

Municipal Code – Library Board Chapters 2.28 & 2.30

(Adopted 2022 after 2.28 was split)

BYLAWS OF THE ST. HELENS PUBLIC LIBRARY BOARD

(Adopted 2001)

2.28.010 Public library established.

There is hereby established a public library to be known as the “city of St. Helens public library” pursuant to ORS Chapter 357. (Ord. 3276 § 2 (Att. A), 2022; Ord. 2627 § 1, 1991)

Name

The name of this organization shall be the St. Helens Public Library Board authorized by Chapter 357 of the Oregon Revised Statutes and City of St. Helens Ordinance No. 2627.

2.28.020 Financing.

The city proposes to finance the library out of the general fund of the budget, but does have authority and may finance the library by an annual serial levy, providing the same has been approved by the qualified voters of the city. (Ord. 3276 § 2 (Att. A), 2022; Ord. 2627 § 2, 1991)

2.28.030 Hearings.

The public library shall not be abolished, nor shall support be withdrawn therefrom, unless at least two public hearings are first held at least 90 days apart. Notice of the public hearings shall be given in a newspaper of general circulation within the city for two successive weeks at least 30 days prior to each hearing. (Ord. 3276 § 2 (Att. A), 2022; Ord. 2627 § 3, 1991)

2.28.040 Library rules and compliance therewith.

The library director shall promulgate rules of conduct to be observed by patrons of the library. Failure to comply with the library rules shall constitute a violation and may be prosecuted as provided in SHMC 1.06.060 through 1.06.160. (Ord. 3276 § 2 (Att. A), 2022; Ord. 3152 § 1, 2011. Formerly 2.28.045)

2.28.050 Gifts and bequests.

The board may solicit gifts and bequests of real or personal property or funds (other than fees and fines) to benefit the library. Acquisition of real or personal property by gift shall occur by a legal instrument of conveyance or other writing transferring title of the real or personal property to the city, and such instrument shall clearly define the rights and responsibilities of all parties. The city council shall decide whether to accept all such gifts of property on behalf of the city and the library that have a value more than \$250.00 or that impose financial obligations on the city. All property or funds shall be administered by the city in accordance

(Found later in the bylaws – see below)

with its terms. Funds donated to the library shall be placed in a special account and shall be subject to expenditure only for the purpose for which donated, except that donated funds without specific limitations as to use may be used for general library purposes. (Ord. 3276 § 2 (Att. A), 2022; Ord. 3044 § 1, 2007; Ord. 2627 § 9, 1991. Formerly 2.28.090)

COUNCIL RESPONSIBILITY

The mayor shall assign to one city council person responsibility for the operation of the public library. That council person's responsibilities, subject to concurrence and approval of the city council, shall include the hiring of a librarian, approving staff hiring, approving operation policies and procedures, and approving and overseeing the general operations of the library facility and expenditures of all budgeted funds. The council person shall seek the counsel of and consult with the library board and may take part in their deliberations, but the council person shall not be a voting member of the library board. The council person shall serve as a liaison between the library board and the city council. The librarian shall be directly responsible to the council person.

(New 2.30 pulled from old 2.28)

2.30.010 Library board.

The library board shall consist of at least seven members and no more than nine members appointed by the mayor and confirmed by the city council. One of the members shall be the member of the city council designated as the council liaison to the library board by the mayor. The council member shall be an ex officio, nonvoting member of the library board who seeks counsel of and consults with the library board and may take part in their discussions. A majority of 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 material or for any services rendered the board. Board members may be reimbursed for expenses incurred in the performance of their duties. (Ord. 3276 § 2 (Att. A), 2022; Ord. 3212 § 1, 2017; Ord. 2627 § 5, 1991. Formerly 2.28.050)

LIBRARY BOARD

The library board shall consist of at least five members and no more than seven members appointed by the mayor and confirmed by the city council. A majority of 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 material or for any services rendered the board. Board members may be reimbursed for expenses incurred in the performance of their duties.

2.30.020 Terms of office.

Appointments made under this chapter shall be for a term of four years from July 1st in the year of their appointment. Members appointed previously under this chapter shall continue in office until the expiration of their term of office. The terms of office of each library board member shall be for a period of four years with no more than two full-term members being replaced each year. At the expiration of the term of any board member, the mayor shall appoint a new member or may reappoint a member with the confirmation of the city council. 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. (Ord. 3276 § 2 (Att. A), 2022; Ord. 3212 § 2, 2017; Ord. 2627 § 6, 1991. Formerly 2.28.060)

2.30.030 Vacancies.

If a vacancy occurs, the mayor shall appoint a new member to complete the unexpired term with the consent of the city council. (Ord. 3276 § 2 (Att. A), 2022; Ord. 3212 § 2, 2017; Ord. 2627 § 6, 1991. Formerly 2.28.060)

