

ORDINANCE BILL NO. 1 FOR 1989

ORDINANCE NO. 983

AN ORDINANCE RELATING TO THE LIBRARY, ESTABLISHING THE SWEET HOME PUBLIC LIBRARY AND CREATING A LIBRARY BOARD; AND REPEALING ORDINANCE NO. 647.

THE CITY OF SWEET HOME DOES ORDAIN AS FOLLOWS:

Section 1. Sweet Home Public Library Established

(a) A public library is hereby established for the City of Sweet Home 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 bequests received and designated to be used for library purposes, and any tax levies that may be authorized by the electors.

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

Section 2. Library Board

(a) The Sweet Home Public Library Board is hereby created. The Board shall consist of five members to be appointed by the City Council.

(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 five Board members appointed, one member shall initially hold office for one year, one for two years, one for three years and two 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 balance of the unexpired term.

(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 and vice chairperson.

(b) The Library Director shall be an ex officio member and shall serve as secretary to the Board and keep the record of its actions.

(c) Three appointed members of the Board shall constitute a quorum.

(d) 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 Sweet Home.

(e) The Board shall meet at least once a month and at such other times as it may provide by its rules.

### Section 4. Library Board General Powers

The Library Board shall be an advisory board and shall have no executive or administrative powers or authority, and 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) Upon request by the City Manager the Library Board may assist in the interview process of selecting and appointing a Library Director. The City Manager, as the fiscal and 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 make recommendations to the City Council about rules and policies for the efficient and effective operation of the library, its services and programs.

(c) The Library Board shall approve the budget request prepared by the Library Director for submittal to the Budget Committee.

(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 of this ordinance.

(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 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.

(g) 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 Sweet Home.

#### Section 6. Internal Administrative Policies and Procedures

The City Manager shall be the fiscal and internal administrative agent for the Sweet Home 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 willfully or maliciously detain any library materials belonging to the Sweet Home 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 this section.

(b) Violation of Section 7(a) is punishable upon conviction by a fine of not less than \$25 nor more than \$200 and may be prosecuted under the provisions of Ordinance No. 876 as now enacted and thereafter amended. 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 this 14th  
day of February, 1989.

  
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Mayor

ATTEST:

  
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City Manager - Ex Officio City Recorder