Any residents of South Central Library counties are eligible for a Columbus Public Library card.

Wisconsin residents who live outside of the South Central Library System (Adams, Columbia, Dane, Green, Portage, Sauk, and Wood Counties) may get a Columbus Library card at no cost.

This card enables you to check out books, CDs, DVDs and Blu-rays, magazines, and other physical materials held by the libraries in the South Central Library System. You may also request items through Outerlibrary Loan. This card grants remote access to our online databases. **This card does not grant access to eBooks and other digital materials through Wisconsin's Digital Library, including Libby.** This is a policy of the Wisconsin Public Library Consortium, and is not a decision made at the local level. We recommend visiting a library in your county of residence to obtain a card that will allow you to borrow materials from this resource.

Adults requesting a library card are required to submit a Photo ID along with acceptable proof of current address: Wisconsin driver's license, canceled mail, or a checkbook. If a patron's name changes they need to produce current identification with the new name. Patrons are responsible for updating with library staff their mailing address, email address and/or phone number(s).

Applicants under the age of 18 are required to have the signature of a parent or guardian on their application card parents or guardians need to come into the library with the juvenile. The parent or guardian needs to provide current photo ID with address verification and fill out a registration form. If the address on the photo ID is not current they need to bring in other acceptable ID for addresses including: Wisconsin driver's license, canceled mail, or a checkbook.

If an applicant is unable to sign his/her name because of a disability, a stamp or signature by another person with the patron's verbal permission as stated to a staff member will be accepted.

## **B. Lost or forgotten cards**

If a patron loses his/her library card, he/she should notify the library as soon as possible. Card replacement cost is \$1.

All patrons, adult and juvenile, are expected to bring their library cards with them if they intend to check out items or use computers. An individual who repeatedly ignores this expectation may be denied the privilege of checking out materials until they present their card at the library.

## **C. Loan periods**

- Videos, DVD's– 7 days
- Video games, B&T Lease collection books, Magazines, Music CD's, Outside SCLS Library Loan, Magazines – 14 days
- Fiction, Non Fiction, audio books– 28 days
- Generally, reference books do not circulate. Some reference materials may be checked as marked on the material.
- Materials not owned by the Columbus Public Library are due the date indicated on the slip or on your patron record which can be checked online using your library card and pin numbers.
- Materials may be renewed up to two times unless there is a waiting list for the title.
- Current issues of periodicals do not circulate.

## **D. Reserves (holds)**

1. SCLS loans: Reserves may be placed by patrons either in person, online or over the phone. Patrons will be notified by e-mail, telephone or text.

2. Non-SCLS loans: Staff at Columbus Public Library must place all non-SCLS loans for you. Call or come in during regular business hours to do so.

## **E. Charges**

- A cost of \$5.00 will be charged for missing booklets or maps from CDs, computer games or book inserts.
- Replacement cost of a lost library card is \$1.00.

No items checked out at the Columbus Public Library will accrue overdue fines; however, lost and replacement fees on items still apply.

There is a maximum fee limit of \$20.00 after which patrons cannot check out any more materials until they are paid (per SCLS policy).

## **F. Notification of Overdue**

There is a four point notification system for overdue, lost and damaged materials:

1. The **first overdue notice** will be sent out via email or postal mail 14 days after the item is due.
2. A **second notice** is sent out via email or postal mail 26 days after the item is due.
3. **Notification of intent to prosecute** is sent via postal mail a minimum of 36 days after the item is due. If materials are not returned for violation of Chapter 62-1 of the Municipal Code of the City of Columbus, "Failure to Return Library Materials" (see Attachment 1), a letter will be mailed to the patron when the final notice is received from South Central Library System. A sample of the notice letter is at the end of this section
4. **Citation** sent a minimum of 66 days after item is due. If materials are not returned or paid for in full after notification the library director or designated staff member will notify the police department. The police department then issues a citation. A police officer will then refer the patron, parent or legal guardian of the patron to the Columbus Municipal Court for prosecution.

If materials are damaged so as to be judged by the library as being unsuitable for the collection, the patron must pay the replacement cost. Patrons will be given the damaged material if they wish to have it after payment.

