

Cologne Public Library Terms of Use and Fees

In a meeting held on 8 December 2022, the Cologne City Council decided on the following Terms of Use and Fees based § 41 (1)(f) and (i) of the Municipal Code for the State of North Rhine-Westphalia as of 14 July 1994 (GV NRW S.666 / SGV . NRW 2023), in the version valid at the time the resolution was passed:

§ 1 General

1. The Cologne Public Library is a public institution of the City of Cologne. Its objective is to provide education, training, information and culture services as well as promote reading, digital and media skills. The library works in close consultation with the regional community and with a wide variety of partners and facilitates participation in social and professional life. It places strong emphasis on sustainable development, integration, diversity and inclusion. The relationship between the library and users is governed by civil law.
2. The Lord Mayor is entitled to lay down supplementary provisions for the use of individual services for practical reasons, provided it is done within the framework of these Terms of Use and Fees.

§ 2 Users

1. Everyone is permitted to use the Cologne Public Library within the framework of these Terms of Use and Fees.
2. Children under the age of 7 may only use the Cologne Public Library when accompanied by an adult.

§ 3 Registration, library card

1. Natural persons (adults) must present proof of identity such as an identity card or passport when submitting the registration form.
2. In the case of children, a guardian must provide written consent as well as a written declaration of guarantee for all possible obligations arising from the minor's use of the library services. The declaration of guarantee is limited for as long as the user is a minor. The declaration of guarantee can be revoked at any time, provided the request is submitted in writing. In this case, the contractual relationship with the minor ends when the Cologne Public Library confirms receipt of the revocation. All borrowed items must then be returned within one week.
3. Pupils, students, trainees, military service draftees and volunteers on a Voluntary Social Year (FSJ) or Federal Voluntary Service (BFD), people with severe disabilities, senior citizens and retirees as well as Cologne Pass holders over the age of 18 must, in addition to the documents mentioned on in **clause 3.1**, provide the relevant proof of status on request.

4. **Corporate entities** are required to register through a person authorised by them in writing. The written authorisation must be presented upon registration.
5. Upon successful registration, users will receive a library card for the Cologne Public Library. The library card remains the property of the City of Cologne and is not transferrable. Users who culpably facilitate misuse of the library card are liable for any resulting damage. The Cologne Public Library must be notified immediately of any loss or change of address. The library card must be returned if the user is excluded from using the Cologne Public Library or if the user requests a new card for practical reasons. If the user loses his or her library card, a new card can be issued upon request.
6. Natural persons can obtain a permanent contract (permanent membership). This can only be done through a direct debit. It lasts 13 months, starting from the date of the written direct debit authorisation and is then automatically renewed every 13 months. Membership can be terminated by submitting a written termination request. This must be received by Cologne Public Library no later than 4 weeks before the end of the **current membership period**.
7. All information required for registration will be stored electronically in compliance with the applicable statutory data protection regulations. By signing the library card, the user hereby acknowledges the Terms of Use and Fees of Cologne Public Library and agrees to the electronic storage of her or her personal data. The user will be notified of the Terms of Use and Fees when registering for the first time.

§ 4 Borrowing items

1. The maximum number of items that can be borrowed at one time is:
 - a. Children: 15 items,
 - b. Adults: 25 items,
 - c. **Corporate entities**: 100.
2. The duration of the loan is:
 - a. **4 weeks for standard items**, e.g. books (exception: bestsellers), CD-ROMs (exception: games), mixed media items, card and board games and musical instruments
 - b. **2 weeks** for all other items, i.e. items categorised differently.
3. Upon request, a loan can be renewed by the period specified in **clause 4.2.**, provided there are no existing reservations for the borrowed item. The new loan period is calculated from the date of the renewal request.
4. In the case of online renewals, any errors made in the renewal request submission shall be deemed the responsibility of the borrower, unless it can be shown that Cologne Public Library is at fault.
5. Library items can be reserved at any time.
6. Library items on loan by one person may not be transferred to another person.

7. Separate terms apply to the lending and streaming of digital media, which are published online and in the libraries to ensure they are up to date.
8. The public library reserves the right to shorten a loan period.

§ 5 Interlibrary loans

1. Items that are not in the inventory of the Cologne City Library can, where possible, be obtained from other libraries at the request of the user in accordance with the North Rhine-Westphalia's interlibrary lending regulations.
2. Requests can be submitted using the **interlibrary loan** form or online via the Digitale Bibliothek (online library).

