

PART 2 – MUNICIPAL LIBRARIES**How a municipal library is established**

- 3 (1) A municipality may, by bylaw, establish a municipal library.
- (2) A municipal library may be established under subsection (1) in a municipality served by a public library association, but only if the association has requested the municipality to assume responsibility for providing library service in the municipality.
- (3) When a bylaw is adopted under this section, the municipal council must send the minister a copy of the bylaw.

Role and status of the library board

- 4 (1) A municipal library is to be managed by a library board called the “[insert name of municipality] Public Library Board”.
- (2) The members of the library board and their successors in office are a corporation with the powers and duties given in this Part.

How the library board is appointed

- 5 (1) The municipal council must appoint the members of the library board at the first meeting of the municipal council after the adoption of the bylaw establishing the municipal library.
- (2) The library board is to consist of an uneven number of members, not fewer than 5 or more than 13, selected as follows:
 - (a) one from the municipal council;
 - (b) the remainder from people who are residents or electors of the municipality and who are not members of the municipal council or employees of the municipality or library board.
- (3) All subsequent regular appointments are to be made each December at the first regular meeting of the municipal council.
- (4) Before selecting anyone under subsection (2) (b), the municipal council must invite applications for membership by publishing a notice in a newspaper.
- (5) A vacancy arising during the term of an appointment is to be filled, for the remainder of the term, by an appointment made at the first meeting of the municipal council after the vacancy arises.
- (6) If an appointment is not made at the time specified in this section, the appointment must be made as soon as convenient.

Term of office

- 6
- (1) The member appointed to the library board from the municipal council holds office for one year, or for the remainder of the year for which the appointment is made.
 - (2) One half of the members first appointed to the library board under section 5 (2) (b) hold office for a term of one year, and the others hold office for a term of 2 years.
 - (3) All subsequent regular appointments under section 5 (2) (b) are for terms of 2 years.
 - (4) A member is eligible for reappointment, but no member may serve for more than 8 consecutive years.
 - (5) The term of office of a member continues until a successor is appointed unless the member is removed for cause.
 - (6) On receiving a report from the library board, the municipal council may remove a member of the library board for cause, including if the member
 - (a) fails to attend 3 consecutive regular meetings of the library board without its written approval,
 - (b) becomes an employee of the municipality or of the library board, or
 - (c) ceases to be a resident or elector of the municipality.

Election of chair and vice chair

- 7
- (1) The library board must elect a chair and a vice chair at its first meeting in each year after appointments are made to the library board.
 - (2) If the chair is not present at a meeting of the library board, the vice chair has all the powers of the chair and is subject to all rules applicable to the chair.
 - (3) If neither the chair nor the vice chair is present at a meeting of the library board, the members present may elect an acting chair who has, during the meeting, all the powers of the chair and is subject to all rules applicable to the chair.

Regular and special meetings of library board

- 8
- (1) The library board must meet at regular intervals at least 6 times a year.
 - (2) A majority of all the members of the library board is a quorum.
 - (3) The chair or any 2 members may call a special meeting of the library board by notifying, in writing, the other members at least 2 days before the meeting and stating in the notice the purpose of the meeting.

General powers and duties of library board**9** The library board

- (a) may make rules for managing its business and for regulating the use of its facilities and services by the public,
- (b) may appoint any committees of its members that it considers necessary to carry out its business,
- (c) must appoint a chief librarian,
- (d) may hire and dismiss employees, enter into collective agreements with employees and set the terms of their employment, including fixing their remuneration and duties,
- (e) may lease land or buildings for library purposes, but only with the prior approval of the municipal council,
- (f) may acquire personal property for library purposes and dispose of personal property,
- (g) may contract, for a term of not more than 5 years, for professional or other services for library purposes,
- (h) may sue and be sued,
- (i) may have a common seal and may alter or change it, and
- (j) must prepare an annual report in the form approved by the minister and must send copies of the report to the minister.

Budget and financing

- 10**
- (1) On or before March 1 in each year, the library board must prepare and submit to the municipal council its annual budget for providing library service in the municipality.
 - (2) The municipal council must approve, with or without amendment, the budget submitted to it under subsection (1).
 - (3) At the request of the library board, the municipal council may approve an amendment to the approved budget.
 - (4) The municipal council must include in the municipality's annual budget a sum sufficient to finance the library board's approved budget.
 - (5) The treasurer of the municipality must pay to the library board the sum included in the annual budget and the payments must be made on the dates scheduled by the library board and the municipality.

Expenditures and financial statements

- 11**
- (1) The library board has, subject to the approved budget, exclusive control over the expenditure of
 - (a) all money provided by the municipal council for library purposes,
 - (b) all money given to the library board,