2.30.040 Removal/resignation.

A library board member may be removed from the board, for cause, following a hearing before the city council. A board member may resign in lieu of removal following a hearing. Cause for removal includes but is not limited to misconduct in office or nonperformance of official duties, violation of government standards and practices, conviction of a crime, including the crime of official misconduct, as well as any other actions or conduct by the board member which is detrimental to the reputation and good will of the city of St. Helens. Notwithstanding the above provisions for removal, any board member failing to attend three consecutive board meetings without approval of the board shall be deemed to have resigned their position. In the event of such resignation, the council shall be notified, the position declared vacant and reappointment procedures commenced. Nothing herein prohibits a member who has resigned by operation of this section from being reappointed to the board. (Ord. 3276 § 2 (Att. A), 2022)

TERMS OF OFFICE; VACANCIES

At their first meeting, the appointed members of the library board shall choose their term of office by lot as follows: one member shall initially hold office for one year, one for two years, one for three years, and two for four years from July 1 in the year of their appointment. Succeeding appointees shall hold office for a term of four 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 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. Mayor and council in making appointments shall provide that no more than two members' terms expire in any fiscal year. 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. Any board member failing to attend three consecutive board meetings without approval of the board may be removed by the city council and a new member appointed to complete the expired term.

2.30.050 Officers.

At the first meeting of each fiscal year, the board shall elect a chair and a vice-chair. The past chair, chair, and vice-chair shall serve for a term of one year. At the end of the fiscal year, the vice-chair will assume the role of chair and the chair will assume the role of past chair for the coming fiscal year. The library director shall designate a library employee to serve as secretary to the board and keep a record of its action. The board shall have authority to make and alter rules, with approval of the city council, for its government and procedure. (Ord. 3276 § 2 (Att. A), 2022; Ord. 2627 § 7, 1991. Formerly 2.28.070)

2.30.060 Meetings.

The library board shall meet as often as deemed appropriate by the board but not less than once every other calendar month or as otherwise directed by the city council. All meetings of the library board shall be open to the public and shall in all respects fully comply with Oregon public meetings law. Special meetings of the board shall require not less than 24 hours' notice to local newspapers and posting of meeting notice in public places reasonably calculated to give notice to interested parties. The library board shall have the authority to make and alter written rules for the conduct of its business, including rules of procedure for conduct of public meetings and public hearings. The adoption of bylaws is expressly authorized, subject to the consent of the city council. For purposes of conducting business, a quorum shall require the attendance of a majority of the members that are currently appointed to the board at the time of the meeting. Minutes of library board meetings and activities shall be regularly submitted to the city council for review and acceptance. (Ord. 3276 § 2 (Att. A), 2022)

OFFICERS

Majority members of the board shall comprise a quorum. 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 year. The librarian shall serve as secretary to the board and keep the record of its action. The board shall have authority to make and alter rules, with approval of the city council, for its government and procedure.

MEETINGS (occurs later in the bylaws document)

The regular meetings shall be held the second Wednesday of each month at 7:00PM at the library unless otherwise ordered by the Chairman.

The regular meeting in July shall be known as the annual meeting. Election of officers shall be held at that time.

Special meetings can be called by the Chairman, or at the request of two members of the Board.

2.30.070 Responsibilities.

The duties of the library board shall include:

- (1) Keeping informed about current trends in 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) Recommending policies for the acceptance and use of gifts for library purposes;
- (6) Participation in the annual budgetary process of the city where the process pertains to the library;
- (7) Recommending policies and procedures conducive to efficient and effective operation of the library;
- (8) Reviewing and recommending terms for contracts and working relationships with other public agencies regarding library services;
- (9) Encouraging widespread public support and use of the library;
- (10) Submitting an annual report to the city council;
- (11) Performing other duties as authorized by the city council;
- (12) Serving on ad-hoc committees and work groups as determined necessary, including, but not limited to, a material review panel when a request has been submitted to reconsider library materials; and
- (13) Serving on an appeal panel when an excluded patron requests reinstatement of library privileges.
(Ord. 3276 § 2 (Att. A), 2022; Ord. 2627 § 8, 1991. Formerly 2.28.080)

DUTIES AND POWERS

The duties of the library board shall include:

- (1) Keeping informed about current trends in 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 where the 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 services;
- (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.

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 by the city in accordance with its terms. Funds donated to the library shall be turned over to the city recorder immediately upon receipt and be placed in a special account to be used exclusively for the improvement of the library or as designated by the donor. Funds in this account may only be expended after they have been properly budgeted or approved by the city.

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.

(MEETING SECTION ABOVE)

COMMITTEES

The Chairman shall appoint all committees designated by the Board in the Standing Rules.

PARLIAMENTARY AUTHORITY

The rules contained in Robert's Rules of Order Newly Revised shall govern the Board if they are not inconsistent with these bylaws, Oregon Revised Statutes, or City of St. Helens Ordinance No. 2627.

AMENDMENT OF BYLAWS

These bylaws can be amended at any regular meeting of the Board by a simple majority vote, provided that the amendment has been submitted in writing to each member prior to the meeting and such amendment(s) receive the approval of the Mayor and City Council.

Approved and Adopted (8/8/01)