

MUNICIPAL DISTRICT OF BRAZEAU NO. 77

BY-LAW NO. 31-89

A BY-LAW OF THE MUNICIPAL DISTRICT OF BRAZEAU NO. 77, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE ESTABLISHMENT OF MUNICIPAL LIBRARY SERVICES.

WHEREAS, the Libraries Act, Chapter L-12.1, R.S.A. 1980, with amendments thereto, provides that a Council of a municipality may pass a By-Law for the establishment of a public library for the municipality.

NOW THEREFORE, the Municipal Council of the Municipal District of Brazeau No. 77 enacts as follows:

1. This By-Law may be cited as "The Library By-Law".
2. In this By-Law:
 - (a) "Brazeau" means the Municipal District of Brazeau No. 77.
 - (b) "Council" means the municipal council of the Municipal District of Brazeau No. 77.
 - (c) "Board" means the Municipal District of Brazeau No. 77 Library Board pursuant to this By-Law.
 - (d) "Members" means the members of the Municipal District of Brazeau No. 77 Library Board duly appointed pursuant to this By-Law.
 - (e) "Secretary" means the Municipal Manager or a person delegated by him, to act as secretary of the Municipal District of Brazeau No. 77 Library Board.
 - (f) "Chairman" means the person appointed as Chairman of the Municipal District of Brazeau No. 77 Library Board.
 - (g) All other terms used in this By-Law shall have the meaning assigned to them by the Libraries Act, Chapter L-12.1, R.S.A. 1980, with amendments thereto, to the extent that said meaning differs from the ordinary meaning of such terms.

3. Number of Members

The Municipal Library Board shall be composed of 5 members all of whom shall be appointed by the Council of "Brazeau", from among the residents of "Brazeau". Two members of Council shall be appointed to the "Board".

4. Manner of Appointment

Members of the Board shall be appointed to office by Council at its Organizational Meeting each year, which is held pursuant to the Municipal Government Act, Chapter M-26, R.S.A. 1980, with amendments thereto.

5. Term of Office

- (a) The term of office of the Chairman shall be one (1) year.
- (b) Appointments made in respect of the first Board, shall, as nearly as may be possible, be 1/3 of the members for a term of one year, 1/3 of the members for a term of 2 years and the remaining members for a term of 3 years. Thereafter a person appointed shall hold office for 3 years.



- (c) A member of the Board continues in office until his successor is appointed.
- (d) Notwithstanding anything in the Libraries Act, Chapter L-12.1 Council may at any time and for any reason it considers proper revoke the appointment of a member of the Board and appoint a successor to fill the vacancy for the remainder of the term.
- (e) No resolution, by-law, proceeding or action of any kind of the Board shall be held invalid or set aside by reason of any person whose election has been annulled or declared illegal having acted as a member of the Board.
- (f) In case of a vacancy by death or resignation, or from any cause other than expiration of the term for which a member of the Board was appointed, a successor shall be appointed by the Council to fill the vacancy for the remainder of the term. Any vacancy arising from any cause shall be filled at the first meeting of the Council after the vacancy occurs, or at any other meeting of Council if for any cause the appointment is not made as hereinbefore provided.
- (g) A member of the Board may be reappointed upon the expiry of his term.

6. Where a member of Council is appointed as a member of the Board, his appointment to the Board terminated upon his ceasing to be a member of the Council.

7. Remuneration, Travelling and Living Expenses

The members of the Board shall be entitled to such remuneration, travelling and living expenses as may be fixed from time to time.

8. Quorum

One half plus one of the members of the Board constitute a quorum.

9. Absent Board Members

Where a meeting is held by the Board, and a member or members of the Board is or are for any reason unable to attend on any day or date, the other members who are at the meeting have power to continue the meeting as fully and effectively as if the members unable to attend were present and have and may exercise and perform the powers and duties of the Board, provided that a quorum is at all time satisfied.

