Policy on Service to Non-Residents for 2013–2014

The mission of the Batavia Public Library is to provide and ensure access to materials and services to meet the lifelong learning needs of residents and organizations, as well as to create a welcoming place to gather, exchange ideas, and participate in cultural events.

Authority: This policy is adopted pursuant to Section 3050.20, "Public Library Responsibilities," of Part 3050 of the Illinois Administrative Code, "Public Library Non-Resident Services" [23 IL ADC 3050].

The use of libraries by non-residents is authorized by Section 4–7 of the Illinois Local Library Act [75 ILCS 5 / 4–7] and Section 30–55.60 of the Public Library District Act of 1991 [75 ILCS 16 / 30–55.60] and Section 8.25 of the State Mandates Act [30 ILCS 805 / 8.25].

Policy:

(1)   The Library shall provide service to individuals who walk in, telephone, or write. (In general, all persons, regardless of residency, are currently allowed to walk in, telephone, or write in order to use — or access — the collections and services of the Library.)

(2)   The Library shall honor valid borrower's cards from public libraries throughout the State of Illinois.

(3)   A "non-resident" is defined in Section 3050.10 of the Illinois Administrative Code as "an individual residing in Illinois who does not have his or her principal residence within the territory of a public library service area" [23 IL ADC 3050.10].

(4)   The Library shall charge a fee (except as noted) to issue a borrower's card to non-residents who reside outside the corporate limits of the Batavia Public Library District and within the appropriate non-resident service area for Batavia (hereinafter "eligible non-residents"). The appropriate non-resident service area is defined as "the closest public library" in Section 3050.25 of the Illinois Administrative Code [23 IL ADC 3050.25], q.v. The Board of Library Trustees shall review the fee in May, each year.

(5)   Employees of the Batavia Public Library who reside outside the corporate limits of the Batavia Public Library District ("non-resident employees") are considered "eligible non-residents." Cards issued to non-resident employees are issued with no restrictions on use. [Illinois State Library: Interpretation of the Administrative Code Rules for Non-Resident Service, Memorandum of 11 June 2002, Questions 1 and 7; http://www.cyberdriveillinois.com/departments/library/who_we_are/pdfs/june11.pdf]

(6)   By mutual understanding and in consideration of the historic relationship between Fermi National Accelerator Laboratory (Fermilab) and the City of Batavia / Batavia Public Library District, the residents (also known as users or visitors) of that portion of Fermilab that lies within DuPage County are considered "eligible non-residents."

(7)   Eligible non-residents shall be required to present, in addition to proof of identity and address, one of the following documents: a recent property tax bill, an active lease, a rent receipt, or any other document

certified by the Library Director for purposes of identification in this regard. A worksheet shall be used to calculate each non-resident fee, a copy of which shall be retained by the Library for statistical and other administrative purposes.

(8)   The schedule of fees for 2013–2014, effective 1 July 2013, shall be as follows:

(a)   For non-resident employees, the fee is waived as a benefit of employment. The value of this benefit as compensation is equal to the non-resident fee based on the Illinois State Library "General Mathematical Formula" (described below).

(b)   For eligible non-residents who own taxable property within the Batavia Public Library District: The Library shall follow the requirements set forth in Section 30–55.60 of the Public Library District Act of 1991 [75 ILCS 16 / 30–55.60] and Section 3050.70 of the Illinois Administrative Code [23 IL ADC 3050.70], q.v.

(c)   For eligible non-residents who own taxable property outside the Batavia Public Library District: From the tax bill, use the taxable amount that reflects exemptions granted. Use the taxable amount(s) of all real estate (including complete farmsteads) owned by the applicant and the applicant's spouse. Calculate the fee by multiplying the taxable value of the property by the tax rate stipulated by the Board of Library Trustees.

Exception: In situations in which an owner does not yet have an up-to-date property tax bill (e.g., an owner's house was just built or purchased), the non-resident fee shall be based on the Illinois State Library "General Mathematical Formula" (described below).

