

ORDINANCE NO. 754

AN ORDINANCE ESTABLISHING A PUBLIC CITY LIBRARY; APPOINTING A LIBRARY BOARD; DETERMINING THE RESPONSIBILITIES OF THE LIBRARY BOARD AND ITS AUTHORITY; PRESCRIBING A PENALTY FOR UNAUTHORIZED RETENTION OF LIBRARY MATERIAL: and REPEALER

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. A municipal public library in and for the City of Canby, Clackamas County, State of Oregon, is hereby established under the provisions of ORS 357.400 to ORS 357.640, and its location shall be at 181 N. Grant Street, 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; and the estimated amount of an annual tax levy necessary to provide for the library is \$35,000.00.

Section 2. The City's public library as established by Section 1, shall be governed by the Canby City Council. A Library Board shall be appointed to serve in an advisory role to the Council.

Section 3. Library Board. The library board shall consist of five (5) members appointed by the Mayor and confirmed by the City Council. Not less than three (3) members shall be residents of the City. No member of the library board shall have any financial interest, either directly or indirectly, in any contract to which the library is a party, nor shall any such member receive a salary or any payment for materials or for any services rendered the board. Board members may be reimbursed for expenses incurred in the performance of their duties.

Section 4. Terms of Office; Vacancies. At their first meeting the five appointed members of the library board shall choose their term of office by lot as follows: one (1) member shall initially hold office for one (1) year; one (1) for two (2) years; one (1) for three (3) years; and two (2) for four (4) years from July 1 in the year of their appointment. Succeeding appointees shall hold office for a term of four (4) years from July 1 in the year of their appointment. At the expiration of the term of any board member, the Mayor shall appoint a new member or may reappoint a member for a term of four (4) years with the confirmation of the City Council. If a vacancy occurs, the Mayor shall appoint a new member to complete the unexpired term, with the confirmation of the City Council. No person shall hold appointment as a member for more than two (2) full consecutive terms, but any person may be appointed again to the board after an interval of one (1) year. Any board member failing to attend three (3) consecutive board meetings without approval of the board may be removed by the City Council and a new member appointed to complete the unexpired term.

Section 5. Officers. At the first meeting of each year, the board shall elect a chairman and a vice-chairman who shall serve for a term of one (1) year. The librarian shall serve as secretary to the board and keep the record of its action. Three (3) 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.

Section 6. Duties and Powers. The duties of the library board shall include:

- 1) Keeping informed about current trends in the library services and administration;
- 2) Studying library growth and needs in the City and its vicinity;
- 3) Developing long-range plans for library service and facilities, consistent with City priorities and with state, regional and national goals pertinent to libraries;
- 4) Recommending types of library service for the City and its vicinity;
- 5) Investigating sources of funding for library service and facilities;
- 6) Recommending policies for the acceptance and use of gifts for library purposes;
- 7) Participating in the annual budgetary process of the City as that process pertains to the library;
- 8) Recommending policies and procedures conducive to efficient and effective operation of the library;
- 9) Reviewing and recommending terms for contracts and working relationships with other public agencies regarding library service;
- 10) Encouraging widespread public support and use of the library;
- 11) Submitting an annual report to the City Council and the State Library; and
- 12) Performing other duties as authorized by the City Council.

Section 7. 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. 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.

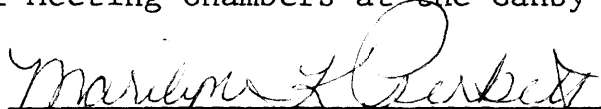
Section 8. Librarian. The librarian shall be appointed by the City Council with due consideration given to any recommendation from the library board.

Section 9. 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.

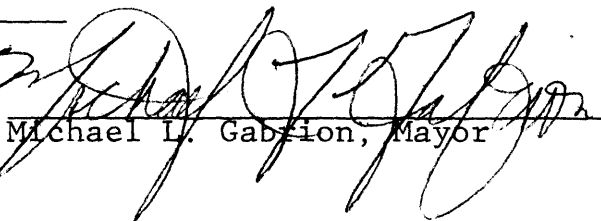
Section 10. It shall be unlawful for any person wilfully or maliciously to detain any book or library materials belonging to the CANBY PUBLIC LIBRARY for thirty (30) days after notice in writing from the librarian of said library, given after the expiration of time which by regulations of the library such 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 \$5.00 or more than \$25.00. Such 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 such material.

Section 11. Conflicting ordinances repealed. Ordinance No. 596 enacted on December 1, 1975, is hereby repealed in its entirety.


SUBMITTED to the City Council and read the first time at a regular meeting thereof on September 19, 1984; ordered posted as required by the Canby City Charter and scheduled for second reading and action of the Canby City Council at a regular meeting thereof on, Wednesday, October 3, 1984, commencing at the hour of 7:30 o'clock P.M., at the Council Meeting Chambers at the Canby City Hall in Canby, Oregon.

  
Marilyn K. Perkett, Deputy Recorder

Passed on final reading of the Canby City Council at a regular meeting thereof held on the 3rd day of October, 1984, by the following vote: YEAS 6 NAYS 0

  
Michael L. Gabsion, Mayor

ATTEST:

  
Marilyn K. Perkett, Deputy Recorder