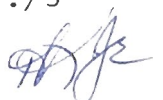
10. Notwithstanding a vacancy in the membership of a Board, the remaining members thereof, if at least a quorum remain in office, have and may exercise and perform the powers and duties of the Board.

11. The members of the Board shall elect one of themselves as Chairman and one of themselves as Vice-Chairman. The Vice-Chairman may preside at meetings of the Board in the absence of the Chairman.

12. In the event or the absence or inability of the Chairman at a meeting of the Board, a Vice-Chairman shall act as Chairman and if no Vice-Chairman is designated or in the event of the absence or inability to act as the Vice-Chairman, the members of the Board present at the meeting shall elect a member to act as Chairman at that meeting.

13. Signing Authority

An order, decision, approval, notice or other thing made, given or issued by the Board may be signed on its behalf by the Secretary and Chairman of the Board.



14. Power of the Board

The Board shall perform such functions as may be conferred upon it by Council, and which are authorized by the Libraries Act, Chapter L-12.1, R.S.A. 1980, with amendments thereto.

In particular and without prejudice to the generality of the foregoing, the Board shall:

- (a) Before December 1 in every year make up an estimate of the money required during the ensuing financial year for:
 - i) the amount of principal and interest required for the annual payment of any outstanding debenture, and
 - ii) the expense in detail of maintaining and managing the libraries under its control and for making the purchases required for it.

The estimate shall be forthwith transmitted to the Municipal Manager of "Brazeau".

- (b) Establish and operate municipal libraries as deemed appropriate by the "Board".
- (c) Negotiate for the joint use of library services with other municipal jurisdictions within its outer boundaries for the provision of library services.
- (d) Assist in the operation of community libraries as deemed appropriate by the "Board".

15. "Brazeau" shall keep separate and regular accounts of the Boards' receipts, payments, credits and liabilities and the accounts shall be audited as approved by the Council.

16. When money is required for the purpose of acquiring a library building site or additional building site or for erecting, repairing, furnishing and equipping a library building or additional building or for any or all of those purposes, the Council may, in each case on petition of the Board, take all the necessary steps, under the authority of a by-law and on security of debentures which shall be termed "Public Library Debentures", and under the provisions of the Municipal Government Act, to furnish the sum requested or the portion of it that the Council considers expedient.

17. Public Meetings

The meetings of the Board shall be held in public. The Board shall hold regular meetings as often as it deems necessary and may also hold special meetings at any time at the call of the Chairman.

18. Functions of the Secretary

The Secretary of the Board shall:

- (a) Perform such functions as may be necessary to ensure that the Board is in full compliance with its duties under the Libraries Act, Chapter L-12.1, R.S.A. 1980, with amendments thereto.
- (b) Shall attend all meetings of the Board and shall keep the following records with respect thereto:
 - i) the minutes of all meetings;
 - ii) copies of all written representations to the Board;
 - iii) notes as to each representation;



- (iv) the names and addresses of those making representations at a meeting;
- v) the decisions of the Board and the reasons for the decision;
- vi) such other matters as the Board may direct or the Secretary may determine.

(c) The Secretary shall:

- i) notify all members of the "Board" of the meetings of the Board, and
- ii) notify the Council of decisions of the Board including copies of all minutes and agreements entered into by the "Board".

19. (a) "Brazeau" agrees to contribute a minimum of two dollars and seventy five cents (\$2.75) per capita to the "Board" on an annual basis.
- (b) Should the per capita payment requested by the "Board" be less than provided in Article 20 (A) then "Brazeau" shall contribute the lesser amount.
- (c) Should the per capita payment requested by the "Board" be more than provided in Article 20 (A) then "Brazeau" may pay the higher amount.

20. Effective Date

This By-Law shall come into full force and effect upon the date of the final passing thereof.

READ a first time this 12th day of January, A.D., 1989.

READ a second time this 12th day of January, A.D., 1989.

READ a third time by unanimous consent of the Councillors present and finally passed this 12th day of January, A.D., 1989.


 REEVE


 MUNICIPAL MANAGER