

**TOWN OF LEGAL  
BY LAW # 01-2019  
MUNICIPAL LIBRARY BOARD BYLAW**

**A BYLAW IN THE TOWN OF LEGAL IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE ESTABLISHMENT OF A MUNICIPAL LIBRARY BOARD.**

**WHEREAS**, pursuant to authority vested under the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, with amendments, and the Alberta Libraries Act, Chapter L-11, as amended, Council may pass bylaws for the establishment of a Municipal Library Board;

**AND WHEREAS**, the Libraries Act governs the provisions of library services within a municipality;

**NOW, THEREFORE**, the Council of the Town of Legal, in the Province of Alberta, duly assembled enacts as follows:

**1.0 PURPOSE**

- 1.1 The purpose of this bylaw is to establish the Legal Municipal Library Board to oversee the public library system within the Town of Legal, in accordance with the provisions of the Libraries Act.

**2.0 TITLE**

- 2.1 This Bylaw shall be cited as the "Legal Municipal Library Board Bylaw".
- 2.2 The Municipal Library Board shall hereinafter be referred to as the Legal Municipal Library Board.

**3.0 DEFINITIONS**

- 3.1 "ACT" means the Libraries Act, Chapter L-11 (2010) and its' Regulations and Amendments;
- 3.2 "BOARD" means the Legal Municipal Library Board;
- 3.3 "CAO" means the Chief Administrative Officer of the Town of Legal;
- 3.4 "COUNCIL" means the municipal Council of the Town of Legal;
- 3.5 "FAMILY MEMBER" means a person's spouse, the person's child(ren), the parent(s) of the person and the parent(s) of the person's spouse;
- 3.6 "MEMBER" means a member of the Board;
- 3.7 "MUNICIPALITY" means a municipality under the Municipal Government Act;
- 3.8 "SPOUSE"
  - 3.8.1 Includes a party to a relationship between two people who are living together on a bona fide domestic basis; and
  - 3.8.2 Does not include a spouse who is living apart from the other spouse if the spouses have separated pursuant to a written separation agreement or if their support obligations and family property have been dealt with by a court order;

**4.0 ESTABLISHMENT AND MEMBERSHIP**

- 4.1 The Legal Municipal Library Board of the Town of Legal, is hereby established.
- 4.2 The Legal Municipal Library Board shall consist of five (5) members appointed by resolution of the Council, one (1) being a member of Town Council and four (4) members at large.
- 4.3 A person who is an employee of the Library or whose family member is an employee of the Library shall not be eligible to be a member of the Board.
- 4.4 Any vacancy arising from any cause will be filled by Council as soon as reasonably possible for Council to do so.
- 4.5 A person is disqualified from remaining a member if he fails to attend, without being authorized by a resolution of the Board to do so, the meetings of the Board for three (3) consecutive regular meetings. If a member is disqualified from remaining a member under this section, he is deemed to have resigned his seat on the Board.
- 4.6 Council may remove a member from the Board by resolution of the Council.

**5.0 TERM OF OFFICE**

- 5.1 The members will be appointed by resolution of Council for a term of up to three (3) years,

to a maximum of three (3) consecutive terms of office.

5.2 Notwithstanding this section, the term of office of a Board member continues until:

5.2.1 A member is appointed in his/her place;

5.2.2 A resignation is received;

5.2.3 A member is removed by Council;

whichever occurs first.

5.3 Where a member of Council is appointed as a member of the Board, his appointment shall terminate upon him ceasing to be a member of the Council.

**6.0 PROCEDURES**

6.1 The Board will follow the procedures in Part 1 and Part 5 of the Act and may establish such other procedures as authorized by law.

6.2 The Board will report to Council through the Council appointed Board member. The Board shall provide Council with copies of current monthly financial reports, minutes, resolutions, bylaws and policies approved by the Library Board. Council may disallow, but may not change the bylaws.

**7.0 QUORUM AND MEETINGS**

7.1 A quorum of the Board shall be three (3) members of the Board.

7.2 The Board shall meet at least once every four (4) months and at any other times it considers necessary.

7.3 All minutes, resolutions and bylaws of the Board shall be entered in books to be kept by it for that purpose and the books shall be signed by the Chairman or Vice-Chairman.

**8.0 BUDGET**

8.1 The Board will annually submit a budget to the CAO in accordance with the provisions of the Act.

8.2 The Council will approve the Auditor for the Board.

8.3 The Board will retain an Auditor to conduct an audit of the Board's accounts in accordance with the Act.

8.4 The Auditor retained by the Board must be independent and follow generally accepted auditing practices.

8.5 The Board will have the audit submitted to the CAO immediately after its completion.

**9.0 GENERAL**

9.1 This bylaw shall come into full force and take effect upon its third and final reading.

9.2 Bylaw #467 is now hereby rescinded.

READ A FIRST TIME THIS 19<sup>th</sup> DAY OF February, 2019.

READ A SECOND TIME THIS 4<sup>th</sup> DAY OF March, 2019.

READ A THIRD TIME THIS \_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Administrative Officer