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5.5 Overdue Notification Policy

The Emmetsburg Public Library provides materials for the public to borrow for reasonable periods of time. The library allows at least limited renewal periods of all materials. The library charges fines for materials overdue as an incentive for their prompt return. When materials are kept past their loan period, other users of the library are deprived of their opportunity to borrow those titles. The library seeks to inform its patrons promptly in such instances to retrieve the materials and prevent excessive fines from accruing in the understanding that such occurrences are often honest mistakes, and those materials will be returned shortly following notification.

In the case of materials kept out seriously past their due date, the library needs a plan of action to act swiftly for the prevention of the loss of public property. Under state law, library materials kept out two months past their due date and equipment kept out one month past its due date constitute theft, providing that a reasonable attempt to contact the patron has been made including a letter sent restricted certified mail. The Code of Iowa states:

“ . . . The fact that a person fails to return library materials for two months or more after the date the person agreed to return the library materials, or fails to return library equipment for one month or more after the date the person agreed to return the library equipment, is evidence of intent to deprive the owner, provided a reasonable attempt, including the mailing by restricted certified mail of notice that such material or equipment is overdue and criminal actions will be taken, has been made to reclaim the materials or equipment . . . ”

Therefore, the library hereby implements the following schedule of overdue materials notification:

| Disposition of Overdue Materials | Action taken by Emmetsburg Public Library |
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| 1-6 days overdue | Overdue fines begin to accrue at the rate of \$0.10 per day. Patrons may still renew materials in accordance with the library's renewal policies. |
| 1 week to 13 days overdue | Library staff attempts notification of overdue materials by telephone, email, or SMS text messaging. Patrons may still renew materials in accordance with the library's renewal policies. Any non-operating telephone numbers are referred to the director, a notice of invalid contact information is mailed out to the patron, and borrowing privileges are frozen until a valid telephone number is provided. |
| 2 weeks to 30 days overdue | Library staff attempts second notification of overdue materials by telephone or email. Patrons may still renew materials in accordance with the library's renewal policies. Any non-operating telephone numbers are referred to the director, a notice of invalid contact information is mailed out to the patron, and borrowing privileges are frozen until a valid telephone number is provided. |
| 1 month to 34 days overdue | Library staff sends out first overdue notification letter to patron. Patrons may not renew materials as per the library's renewal policies. Patrons may not check out additional materials until the overdue materials have been returned. Notices will include the replacement cost of the item and will encourage the patron to contact the library immediately for the resolution of any disputes. |
| 5 weeks to 48 days overdue | Library staff sends out second overdue notification letter to patron. Letter is sent by restricted certified mail with delivery confirmation. The letter states the patron must return the overdue materials or declare them lost and make restitution to the library within 1 week of receipt of the certified letter, or the case will be referred to local law enforcement officials. The pertinent section of the Code of Iowa will also be included. |

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| 2 months overdue to resolution | Cases advancing to this point shall be referred to their local law enforcement officials. These officials will be provided with the following information: the patron having the overdue materials, a list of the titles to be recovered, and a log showing the date and types of contact attempts made by the library staff along with copies of the prosecution letter and the certified letter delivery confirmation receipt. Patrons are not allowed further use of their library card until full restitution has been made. |
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Adopted: March 2006; Amended: June 2012; Reviewed: June 2021, July 2024; Scheduled for Review: June 2027