

ORDINANCE NO. 120

AN ORDINANCE RELATING TO THE CITY ESTABLISHING THE LAKESIDE PUBLIC LIBRARY AND CREATING A LIBRARY BOARD.

The city of Lakeside ordains as follows:

Section 1. Lakeside Public Library Established.

(a) A public library is hereby established for the city of Lakeside under the provisions of ORS 357.400 to 357.621.

(b) The public library shall be financed through the use of general fund monies, revenue obtained from the operation of the library, grants, gifts, donations and bequest received and designated to be used for library purposes, and any tax levies that may be authorized by the electors.

(c) The Lakeside public library shall be the public agency responsible for providing and making freely accessible to all residents in the city of Lakeside library and information services suitable to persons of all ages.

Section 2. Library Board.

(a) The Lakeside Public Library Board is hereby created. The board shall consist of seven members to be nominated by the mayor and appointed and confirmed by the city council. [Section 2(a) amended by Ordinance No. 127, passed June 18, 1987; and Ordinance No. 129, passed February 19, 1988.]

(b) The term of office of the board members shall be four years and their terms shall commence on July 1 in the year of their appointment. The terms of office shall be staggered so that the terms of not more than two board members will expire in the same year. Of the first three board members appointed, one member shall initially hold office for two years, one for three years and one for four years. At the expiration of the term of any members of such board, the city council shall appoint a new member or may reappoint a member for a term of four years. If a vacancy occurs during a term of office, the governing body shall appoint a new member for the unexpired term. No person shall hold appointment as a member for more than two full consecutive terms, but any person may be appointed again to the board after an interval of one year.

(c) Members of the board shall receive no compensation for their services, but may be reimbursed for expenses incurred in the performance of their duties.

Section 3. Board Organization.

- (a) The library board shall elect a chairperson from its members.
- (b) The library director shall serve as secretary to the board and keep the record of its actions.
- (c) The board may establish and amend rules and regulations for its government and procedure consistent with the laws of the state of Oregon and with the charter, ordinances, resolutions, and regulations of the city of Lakeside.
- (d) The board shall meet at least ten times each year and at such other times as it may provide by its rules.

Section 4. Library Board General Powers. The library board shall be a governing board, but this ordinance shall not be construed as depriving elected or appointed officials of the city of any power they may have under the laws of the state or the charter of the city. The board shall have powers and duties as follows:

- (a) The library board shall assist in the interview process of selecting and appointing a library director. The city administrator, as the fiscal and internal administrative agent for the library, shall have primary responsibility for library personnel, including recruitment, selection, classification and pay, and supervision.
- (b) The library board shall keep the city council informed about rules and policies for the efficient and effective operation of the library, its services and programs.
- (c) The library board shall assist the library director in preparation of the annual budget request to be submitted by the library director to the city administrator.
- (d) The library board shall make recommendations for the acceptance, use, or expenditure of any real or personal property or funds donated to the library under section 5, or make recommendations for the purchase, control, or disposal, of real and personal property necessary for the purposes of the library.
- (e) The library board shall make recommendations for the selection of sites for public library buildings or for location of library facilities.
- (f) The library board shall review and recommend to the city council terms for contracts and working relationships with private and public agencies regarding library services.
- (g) The library board shall approve an annual report to the state library and to the city council submitted in a timely manner on a form supplied by the state library.
- (h) The library board shall develop and recommend to the city council long-range plans for library service, consistent with city priorities and with state, regional and national goals for libraries.

Section 5. Acceptance of Gifts for Library Purposes. Gifts of any real or personal property or funds donated to the library and accepted by the governing body shall be administered in accordance with each gift's terms, and all property or funds shall be held in the name of the city of Lakeside.

Section 6. Internal Administrative Policies and Procedures. The city administrator shall be the fiscal and internal administrative agent for the Lakeside public library and the library shall operate in conformance with city administrative procedures including those pertaining to the following:

- (a) Personnel, including recruitment, selection, classification and pay for library personnel.
- (b) Receipt, disbursement, and accounting for monies.
- (c) Maintenance of general books, cost accounting records, and other financial documents.
- (d) Budget administration.
- (e) Operation and maintenance of equipment and buildings.

Section 7. Prohibited Actions and Penalties.

(a) It shall be unlawful for any person to wilfully or maliciously detain any library materials belonging to the Lakeside Public Library for 30 days after notice in writing from the library director that the library material is past due. The notice shall bear upon its face a copy of ORS section 357.975 and 357.990.

(b) Violation for wilful detention of library materials is punishable upon conviction by a fine of not less than \$25 nor more than \$250. 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 such material to the library.

Passed by the council and approved by the mayor March 19, 1987.