

THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

BY-LAW NO. 15-1251

Being a bylaw to repeal and replace By-law 88-209, a by-law to establish a Public Library.

WHEREAS on the 22nd day of November 1988, the Council of the Township of Temagami passed By-law 88-209 to establish a public library under Part I of the Public Libraries Act, 1984, c.57, S.O. 1984;



AND WHEREAS the Public Libraries Act, R.S.O. 1990, c. P.44 as amended (the Act), provides that public libraries established under a predecessor of the Act and that were being operated immediately before the 29th day of March, 1985, are continued subject to the Act;

AND WHEREAS since amalgamation in 1998, the Township of Temagami is now the Municipality of Temagami;

AND WHEREAS the composition of the Township of Temagami Public Library Board, as set by its establishing By-law, was to be composed of five (5) members appointed by the Council, but the Temagami Public Library Board and the Council of the Municipality of Temagami are now desirous to add the Mayor of the Municipality of Temagami as a member of the Temagami Public Library Board in an "ex-officio" capacity, in addition to the five members;

NOW THEREFORE the Council of the Corporation of the Municipality of Temagami hereby enacts as follows:

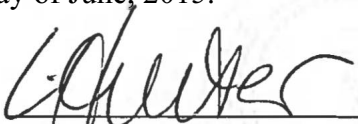
1. That By-law 88-209 is hereby repealed and replaced by this By-law.
2. That the public library established under By-law 88-209 is hereby continued under this bylaw and shall be known as the Temagami Public Library and shall be under the management and control of the Temagami Public Library Board (the Board);
3. That the Board shall be composed of five (5) members appointed by the Municipal Council plus the Mayor of the Municipality of Temagami as an ex officio board member, and that the appointment of and qualification for Board membership shall be in accordance with the Act.
4. That the Mayor's in his or her ex officio status:
 - a. shall automatically be a member of the board, by virtue of being elected or appointed to the office of Mayor;
 - b. shall have full board member privileges, including the right to vote and shall be subject to all the duties and liabilities of a board member unless otherwise restricted by way of the corporate articles or by-laws or by an applicable statute;
 - c. shall not have his or her membership on the board or attendance considered for the purpose of determining a quorum at meetings; and
 - d. shall be counted for determining the maximum number of members of the Municipal Council permitted on the Board by the Act.


Witness my hand and seal:
V  Mayor
 Clerk
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5. That the Board shall employ a librarian as Chief Executive Officer who shall have general supervision over and direction of the operations of the public library and its staff, shall attend all board meetings and shall have the other powers and duties that the board assigns to him or her from time to time.
6. That the Council shall in each year appropriate and pay to the Board the amount of the estimates of the board that is approved by the Council for the operation, and maintenance of the public library service that reflects the municipality's needs.
7. That the Board shall control the finances of the library, but the Board may request that the Municipality of Temagami assist with the administration of the finances of the Board, subject to the Municipality's policies and procedures.
8. That the property and the income, revenues, issues and profits of all property of the Board shall be applied solely to the establishment, operation and maintenance of a public library service.
9. In the event of a conflict between any provision of this by-law and any provision of the Act, the provision of the Act prevails.
10. That this by-law shall come into force upon the final passing thereof.
11. That the Clerk of the Municipality of Temagami is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

Read a first time this 25th day of June, 2015.

Read a second and third time and finally passed this 25th day of June, 2015.


Mayor


Clerk