§ 6 Care of borrowed items, third-party rights

1. Users are obliged to treat the borrowed items with care and to protect them from loss, soiling, damage or other detrimental change.
2. Cologne Public Library shall only liable for damage of any kind arising from the use of a borrowed item in the event of wilful intent or gross negligence. Legal liability for damage to life, limb and health remains unaffected.
3. All media must be returned in the packaging in which they were received. Users are obliged to ensure that the items are in proper condition and complete when borrowing them.
4. Loss of and changes to the media must be reported immediately. Users are obliged to pay compensation for any soiling or damage to the borrowed item.
5. Users are obliged to observe copyrights or third-party rights on all library items made available to them. Users shall indemnify Cologne Public Library from any liability in this respect.

§ 7 Returning items

Borrowed items must be returned no later than the last day of the loan period. Otherwise, a fine for late return shall apply according to § 10. In the event of failure to return a borrowed item, appropriate compensation will be demanded.

§ 8 Fees

1. The following fees shall be charged for borrowing items and using library services:
 - a. Children, teenagers and young adults
Up to 20 years: free of charge
 - b. Adults
21 years and older: for 12 months €30

- c. Permanent membership for adults
21 years and older: for 13 months €30,
 - d. Half year membership for adults
21 years and older: for 6 months €17,
 - e. Short membership for adults
21 years and older: for 3 months €9,
 - f. Pupils, students, trainees, military service draftees and volunteers
on a Voluntary Social Year (FSJ) or Federal Voluntary Service
(BFD)
21 years and older: for 12 months €15,
 - g. Pupils, students, trainees, military service draftees and volunteers
on a Voluntary Social Year (FSJ) or Federal Voluntary Service
(BFD)
21 years and older: for 6 months €8,
 - h. Cologne Pass holders: for 12 months €10,
 - i. Cologne Pass holders: for 6 months €5,
 - j. New membership
for Cologne Pass holders: 3 months free of charge,
 - k. People with severe disabilities: for 12 months €15,
 - l. People with severe disabilities: for 6 months €8,
 - m. Senior citizens and retirees: for 12 months €15
 - n. senior citizens and retirees: for 6 months €8
 - o. **Corporate entities**: for 12 months €182.
2. The fees shall be paid when the library card is issued or renewed.
 3. The annual fee may be discounted in the event of a limited-time promotion.

§ 9 Service fees

1. The Cologne Public Library charges the following service fees:
 - a. borrowing items without presenting a library card: €1,
 - b. issuing a new library card: €3.50,
 - c. reservation, per item: €1,
 - d. bestseller service, per item: €2,
 - e. data print outs, per page: €0.10,
 - f. photocopies and scans made for the user, per page: €0.50,
 - g. interlibrary loan request: €2.50 per request regardless of success, plus the costs charged by the lending library,
 - h. using the grand piano, per hour: €2.50.

The fees are to be paid upon receipt of the respective service.

2. Fees may be charged for participating in an event. Such fees shall be no more than required to cover the costs of the event.
3. People with severe disabilities will receive a 50% discount upon presentation of a Disability Card. If the Disability Card is marked with the letter "B", an accompanying person will also receive a free admission ticket.
4. For special services not listed by Cologne Public Library, the fees charged shall be **no more than required** to cover costs. The list of fees is displayed on the notice board in the Cologne Public Library.

§ 10 Late return fees

If items are returned late, after the borrowing period has expired, the following fees shall be charged per item:

- a. media from the bestseller service, per day: €1,
- b. all other media, per commenced week: €1,
- c. 1st reminder letter by post: €1,
- d. 2nd reminder letter by post: €1.20,
- e. from the 11th week per item: additional €25.

§ 10a Value Added Tax

The statutory provisions on the collection of VAT remain unaffected. Where there is an obligation to pay VAT, this must also be paid by the user at the applicable rate.

§ 11 Exceptions

The Cologne Public Library may permit exceptions to the provisions of these Terms of Use and Fees in justified individual cases, provided that there is no conflicting public interest.

§ 12 Domiciliary rights

1. The management of the Cologne Public Library has domiciliary rights. The exercise of these rights can be transferred.
2. Persons who have violated the provisions of these Terms of Use and Fees, the house rules or the provisions of the Lord Mayor can be **temporarily or permanently** excluded from using the library facilities.

§ 13 Entry into force

These Terms of Use and Fees come into force on 1 February 2023. The previous version from 1 January 2020 will also expire at this time.