

Amended by  
Ord 76-668

CITY OF SHERWOOD, OREGON

ORDINANCE No. 550

AN ORDINANCE ESTABLISHING A FREE PUBLIC LIBRARY, PROVIDING FOR THE APPOINTMENT OF A LIBRARY BOARD, PRESCRIBING PROCEDURES WITH RESPECT TO THE OPERATION THEREOF, ADOPTING BY REFERENCE APPLICABLE PROVISIONS OF CHAPTER 357, OREGON REVISED STATUTES, AND DECLARING AN EMERGENCY.

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THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1: Title.

This ordinance shall be known and may be cited as: "The City of Sherwood Library Ordinance".

Section 2: Public Library Established

A free public library is hereby established in and for the City of Sherwood, Oregon, pursuant to and under the applicable provisions of Oregon Laws relating to public libraries.

Section 3: Library Board

The Mayor of the City of Sherwood is hereby empowered to appoint, subject to confirmation by the City Council, a City Library Board of five members, whose terms of office shall be as follows: one for one year, one for two years, one for three years, and two for four years, whose terms shall run from January 1 of the year of their appointment, or until the successor of each is appointed. Not to exceed two (2) members of said Board may reside outside the corporate limits of the City of Sherwood.

At the expiration of the term of any member of the Library Board, the Mayor, subject to confirmation by the City Council, shall appoint a new member for a term of four years. If a vacancy occurs for any reason other than expiration of term, the Mayor, subject to confirmation of the Council, shall appoint a new member to serve for the unexpired term. Not more than one elective officer of the City of Sherwood shall serve at one time as a member of the Public Library Board.

No member of any Public Library Board or of the City Council shall have any financial interest, either directly or indirectly, in any contract to which the Library Board is a party, nor shall any such person receive a salary or any payment for material or for services rendered theBoard.

After appointment, the Library Board shall immediately meet and organize by the election of a President and Treasurer from its membership, and by the election or appointment of a Secretary, and the Library Board may employ such assistance as it deems necessary, subject to the availability of funds wherewith to pay for such services.

Section 4: Gifts of money

The treasurer of the City Public Library Board shall have custody of all moneys the title of which is vested by gift in the Library, unless otherwise provided by the terms of the gift. Before receiving the funds of the Library, the treasurer shall give a surety bond approved by the City Council, in a sum determined by

the Library Board, and sufficient in amount to equal the estimated largest sum of money the treasurer will have in his custody at any time during the year for which the bond is given. The bond shall be renewed from year to year.

The treasurer shall keep proper accounting records of all funds coming to the treasurer's custody, and such funds shall be disbursed only under direction of the Library Board, for the uses and purposes for which said funds were given, and the accounts of the treasurer shall be subject to audit not less than annually, and at such other times as the custody thereof may be transferred to a successor.

Section 5: Budgeted funds

The City Public Library Board shall file, on or before May 1 of each year, a budget containing an estimate of the amount necessary for the operation of the Library for the ensuing fiscal year. The Board shall not incur any indebtedness to exceed the amount of money as budgeted for the library fund, or available therein for expenditure. No money appropriated for the public library shall be used for the purchase of any real property or the erection of any buildings, but this shall not prohibit expenditures for the maintenance, repair and betterment of buildings already erected.

Section 6: Audit and approval of claims

At least once each month the Public Library Board shall meet, examine and audit all accounts, demands and claims against the Public Library, and such claims as it finds to be correct, valid and payable out of the Library funds, it shall cause to be marked "approved", signed by the president and secretary of such board, and filed with the City Recorder with a supporting voucher. Claims against the library fund shall be reviewed by the City Council as to compliance with budgetary requirements, and thereafter audited and paid in the same manner as claims against other funds of the City; provided, that no warrant shall be drawn nor any money paid chargeable to the Library fund without the approval of the Public Library Board.

Section 7: General powers of Library Board

The City Library Board may:

(1) Establish and locate a central library in the City of Sherwood.

(2) Contract and be contracted with, including the right to contract with counties, cities and school districts for library services, through the library boards of such entities, and make expenditures from the City Library fund in compliance with such contracts.

(3) Purchase, receive and possess all needful and necessary items for the establishment and maintenance of a Public Library, and supervise, care and control the rooms, portions of buildings, or buildings constructed, leased or set aside for library purposes.

(4) Make by-laws, rules and regulations for the guidance of the Board and for the government of the Library not inconsistent with law.

(5) Appoint, pay, and discharge, all employees necessary for the operation of the Library, within the limitations of available funds; expend necessary funds donated, given or appropriated; and select and purchase books for the Library, subject to the proviso that all claims against and vouchers in connection with the financial management of the Library shall be reviewed by the City Council as to their conformity with the budget.

(6) Exercise all such implied powers necessary for the establishment and maintenance of a public library not inconsistent with law.

Section 8: Limitation on power to purchase books

A library board of a library having an income of less than \$2500 annually, shall not purchase or make accessible to the public any books except as recommended in book lists issued by the American Library Association, or by any state library or school department.

Section 9: Annual Report of Board

At the end of each fiscal year, the Public Library Board shall report to the City Council of Sherwood and to the Trustees of the State Library stating the condition of their trust, the various sums of money received from the library funds and from all other sources, how much money has been expended, the number of books and periodicals on hand, the number added during the year, the number lost or missing, the number of books loaned out and the general character of such books, the number of registered borrowers within each of the taxing districts which unite to support such library, the activities carried on under an interstate library agreement entered into pursuant to ORS 357.330 to 357.370, with such other statistics, information and suggestions as they deem of general interest.

Section 10: Reference to state statutes

All applicable sections of Chapter 357, Oregon Revised Statutes, are by reference herein made a part hereof, together with any acts and amendments applicable to cities which are now or hereafter enacted, which are hereby adopted by reference, and made a part of this ordinance to the same legal force and effect as if recited herein in full.

Section 11: Effective date

Inasmuch as it is deemed necessary for the public health, peace and safety of the citizens of Sherwood that a free public library be established, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect on and after the date following its adoption by the City Council and signature by the Mayor.

PASSED: By the Council, after being read by sections, and in full, this 8<sup>th</sup> day of February, 1967.

APPROVED: By the Mayor, this 8<sup>th</sup> day of February, 1967.

Jeanette Allison  
Recorder - City of Sherwood

Al Eichelberger  
Mayor - City of Sherwood