

Council Bill/General Ordinance No. 3018-2022

Sponsor: _____

AN ORDINANCE

AMENDING Chapter 16, "LIBRARIES," of the Moline Code of Ordinances, by repealing Chapter 16 in its entirety and enacting in lieu thereof one new Chapter 16 dealing with the same subject matter.

WHEREAS, the City is an Illinois municipal corporation possessing home rule powers under Section 6 of Article VII of the Illinois Constitution; and

WHEREAS, City staff has decided to do a complete review of all chapters of the Moline Code of Ordinances to correct those items that are merely housekeeping in nature; and

WHEREAS, the City Council finds that housekeeping changes are necessary in Chapter 16 of the Moline Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOLINE, ILLINOIS, as follows:

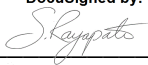
Section 1 – That Chapter 16, "LIBRARIES," of the Moline Code of Ordinances, is hereby amended by repealing Chapter 16 in its entirety and enacting in lieu thereof one new Chapter 16 dealing with the same subject matter, which shall read as attached (additions in underline; deletions in strikethrough):

Section 2 – All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed to the extent necessary to give effect to the provisions of this Ordinance.

Section 3 – This ordinance and every provision thereof shall be considered severable. If any word, phrase, clause, sentence, paragraph, provision, section, or part of this Ordinance is found to be void, unconstitutional, or otherwise unenforceable, all remaining portions of this Ordinance not so declared void, unconstitutional, or unenforceable shall remain in full force and effect.

Section 4 – This Ordinance will be in full force and effect upon passage, approval and publication in pamphlet form in the manner provided by law.

CITY OF MOLINE, ILLINOIS


DocuSigned by:


8D16AB8EFE254D4...
Mayor

July 26, 2022
Date

Passed: July 26, 2022

Approved: August 2, 2022

Attest: 

1A0D2384695B14C4
City Clerk

CHAPTER 16
LIBRARIES

Art. I. In General, §16-1100 - §16-1103

Art. II. Board of Library Directors, §16-2100 - §16-2110

ARTICLE I. IN GENERAL

SEC. 16-1100. PUBLIC LIBRARY ESTABLISHED.

The Moline Public Library ~~and Reading Room~~ now and heretofore existing is hereby established and shall be maintained in the City as a public library ~~and reading room~~, for the use and benefit of the ~~inhabitants~~ residents of the City.

SEC. 16-1101. LIBRARY TO BE FREE; OBSERVANCE OF RULES.

The library ~~and reading room~~ established under this article shall be forever free for the use of the ~~inhabitants~~ residents of the City, always subject to such reasonable rules and regulations as the board of library directors may adopt in order to render the use of the library ~~and reading room~~ of the greatest benefit to the greatest number; and the board of library directors may exclude from the use of said library ~~and reading room~~ any and all persons who shall willfully violate such rules. The board of library directors may extend the privileges and use of the library ~~and reading room~~ to persons residing outside of the City, ~~in this state~~, upon such terms and conditions as it may from time to time by its regulations prescribe.

SEC. 16-1102. DONATIONS.

Any person desiring to make donations of money, personal property or real estate for the benefit of said library, shall have the right to vest the title to the money or real estate so donated, in the board of library directors created under this chapter and the state law authorizing the establishment and maintenance of free public libraries ~~and reading rooms~~, to be held and controlled by said board, when accepted, according to the terms of the deed, gift, devise, or bequest of such property; and as to such property, the board of library directors shall be held and considered to be special trustees.

~~SEC. 16-1103. POLICE OFFICERS MAY BE SENT TO OBTAIN OVERDUE BOOKS.~~

~~If any person shall retain any book belonging to the City library beyond the time allowed by the rules or bylaws of the library, the library director is hereby authorized to send a police officer or other messenger to demand the book.~~
(Ord. No. 2002-08-11; Sec. 16-1104, "DISORDERLY CONDUCT," repealed in its entirety; 09/10/02)

Formatted: Strikethrough

ARTICLE II. BOARD OF LIBRARY DIRECTORS

SEC. 16-2100. ESTABLISHED; COMPOSITION; APPOINTMENT OF MEMBERS.

