

CYPRESS COUNTY

BYLAW 2018/16

A Bylaw of Cypress County in the Province of Alberta to amend Bylaw 2017/07, being a Bylaw to establish a Municipal Library Board.

PURSUANT TO the provisions of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 2000, and amendments thereto, the Council of Cypress County, in the Province of Alberta, duly assembled, ENACTS AS FOLLOWS:

1. Bylaw 2017/07 is hereby amended by adding (e) to Section (4)(3) stating the following;

Two (2) members of the public,

2. This Bylaw shall come into effect on final reading.

READ a first time this 1st day of May, 2018.

READ a second time this 1st day of May, 2018.

READ a third and final time this 1st day of May, 2018.

Reeve

Chief Administrative Officer

CYPRESS COUNTY
BYLAW 2017/07
(Amended By Bylaw 2018/16)

A Bylaw of Cypress County to establish a Municipal Library Board.

WHEREAS the Libraries Act, being Chapter L-11 of the Revised Statutes of Alberta 2000, and amendments thereto, provides that a municipality by bylaw may establish a Municipal Library Board.

NOW THEREFORE the Council of Cypress County, in the Province of Alberta duly assembled, ENACTS AS FOLLOWS:

1. **SHORT TITLE**

The Bylaw may be cited as the Cypress County Municipal Library Board Bylaw.

2. **PURPOSE**

- (1) The purpose of this Bylaw is to establish a Municipal Library Board for Cypress County in accordance with the provisions of the Libraries Act,
- (2) This Bylaw comes into force upon the date of final reading.

3. **DEFINITIONS**

In this Bylaw:

- (1) "Act" means the Libraries Act, being Chapter L-11 of the Statutes of Alberta 2000, and amendments thereto.
- (2) "Board" means the Cypress County Municipal Library Board
- (3) "Council" means the Municipal Council of Cypress County
- (4) "County" means the municipal corporation of Cypress County pursuant to the laws of the Province of Alberta
- (5) "Minister" means the Minister responsible for the Libraries Act

4. **ESTABLISHMENT OF THE CYPRESS COUNTY LIBRARY BOARD**

- (1) The Cypress County Library Board is hereby established.
- (2) The Municipal Library Board, subject to any enactment that limits its authority, shall, manage and control municipal libraries, and organize, promote, and maintain comprehensive and efficient library services in the municipality.

- (3) The Board shall be composed of five (5) voting members appointed by resolution of Council for a specified period, not to exceed three (3) years and one (1) non-voting staff member representing Canadian Forces Base (CFB) Suffield. Membership shall consist of:
 - (a) Two (2) members of Council,
 - (b) Two (2) members of the public from the area of the County served by Irvine Community Library
 - (c) One (1) member of the public from the area of the County served by the Graham Community Library
 - (d) One (1) non-voting staff member from CFB Suffield Graham Community Library
- (4) Eligible individuals may not be appointed for more than three (3) consecutive terms.
- (5) A person who is an employee of the Board is not eligible to be a voting member of the Board.
- (6) Quorum for making decisions and performing any action required of the Board shall be considered three (3) voting members present.

5. REMOVAL FROM OFFICE

- (1) A person is disqualified from remaining on the Board if the person fails to attend, without prior authorization by resolution of the board, three (3) consecutive regular meetings of the Board.
- (2) Where a member of Council is appointed as a member of the Board, their appointment shall terminate upon their ceasing to be a member of Council.
- (3) In the event a vacancy occurs on the Board, Council shall fill the vacancy within sixty (60) days.

6. OFFICES OF THE MUNICIPAL LIBRARY BOARD

- (1) Annually at the first meeting following the Organizational Meeting of Council, the members of the Board shall elect one member of the Board to act as Chairman and one member to act as Vice-Chairman. The Vice-Chairman may preside at the meetings.
- (2) The Board may elect any other officers it considers necessary from amongst the voting members of the Board.

- (3)** In the absence of the Chairman or Vice-Chairman, the Board members present shall elect a member to act as Chairman at the meeting.

7. **DECISIONS**

- (1) A decision of the majority of members present at a duly constituted meeting shall be deemed the decision of the Board.
- (2) Any motion upon which there is an equality of votes, shall be deemed to be defeated.

8. **PLAN OF SERVICE**

- (1) The Board shall, within three (3) years of being established, file with the Minister a plan of service with a mission statement, and goals and objectives based on a needs assessment of the municipality. The plan of service shall be reviewed annually and a current plan must be filed with the Minister, at maximum, five (5) years following the date on which a plan was last filed.

