

**CITY OF BAYOU LA BATRE, ALABAMA  
ORDINANCE NO.: 2001-449**

---

**AN ORDINANCE TO ESTABLISH REGULATIONS REGARDING  
BOOKS AND PROPERTY OF THE BAYOU LA BATRE PUBLIC  
LIBRARY**

**WHEREAS**, the **CITY OF BAYOU LA BATRE** deems it in the public interest and for the public good that a regulatory scheme be adopted with regard to books and property of the Bayou La Batre Public Library; and

**WHEREAS**, the **CITY OF BAYOU LA BATRE** notes that there has been and continues to be a recurring problem with library patrons' detention of books and other items which are the property of the City of Bayou La Batre Public Library and failure to return the same to the Library upon due date thereof.

**NOW THEREFORE BE IT ORDAINED BY MAYOR AND COUNCIL OF THE CITY OF BAYOU LA BATRE, ALABAMA AS FOLLOWS:**

**SECTION ONE: DUE DATE SPECIFIED**

All patrons of the Bayou La Batre Public Library who borrow books and other property from that establishment, in so doing, implicitly agree to return any such borrowed articles upon the due date as indicated at the time of borrowing.

**SECTION TWO: PAST DUE FEE ASSESSMENT**

Should any patron fail to return borrowed articles before or upon the due date, a fine of fifty cents (\$.50) will be assessed for each day past the due date that the article is returned to the Bayou La Batre Public Library.

**SECTION THREE: INITIAL NOTIFICATION AND DEMAND**

If, after ten days following the due date for any given borrowed item, such item remains unreturned, correspondence demanding the return of the borrowed articles and payment of the amount of fine accrued shall be mailed to the borrower at the address indicated in the Library membership records. The demands of such correspondence shall be met by the borrower within ten (10) days of the date of the correspondence.

**SECTION FOUR: FINAL NOTICE**

If, at the end of the ten (10) day period, such article has not been returned or if associated fines have not been remitted, correspondence demanding the return of the borrowed articles and payment of amount of fine accrued will be mailed via certified mail to the borrower at the address indicated in the Library membership records. Such correspondence shall warn the borrower that a Municipal Offense Ticket may be issued against said borrower without further notice for failure to return the borrowed item and remit late fees, and shall inform the borrower that a second ten (10) day period, running from the date indicated on the correspondence, will be allowed during which said borrower may return the item and remit late fees. Such correspondence shall constitute formal service for jurisdictional purposes and shall be the final notice given prior to the issuance of a Municipal Offense Ticket as provided hereinafter.

**SECTION FIVE: MUNICIPAL OFFENSE TICKET**

**A. ISSUANCE OF MUNICIPAL OFFENSE TICKET**

That, after a period of ten days from the date indicated upon the second correspondence notice, as set forth in Section Four, absent return of the borrowed item and payment of late fee, the person responsible for borrowing the item shall be issued a Municipal Offense Ticket pursuant to the provisions of Ordinance Number 1995-375, which is hereby incorporated by reference in its entirety.

**B. RETURN OR REPLACEMENT OF BORROWED ITEMS REQUIRED; FEE PAYMENT REQUIRED**

Borrower shall be further required to remit the entire accrued late fee and return or render replacement value of lost or damaged books or other borrowed articles. If the particular lost or damaged book is out of print, the charge shall be as follows: (1) adult books: \$ 25.00; (2) junior books: \$ 15.00; (3) paperback books: \$10.00, unless a different charge is deemed more appropriate by the Bayou La Batre Public Library authorities.

**C. AMENDMENT OF ORDINANCE NO.: 1995-375**

This Ordinance hereby amends Ordinance Number 1995-375 as follows:

- (1) Section I is hereby amended to include in the listed Ordinances thereunder this Ordinance Number 2001-449, in that a violation of this Ordinance shall be punishable by the issuance of a Municipal Offense Ticket;
- (2) Section II is hereby amended to include in the Schedule of Fines set forth therein a listing for violations of this Ordinance Number 2001- 449 as [[twenty five dollars plus court costs].

**SECTION FIVE: SEVERABILITY**

The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

**SECTION SIX: REPEAL OF CONFLICTING CODE SECTIONS AND ORDINANCES**

All City of Bayou La Batre Ordinances, including any penalty provisions, in conflict with the provision of this Ordinance, are hereby repealed insofar as they conflict.

**SECTION SEVEN: EFFECTIVE DATE**

This ordinance shall become effective on the date it is adopted and approved by the City Council of the City of Bayou La Batre, Alabama and upon publication as required by the State Code of Alabama.

ADOPTED AND APPROVED BY THE MAYOR AND CITY  
COUNCIL OF THE CITY OF BAYOU LA BATRE, ALABAMA on this the  
12 day of June, 2001.

CITY OF BAYOU LA BATRE



---

STAN WRIGHT, MAYOR

ATTEST:



---

IMELDA B. McCLELLAN, CLERK  
CITY OF BAYOU LA BATRE