The Columbus Public Library does not accept replacement copies of lost or damaged materials, only payments. The cost of the material will be based on the cost of the item as listed on Amazon at the time payment is made, plus a \$2 service fee.

If lost items that have been paid for are found within 7 months of the original due date, the patron may be eligible for a refund based on the owning library's policies regarding refunds. The Columbus Public Library issues refunds for paid lost materials, owned by the Columbus Public Library, that are returned within 7 months of the original due date.

***Sample Notification of intent to prosecute (see #3 above) – Failure to return library materials will put you in violation of Columbus Municipal Code, Section 62-1***

*Thank you for choosing the Columbus Public Library for your reading, viewing and listening needs. As you know, library materials are free for all library card holders. Because we all share in this community resource, we are all responsible for the items available for check out. Please return your overdue item as soon as possible so it can be available for others.*

*You have received prior notices concerning this matter. This is your final notice to return this item:*

*ITEM NAME By: Author #Item barcode number (Item type EX: Children's Picture Book)  
\$Cost. Due: due date. Owned by Owning Library.*

*Please promptly return this item in usable condition. If you cannot find this item or if it is deemed damaged by library staff, you must pay the replacement cost of \$\_\_\_\_\_ or contact us to make alternate arrangements no later than (30 days past mailing date) in order to avoid prosecution. Please be aware that prosecution fees charged by the court or police department are in addition to the above costs and are collected by those bodies, not the library. If you need further information about this item, call the library for assistance. 920-623-5910.*

*Per City Code, your failure to comply with this notice will subject you to prosecution for a violation of Columbus Municipal Code section 62-1, Failure to Return Library Materials.*

## **G. Confidentiality**

As specified in *Wisconsin Statutes 43.30*, "records of any library which is in whole or in part supported by public funds, including the records of a public library system, indicating the identity of any individual who borrows or uses the library's documents or other materials, resources or services may not be disclosed except by court order or to persons acting within the scope of their duties in the administration of the library or library system, to persons authorized by the individual to inspect such records, or to libraries authorized under subs. (2) and (3)." Patrons requesting information on juveniles must sign a form stating they are the legal guardian/parent of said minor before information on that juvenile will be given to them per WI STATE STATUE 43.30 (Section 1 and 2 see attached form and state statue at the end of this policy).

In addition, the Columbus Public Library Board supports the principle of freedom of inquiry for library patrons, and has adopted this policy to protect against the unwarranted invasion of the personal privacy of library users.

## **Legal requirements**

### **City of Columbus Ordinance**

All records pertaining to a patron's use of library facilities, materials or equipment are confidential. Access to such records by individuals or organizations outside the library is not permitted, except under a court order or as stated in Wisconsin State Statues 43.30(4). Patron information shall be released to the Columbus Police Department through communication from the director or the library director's designee for the sole purpose of prosecution under City of Columbus Ordinance Section 62-1 of the Municipal Code of the City of Columbus, "Failure to Return Library Materials."

### **State of Wisconsin**

The relevant Wisconsin laws concerning the confidentiality of library records are Wisconsin Statutes Section 43.30 and the Wisconsin Personal Information Practices Act (Sections 19.62 and 19.80).

Under Section 43.30, library records which indicate the identity of any individual who borrows or uses the library's documents or other materials, resources or services may only be disclosed:

1. with the consent of the individual library user (see **LINK Holds Pickup Authorization Attachment 2**)
2. by court order
3. to persons acting within the scope of their duties in the administration of the library or library system, or
4. to other libraries (under certain circumstances) for interlibrary loan purposes [see ss. 43.30(2) and (3)].

Wisconsin's Personal Information Practices Act (Sections 19.62 to 19.80) requires all state and local government organizations (including public libraries) to develop procedures to protect the privacy of personal information kept by the organization. Libraries (and all other government organizations) are required to develop rules of conduct for employees involved in collecting, maintaining, using, and providing access to personally identifiable information. Libraries are also required to ensure that employees handling such records "know their duties and responsibilities relating to protecting personal privacy, including applicable state and federal laws."

Records indicating the identity of library users include a library users name, library card number, telephone number, email address, street address, post-office box number, or 9-digit extended zip code.