9. **AUTHORITY TO PASS BYLAWS**

- (1) The Board may pass bylaws for the safety and use of the library including:
 - (a) The terms and conditions under which
 - i. the public may be admitted to the building
 - ii. municipal library property may be used or borrowed by members of the public
 - iii. borrowing privileges may be suspended or forfeited
 - (b) Fees to be paid by members of the public for:
 - i. issuance of a library borrowing card
 - ii. the use of those parts of the building not used for the purpose of the municipal library
 - iii. photocopying
 - iv. receiving information in a printed, electronic, magnetic or other format
 - v. receiving, on request, a library service not normally provided by the municipal library
 - (c) Penalties to be paid by members of the public for the abuse of borrowing privileges
- (3) A bylaw may not be passed that requires a member of the public to pay a fee for any of the following:
 - (a) Admittance to any portion of the building used for municipal library purposes
 - (b) Using library resources on library premises
 - (c) Borrowing library resources, in any format, normally lent by the library
 - (d) Acquiring library resources through inter-library loan
 - (e) Consultation with members of the library staff
 - (f) Receiving basic information services

- (4) Upon passing a bylaw, the Board shall, prior to enacting the bylaw, forward a copy of the bylaw to County administration to be prepared for review by Council.
- (5) Council has the authority to disallow any bylaw passed by the Board.
- (6) The Board shall, within one (1) year of establishment, file with the Minister a report containing all bylaws passed by the Board, and approved by Council. All ensuing bylaws passed by the Board, and approved by Council, shall be filed with the Minister immediately after their passage.
- (7) Bylaws shall be available for the public to review during the hours that the library is open to the public. A person may copy a bylaw in accordance with the conditions and procedures established by the Board.

10. AUTHORITY TO ESTABLISH POLICIES

- (1) The Board shall establish policies on:
 - (a) Confidentiality of user records
 - (b) Orientation and continuing education of members and staff, including expenses for attendance at library meetings, conference workshops and courses, and membership in library associations
 - (c) Finance, including designation of expenses for which board members and staff will be reimbursed, the form and manner in which those expenses shall be claimed and the appointment of signing officers of the board
 - (d) Personnel, including job descriptions, and performance appraisals for employees and volunteers, qualifications for staff positions, working hours, conditions of employment and grievance procedure
 - (e) Selection, acquisition, purchase and disposition of library resources, including a policy respecting gifts and donations
 - (f) Resource sharing, including participation in a provincial resource sharing network and the conditions that apply to the acquisition of library resources and information from other sources including inter-library loans and information in electronic data bases
 - (g) Provision of library resources to persons unable to use conventional print resources, including provisions in cooperation with community organizations
 - (h) The terms and conditions under which library resources will be loaned to members of the library for use in a location other than the library
 - (i) Hours of service at each library
 - (j) The terms and conditions for use of any areas of a building managed by the board that are not normally used for library purposes including who may use those areas

- (2) The Board shall, within two (2) years of establishment, file with the Minister a report containing all policies established by the Board. All revised policies shall be immediately filed with the Minister.

11. **FINANCES**

- (1) The Board shall, before November 1 in each year, prepare a budget and an estimate of the money required during the ensuing fiscal year to operate and manage the municipal libraries.
 - (a) The budget and the estimate of money required shall be submitted to County administration, to be prepared for review by Council.
 - (b) Council may approve the estimate of money required in whole or in part.
- (2) The Board shall:
 - (a) Keep accounts of its receipts, payments, credits and liabilities
 - (b) Have a person who is not a member of the Board and whose qualifications are satisfactory to Council review the accounts each calendar year and prepare a financial report in the form satisfactory to Council
 - (c) Forward a copy of the completed financial report to County administration to be prepared for review by Council

12. **GENERAL REQUIREMENTS**

- (1) The Board shall meet at least once every four (4) months, but may meet as often as is required.
- (2) Every meeting of the Board is open to the public, and a person or group may make presentations to the Board, if the presentations relate to the Board and its programs.
- (3) All minutes, resolutions and bylaws of the Board shall be kept in books to be kept for the purpose of maintaining a record of proceedings and the books shall be signed by the chairman or acting chairman.
- (4) With the consent in writing of the Minister, the Board may enter into agreements related to the provision of library services to the residents of the County.
- (5) The Board shall annually complete and file with the Minister a report in the form and containing the information required by the Minister.

Read a first time this 21st day of February, 2017.

Read a second time this 21st day of February, 2017.

Read a third time and finally passed this 7th day of March, 2017.

Reeve

Designated Officer