For 2013–2014 ("Limited Rate" for Tax Year 2012), the tax rate shall be **0.404436%** (0.00404436), which equals the combined levies for the Library (all funds) (0.353030%), the Library 1998 Bond District (0.002607%), and the Library 1999 Bond District (0.048799%), as certified by the Clerk of Kane County.

This fee, which is calculated on an individual basis, is not subject to the concept of a *minimum fee level,* such as that stipulated by the use of the Illinois State Library "General Mathematical Formula."

(d)   For eligible non-residents who lease or rent their primary residence: The Library shall follow the requirements set forth in Section 3050.60 of the Illinois Administrative Code [23 IL ADC 3050.60], which states: "The library shall … charge a minimum of 15 percent of the monthly rent as the annual non-resident fee…." This factor (15%) is incorporated into the following formula:

- (Monthly Rent) × 0.15 = Fee
- Example: If a person's rent is $627.50 per month, then ...

  $627.50 × 0.15 = $94.125 = $94.13 (rounded)

Residents (also known as users or visitors) of Fermi National Accelerator Laboratory (Fermilab) are subject to this fee.

(e)   For special circumstances regarding eligible non-residents, including, but not limited to, situations in which an owner does not yet have an up-to-date property tax bill (e.g., an owner's house was just built or purchased): The non-resident fee shall be based on the Illinois State Library "General Mathematical Formula" [23 IL ADC 3050.60]. This formula divides the Library's income from local property tax sources by its service population, and then multiplies the result by the average number of persons per household in its service area:

- (Income from Local Property Tax Sources) ÷ 26,562 Persons in Library District (2010 Census) = (Fee Per Person) × 2.71 Persons per Household = (Fee per Household)

The Library's service population (26,562) is that for the Batavia Public Library District as a whole. The average number of persons per household (2.71) is that for the City of Batavia (2010 Census).

For 2013–2014 (Tax Year 2012), the Library's estimated property tax revenue ("Kane County Total Extension") will be as follows:

$ 3,207,417.99	Library (all funds)
25,834.58	Library 1998 Bond District
483,583.38	Library 1999 Bond District
$ 3,716,835.95	Total Income from Local Property Tax Sources

The formula results in the following fee per household:

⇨ $3,716,835.95 ÷ 26,562 = $139.931 × 2.71 = $379.21 or **$380.00** (rounded up to the next whole dollar)

(f) Partial-year non-resident cards may be sold on a quarterly basis, but shall be assessed an additional $1.00 surcharge per quarter, regardless of the number of quarters sold at one time. (For example, a six-month non-resident card is equivalent to two quarters, so the surcharge would be $2.00, or $1.00 per quarter.)

Approval History:

- Adopted by the Board of Library Trustees Tuesday, 17 May 2005 (Ordinance 2005–001)
- Revised for 2006–2007 and Adopted by the Board of Library Trustees on Tuesday, 16 May 2006 (Ordinance 2006–003)
- Revised for 2007–2008 and Adopted by the Board of Library Trustees on Tuesday, 15 May 2007 (Ordinance 2007–003)
- Revised for 2008–2009 and Adopted by the Board of Library Trustees on Tuesday, 20 May 2008 (Ordinance 2008–001)
- Revised for 2009–2010 and Adopted by the Board of Library Trustees on Tuesday, 19 May 2009 (Ordinance 2009–002)
- Revised for 2010–2011 and Adopted by the Board of Library Trustees on Tuesday, 18 May 2010 (Ordinance 2010–001)
- Revised for 2011–2012 and Adopted by the Board of Library Trustees on Tuesday, 17 May 2011 (Ordinance 2011–002)
- Revised for 2012–2013 and Adopted by the Board of Library Trustees on Tuesday, 15 May 2012 (Ordinance 2012–002)
- Revised for 2013–2014 and Adopted by the Board of Library Trustees on Tuesday, 21 May 2013 (Ordinance 2013–002)