



Legislation Details (With Text)

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AN ORDINANCE REPEALING ORDINANCE NUMBER 13-1030-ORD AND CREATING A LIBRARY BOARD AND LIBRARY ADVISORY BOARD

An Ordinance repealing Ordinance Number 13-1030-ORD and creating a Library Board and a Library Advisory Board

WHEREAS, by Resolution No. 06-16-80 the City of Foley established the Library Advisory Board and dissolved the Library Board which was appointed pursuant to Ala. Code §11-90-1, *et. seq.*; and

WHEREAS, thereafter, the City Council of the City of Foley enacted Ordinance Number 13-1030-ORD which amended the functions of the Library Advisory Board in order to bring the Advisory Board in compliance with Ala. Code § 11-90-1, *et. seq.*; and,

WHEREAS, the City Council of the City of Foley now wishes to repeal Ordinance Number 13-1030-ORD; and,

WHEREAS, the City Council of the City of Foley now intends, by ordinance, to reestablish a Library Board, in compliance with Ala. Code § 11-90-1, *et. seq.* and a separate Library Advisory Board; and,

WHEREAS, the City Council of the City of Foley no longer needs Ordinance Number 13-1030-ORD to remain in place; and,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Foley as follows:

Sec. 1. That Ordinance Number 13-1030-ORD is hereby repealed effective as of the effective date of this ordinance.

Sec. 2. **Library Board and Library Advisory Board -Established.** A Library Board and a Library Advisory Board are hereby established for the city.

Sec. 3. **Same-Membership, appointment, term, vacancies, compensation.**

(a) The members of the Library Board shall be appointed by the governing body of the municipality exclusively from among the members of such governing body. This Board shall consist of five (5) members.  
The term of membership of the Board shall be for so long as the member remains on the city council of the City of Foley.

(b) The Library Board shall appoint one member from the Library Board to serve on the Library Advisory Board. Remaining members of the Library Advisory Board shall be appointed by the governing body of the municipality from among persons other than members of such governing body. This Committee shall consist of five (5) members. The term of membership of the Committee as first appointed shall be:

- 1) One (1) member for the term of one (1) year;
- 2) One (1) member for the term of two (2) years;
- 3) One (1) member for the term of three (3) years;
- 4) One (1) member for a term of four (4) years; and
- 5) One (1) member from the Library Board for so long as the member remains on the city council of the City of Foley.

Upon conclusion of the first terms, respectively, all appointments to the Library Advisory Committee shall be for terms of four (4) years.

The governing body of the municipality shall fill the vacancies including expired and unexpired terms.

The members of the Library Advisory Board shall serve without compensation.

Sec. 4. **Power and duties of Library Board.** The Library Board shall have full power and authority to:

- 1) Control the expenditures of all funds received or appropriated for the Foley free public library;
- 2) Erect or rent buildings to cost not in excess of the funds available to it;
- 3) Purchase books and equipment;
- 4) Provide a system of library service to be made easily available to all citizens of the municipality through central library, branches, stations, book truck service or other appropriate means;

- 5) Elect a librarian and other employees; and
- 6) Manage and control the said library in order to carry out the full intent and purpose of Chapter 90 of Title 11 of the Code of Alabama.
- 7) Approve a written program and policies for the governance of the library, addressing the topics as set out in Rule 520-2-2.03 of the Alabama Administrative Code.
- 8) A careful and complete record and set of books shall be kept by the Library Board, showing the proceedings of their several meetings and the receipts and disbursements in detail of all funds.

Sec. 5. **Powers and duties of Library Advisory.**

The Library Advisory Board shall participate in planning and programming, as well as make general recommendations concerning the operations of the library and the appropriate system of library service

to the citizens of this municipality and the surrounding area, seek fundraising and grant opportunities for presentation to the library board and staff, and advocate for the library's functions and activities within the community.

The Library Advisory Board shall elect a president to preside at meetings. Additionally, the Library Director shall serve as the recording secretary to keep a careful and complete record showing the proceedings of all meetings and copies of all written recommendations to the Library Board.

Sec. 6. **Establishment and maintenance of free public library.** The city, through its governing body, has established and will maintain or aid in maintaining a free public library for the use of the citizens of the city, and to that end may accept gifts, donations and bequests of land, buildings, or money therefor and may make appropriations from the municipal treasury in support thereof in such sums as they may deem proper.

Sec. 7. **Library employees.** The salaries and benefits of the employees of the library and the personnel policies applicable to such employees shall be determined by the Library Board.

Sec. 8. **Failure to return library property.** It shall be unlawful for any person to willfully detain or fail to return any book, periodical, magazine, or any property of the city public library within thirty (30) days after notice in writing by certified mail to return the same.

Sec. 9. Resolution No. 06-16-80 is ratified so that the Foley Public Library Board and the Advisory Board are re-established in compliance with this Ordinance.

Sec. 10. All ordinances or parts of ordinances, in any manner conflicting herewith are hereby repealed.

Sec. 11. This ordinance shall become effective upon its publication as required by law.