Records held by the library that include personally identifiable information about library users may also contain information that must be provided to those who request that information, as required by Wisconsin's public records law. Personally identifiable information about library users must be removed from any records that are publicly disclosed, except as the records are disclosed under one of the four exceptions provided by Section 43.30 (see above).

### **Rules to be followed by library staff**

1. As required by state law, library staff may only disclose library records indicating the identity of library users under the following conditions":
  - a) Disclosure of staff members of the Columbus Public Library, and the staff of other libraries and library systems only according to written procedures that comply with the laws cited above and that are approved by the director.
  - b) Disclosure as authorized by the individual library user (see **LINK Holds Pickup Authorization** see Attachment 2)
  - c) Disclosure pursuant to court order (see below for handling of different types of court orders)
2. Library staff must refer all requests for library records and all requests for information about particular library users to the library director or the library director's designee.
3. Library staffs are not allowed to share information about use of library resources and services by identified library patrons except as necessary for the performance of their job duties and in accordance with procedures approved by the library director and/or board.

## **Handling requests from custodial parents or guardians of children under the age of 16 (see Attachment 3)**

Requestor must be the child’s “custodial parent” defined as any parent other than a parent who has been denied periods of physical placement with a child under s767.24(4). The library staff will:

1. request identification
2. if the requestor is the parent or guardian listed on the child’s library record, the staff may provide the requested information; otherwise the staff will obtain a completed and signed “Request for Access to Child’s Library Record” form to help ensure that the requestor is indeed the child’s custodial parent or guardian and that the requestor has not been denied periods of physical placement with the child under s767.24(4).
3. The staff may then grant the request or refer the request to the library director or designee.

The library staff will attempt to satisfy the request as soon as practicable and without reasonable delay. In most cases this will be at the time of the request. If there is a question of the requestor’s guardianship, the staff person may delay the request until reviewed by the library director and/or library board. If a request is denied by the library staff, the requester can appeal in writing to the library board.

## **Handling of court records**

[Note: All search warrants are court orders, but not all subpoenas are court orders. Library staff may not disclose library records in response to a subpoena that is not a court order if those records indicate the identity of library users.]

If a law enforcement officer (or anyone else) brings a subpoena<sup>1</sup> directing library staff to produce library records, records will not immediately be produced. The procedure in this case is:

1. Notify the library director, or, if the Director is not available, the Director designee—most likely the Library Board President,.
2. The library director or designee should ask the municipal attorney (or library counsel) to review the subpoena.
3. If the subpoena has any legal defects, require that the defects be cured before records are released.
4. If appropriate, ask legal counsel to draft a protective order to be submitted to the court keeping the requested information confidential and limiting its use to the particular case.
5. Follow legal counsel’s advice for compliance with the subpoena.

If law enforcement officers bring a court order in the form of a search warrant<sup>2</sup>

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<sup>1</sup> A subpoena is a call to come before a court, and may include a direction to bring specified records. Not all subpoenas are court orders. Your municipal attorney (or library counsel) can determine if a particular subpoena is a court order. A subpoena normally indicates that a response is required within a certain time period.

1. A search warrant is executable immediately, unlike a subpoena. The law enforcement officers may begin a search of library records as soon as they enter the library.
2. Library staff will request that the law enforcement officers wait until the Library Director or Designee and municipal attorney (or library counsel) are present before the search begins, allowing counsel an opportunity to examine the search warrant and to assure that the search conforms to the terms of the search warrant. (The law enforcement officials are not required to accede to your request to delay the search.)
3. The Director or Designee may then cooperate with the search to ensure that only the records identified in the warrant are produced and that no other user's records are disclosed.

If FBI agents bring a court order in the form of a **search warrant issued under the Foreign Intelligence Surveillance Act (FISA)**<sup>3</sup>

1. A search warrant is executable immediately, unlike a subpoena. The law enforcement officers may begin a search of library records as soon as they enter the library.
2. Request that the law enforcement officers wait until the Library Director (or Designee) and municipal attorney (or library counsel) are present before the search begins in order to allow counsel an opportunity to examine the search warrant and to assure that the search conforms to the terms of the search warrant. (The law enforcement officials are not required to accede to your request.)
3. The Director or Designee may then cooperate with the search to ensure that only the records identified in the warrant are produced and that no other user's records are disclosed.
4. It is illegal to disclose to any other person (other than those persons necessary to produce the tangible things sought in the warrant) that the Federal Bureau of Investigation has sought or obtained records or other items under the Foreign Intelligence Surveillance Act (FISA).
5. .

