

ORDINANCE NO. 1433

AN ORDINANCE AMENDING CANBY MUNICIPAL CODE CHAPTER 2.20.010, 2.20.040, 2.20.050, 2.20.070, 2.20.080, AND 2.20.100 REGARDING THE PUBLIC LIBRARY

WHEREAS, Chapter 2.20 of the Canby Municipal Code established the Public Library for the City of Canby; and

WHEREAS, the Library Board and staff have proposed changes to Chapter 2.20 so it is current with library standards and current practices.

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. Chapter 2.20 of the Canby Municipal Code is amended to read as noted. All other sections, shall remain in full force and effect as they presently appear.

§ 2.20.010 Establishment.

The Canby Public Library is established for the purpose of maintaining a free public library in accordance with ORS 357.400-621. ~~A municipal public library in and for the city is established under the provisions of O.R.S. 357.400 through 357.621, and its location shall be at 292 N. Holly, Canby, or at such other place as the Council may subsequently direct. It shall be known as the Canby Public Library. The Council proposes to finance the library by an annual tax levy.~~

§2.20.020 Governing body.

The city's public library as established by § 2.20.010 shall be governed by the City Council. A Library Board shall be appointed to serve in an advisory role to the Council.

§ 2.20.030 Library Board.

The Library Board shall consist of 5 members appointed by the City Council upon recommendation of the Board Chairperson and the City Council liaison to the Library Board. The Mayor may vote only to break a tie, if necessary. Not less than 3 members of the Board shall be residents of the city. No member of the Library Board shall have any financial interest, either directly or indirectly, in any contracts to which the library is a party, nor shall any member receive a salary or any payment for any materials or for any services rendered the Board. Board members may be reimbursed for expenses incurred in the performance of their duties.

(Am. Ord. 1137, passed 4-21-2004)

§ 2.20.040 Term of office; vacancies.

Appointees shall hold office for 4-year terms from July 1 in the year of their appointment. At the expiration of the term of a Board member, the City Council shall appoint a new member or may reappoint a member for a term of 4 years. **Members shall be limited to two consecutive terms.** If a vacancy occurs, the City Council shall appoint a new member to complete the unexpired term. Procedure for all appointments by the City Council shall follow § 2.20.030 above. Any Board member failing to attend 3 consecutive Board

meetings without approval of the Board chairperson may be removed by the City Council and a new member appointed to complete the unexpired term. Library Board members serve at the pleasure of the City Council and are subject to removal at any time by the Council with or without cause.

(Am. Ord. 1137, passed 4-21-2004)

§ 2.20.050 Officers.

At the first meeting of each **fiscal** year, the Board shall elect a Chairperson and a Vice-Chairperson who shall serve for a term of 1 year. The **Library Director or their designee** ~~librarian~~ shall serve as Secretary to the Board and keep the record of its action. Three members of the Board shall comprise a quorum. The Board shall have authority to make and alter rules, with approval of the City Council, for its government and procedures.

§ 2.20.060 Powers and duties.

The duties of the Library Board shall include:

- A. Keeping informed about current trends in the library services and administration;
- B. Studying library growth and needs in the city and its vicinity;
- C. Developing long-range plans for library service and facilities, consistent with city priorities and with state, regional and national goals pertinent to libraries;
- D. Recommending types of library service for the city and its vicinity;
- E. Investigating sources of funding for library service and facilities;
- F. Recommending policies for the acceptance and use of gifts for library purposes;
- G. Participating in the annual budgetary process of the city as that process pertains to the library;
- H. Recommending policies and procedures conducive to efficient and effective operation of the library;
- I. Reviewing and recommending terms for contracts and working relationships with other public agencies regarding library service;
- J. Encouraging widespread public support and use of the library
- K. Submitting an annual report to the City Council and the state library; and
- L. Performing other duties as authorized by the City Council.

§ 2.20.070 Gifts and bequests.

The Board may solicit and receive gifts and bequests and real or personal property or funds (other than fees and fines) to benefit the library. **Gifts are subject to Council Acceptance.** All property or funds shall be held in the name of the city, and each donation shall be administered in accordance with its terms. Funds donated to the library shall be turned over to the City Treasurer immediately upon receipt, ~~and be placed in the library trust account with a line item budgeted for expenditure in accordance with the terms and conditions of the gift or bequest. Donated funds shall be used for improvements in addition to and not in lieu of the normal support provided to operate the library out of the city General Fund.~~

§ 2.20.080 Library Director Librarian.

The **Library Director** ~~librarian~~ shall be appointed by the **as per the Charter of the City of Canby** City Council with due consideration given to any recommendation from the ~~Library Board.~~

§ 2.20.090 Meeting place and time.

Unless and until another place is assigned to it by the City Council, the Library Board shall maintain its office, hold its meetings, transact its business and keep its records at the library. The Library Board shall meet at least once every other month.

§ 2.20.100 Damaging Library Property.

The library operates best when all patrons cooperate for the timely check out and return of items. Depending on the preference noted on a patron's account, patrons will receive an email, phone call, or written notification via the U.S. Postal Service from the LINCC system, five days after an item is due and then again 30 days after the due date. Bills for lost items are sent via the U.S. Postal Service 45 days after an item is due. Fines begin accruing the day after the material is due. In accordance with LINCC policies, fines remaining on an account after 30 days will be deemed as "uncollectible". The library may impose fines or charges as provided in ORS 357.975 and as set forth by the City of Canby's fee schedule adopted annually by the Canby City Council in the event that a patron willfully refuses to return library items. ~~It shall be unlawful for any person wilfully or maliciously to detain any book or library materials belonging to the Canby Public Library for 30 days after notice in writing from the librarian of the library, given after the expiration of time which by regulations of the library the materials may be kept. The notice shall bear upon its face a copy of this section, violations of which are punishable by a fine of not less than \$5 or more than \$25. Conviction and payment of the fine shall not be construed to constitute payment for library material, nor shall a person convicted under this section be thereby relieved of any obligation to return to the library that material.~~

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, February 17, 2016 and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on March 2, 2016 commencing at the hour of 7:30 PM in the Council Meeting Chambers located at 155 NW 2nd Avenue, Canby, Oregon.


Kimberly Scheafer, MMC
City Recorder

PASSED on the second and final reading by the Canby City Council at a regular meeting thereof on March 2, 2016 by the following vote:

YEAS 5 NAYS 0



Brian Hodson
Mayor

ATTEST:



Kimberly Scheafer, MMC
City Recorder