Approved 9/18/07  
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 Revised 5/21/19

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<sup>2</sup> A search warrant is an order signed by a judge directing a law enforcement officer to conduct a search of a designated person, designated object or a designated place for the purpose of seizing designated property or kinds of property.

<sup>3</sup> The USA Patriot Act amended the Foreign Intelligence Surveillance Act (FISA) to allow the FBI to apply for a court order requiring the “production of any tangible things (including books, records, papers, documents and other items) for an investigation to protect against international terrorism or clandestine intelligence activities, provided that such investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment...”

**ATTACHEMENT 1: City of Columbus Ordinance**

**ARTICLE I. IN GENERAL**

**Sec. 62-1. Failure to return library materials**

- (a) In this section, “library materials” include any book, plate, pictures, photograph, engraving, painting, drawing, map, newspaper, magazine, sound recording, audiovisual materials in format, magnetic or other tapes, electronic data processing records, artifacts, or other documentary written or printed materials, regardless of physical form or characteristics, belonging to, on loan to or otherwise in the custody of a municipal library situated or based within the city limits.
- (b) No person shall take and carry away any library materials with the consent of a library official, agent, or employee and fail, after the notice required by this section, to timely return the library materials.
- (c) No person shall be charged with a violation of this section unless such person is provided written notice signed by a library official, agent or employee setting forth at least the following:
  - (1) A reasonable description of the library materials.
  - (2) The date the library materials were due to be returned.
  - (3) The statement that “your failure to comply with this notice shall subject you to prosecution for a violation of Columbus Municipal Code section 62-1, Failure to Return Library Materials,” and upon conviction, a forfeiture as provided in section 1-14. Such notice shall be served either by regular, first class mail, sent to the person’s last known address or by personal service upon such person.

(Code 1978, 1920)



**ATTACHEMENT 2**  
**Holds Pickup Authorization Form**

Date \_\_\_\_\_

**Print the complete names and library card numbers for each person involved.**

By signing this each person has agreed to check out materials being held for the person named under number 1. You are also stating that you understand the library's policy for protecting the privacy of its users per Wisconsin State Statues under Section 43.30 and its responsibility for protecting library materials. Further you are authorizing the library to allow those listed below (#2-5) to pick up holds at any South Central Library System library. The person checking out materials must present his/her own valid library card or photo ID to validate approval as given below. Only materials on hold can be checked out by another person with the requestors (see #1) library card if it is in their possession. The card owners are responsible for all materials checked out on their library card as stated on their library card.

**Return the completed form to the library.** Once the form has been received, staff will enter the information into the computer system as soon as possible. (NOTE: Notify staff at the checkout desk if you wish to cancel this authorization at any time.)

**Person materials being picked up for:**

1. \_\_\_\_\_ Library card number: 290780 \_ \_ \_ \_ \_  
(Print Name)  
\_\_\_\_\_  
(Signature)

**Persons picking up materials:**

2. \_\_\_\_\_ Library card number: 290780\_ \_ \_ \_ \_  
(Print Name)
3. \_\_\_\_\_ Library card number: 290780\_ \_ \_ \_ \_  
(Print Name)
4. \_\_\_\_\_ Library card number: 290780\_ \_ \_ \_ \_  
(Print Name)
5. \_\_\_\_\_ Library card number: 290780\_ \_ \_ \_ \_  
(Print Name)

**STAFF ONLY** When you add a **Hold Pickup Authorization** block to a patron's record, you are prompted to add a comment. This is where you should type in the name of the person(s) for whom THIS patron (i.e. the patron displayed in CKO) is permitted to pick up holds.

**Per Wisconsin State Law under Section 43.30**, library records which indicate the identity of any individual who borrows or uses the library's documents or other materials, resources or services may only be disclosed:

1. with the consent of the individual library user (requires filling out this form)
2. by court order
3. to persons acting within the scope of their duties in the administration of the library or library system, or
4. to other libraries (under certain circumstances) for interlibrary loan purposes [see ss. 43.30(2) and (3)].

Records indicating the identity of library users include a library users name, library card number, email address, telephone number, street address, post-office box number or 9-digit extended zip code.

**COLUMBUS PUBLIC LIBRARY**

**PARENT/GUARDIAN REQUEST**

**FOR ACCESS TO THEIR CHILD'S LIBRARY RECORDS**

Requestor Name: \_\_\_\_\_ Date of Request \_\_\_\_\_

Requesters Relationship to child \_\_\_\_\_

(circle one: court appointed, joint custodial, custodian guardian)

Address: \_\_\_\_\_  
Street City, State, Zip

Phone No. \_\_\_\_\_

Child's name \_\_\_\_\_ Child's Birthday (M/D/Y) \_\_\_\_\_

Address: \_\_\_\_\_  
Street City, State, Zip

I am requesting the Library record of my child as the legal guardian of that child. Furthermore, I certify that I have not been denied periods of physical placement with the child under s 767.24(4).

\_\_\_\_\_  
Signature Date \_\_\_\_\_

**Records requested:**

\_\_\_ Items currently checked out to child

\_\_\_ Due dates of items checked out

\_\_\_ Overdue items

\_\_\_ Fines/Fees due to the library

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**Staff:** (Office use only)

Request circle one (referred) (granted) (denied) circle one

INT: \_\_\_\_\_ Date \_\_\_\_\_

*(Attach copy of identification presented and copy of the records provided at time of request.)*

## Wisconsin State Statue

### 43.30 Public library records.

**(1b)** In this section:

**(a)** "Custodial parent" includes any parent other than a parent who has been denied periods of physical placement with a child under s. [767.41 \(4\)](#).

**(b)** "Law enforcement officer" has the meaning given in s. [165.85 \(2\) \(c\)](#).

**(1m)** Records of any library which is in whole or in part supported by public funds, including the records of a public library system, indicating the identity of any individual who borrows or uses the library's documents or other materials, resources, or services may not be disclosed except by court order or to persons acting within the scope of their duties in the administration of the library or library system, to persons authorized by the individual to inspect such records, to custodial parents or guardians of children under the age of 16 under sub. [\(4\)](#), to libraries under subs. [\(2\)](#) and [\(3\)](#), or to law enforcement officers under sub. [\(5\)](#).

**(2)** A library supported in whole or in part by public funds may disclose an individual's identity to another library for the purpose of borrowing materials for the individual only if the library to which the individual's identity is being disclosed meets at least one of the following requirements:

**(a)** The library is supported in whole or in part by public funds.

**(b)** The library has a written policy prohibiting the disclosure of the identity of the individual except as authorized under sub. [\(3\)](#).

**(c)** The library agrees not to disclose the identity of the individual except as authorized under sub. [\(3\)](#).

**(3)** A library to which an individual's identity is disclosed under sub. [\(2\)](#) and that is not supported in whole or in part by public funds may disclose that individual's identity to another library for the purpose of borrowing materials for that individual only if the library to which the identity is being disclosed meets at least one of the requirements specified under sub. [\(2\) \(a\)](#) to [\(c\)](#).

**(4)** Upon the request of a custodial parent or guardian of a child who is under the age of 16, a library supported in whole or part by public funds shall disclose to the custodial parent or guardian all library records relating to the use of the library's documents or other materials, resources, or services by that child.

**(5)**

**(a)** Upon the request of a law enforcement officer who is investigating criminal conduct alleged to have occurred at a library supported in whole or in part by public funds, the library shall disclose to the law enforcement officer all records pertinent to the alleged criminal conduct that were produced by a surveillance device under the control of the library.

**(b)** If a library requests the assistance of a law enforcement officer, and the director of the library determines that records produced by a surveillance device under the control of the library may assist the law enforcement officer to render the requested assistance, the library may disclose the records to the law enforcement officer.

**History:** [1981 c. 335](#); [1991 a. 269](#); [2003 a. 207](#); [2007 a. 34, 96](#); [2009 a. 180](#).