There is hereby established a board of library directors, which shall consist of nine (9) members, who shall be appointed by the mayor by and with the consent of the City Council.

SEC. 16-2101. QUALIFICATIONS OF MEMBERS.

Members of the board of library directors shall be chosen from the ~~citizens~~ residents of the City at large, with regard to their fitness for office. Members must remain residents of the City during their tenure on the board. Not more than one (1) member shall be a member of the City Council.

SEC. 16-2102. ~~INITIAL AND REGULAR~~ TERMS OF MEMBERS.

~~Of the members of the board of library directors first appointed, three (3) shall be appointed for a term of one (1) year; three (3) shall be appointed for a term of two (2) years; and three (3) shall be appointed for a term of three (3) years. Thereafter, there shall annually be appointed to the board of library directors, three (3) members for a term of three (3) years.~~

SEC. 16-2103. REMOVAL OF MEMBERS.

The mayor may, by and with the consent of the City Council, as in case of other removals from office by said mayor, remove any member of the board of library directors for any misconduct or neglect of duty.

SEC. 16-2104. FILLING VACANCIES.

Vacancies on the board of library directors occasioned by removals, resignation, or otherwise, shall be reported to the ~~City Council~~ Mayor's office, and be filled in like manner as original appointments, and no directors shall receive compensation as such.

SEC. 16-2105. ORGANIZATION; MEETINGS.

The board of library directors shall meet at such times and places as it shall determine whenever it shall seem necessary. The regular meeting date will be the second Thursday of every month ~~except during July and August~~. The September meeting shall be the annual meeting at which officers shall be elected in accordance with the by-laws.

SEC. 16-2106. RULES AND REGULATIONS.

The board of library directors shall make and adopt such bylaws, rules and regulations for its own guidance and for the government of the library ~~and reading rooms~~ as may be expedient and not inconsistent with the provisions of this chapter.

SEC. 16-2107. CONTROL OF LIBRARY MONEYS AND PROPERTY; LIBRARY FUNDS.

The board of library directors shall have the exclusive control of the expenditure of all moneys collected to the credit of the library fund, and of the construction of any library building, and of the supervision, care and custody of the grounds, rooms and buildings constructed, leased or set apart for that purpose. All moneys received for the library shall be deposited in the treasury of the City to the credit of the appropriate library fund, and

shall be kept separate and apart from other moneys of the City, and drawn upon by the proper officers of said City upon the properly authenticated vouchers of the library board.

SEC. 16-2108. APPOINTMENT AND REMOVAL OF PERSONNEL.

The board of library directors shall have the power to appoint a suitable ~~librarian~~ library director and necessary assistants, and fix their director's compensation, and shall also have power to remove such appointees; however, said board may choose to use pay plans adopted by the City Council and may negotiate with employee groups or authorize the chief negotiator selected by the City to negotiate with employee groups.

SEC. 16-2109. ADDITIONAL POWERS, IN GENERAL.

The board of library directors shall have the power to carry out the intent and spirit of this chapter.

SEC. 16-2110. ANNUAL REPORTING.

~~Within thirty (30) days after the expiration of each fiscal year of the City, the board of library directors shall make a report of the condition of its trust on the last day of the fiscal year, to the City Council. This report shall be made in writing and shall be verified under oath by the secretary, or some other responsible officer of the board of directors. It shall contain:~~

- ~~—(1) An itemized statement of the various sums of money received from the library fund and from other sources.~~
- ~~—(2) An itemized statement of the objects and purposes for which those sums of money have been expended.~~
- ~~—(3) A statement of the number of books and periodicals available for use, and the number and character thereof circulated.~~
- ~~—(4) A statement of the real and personal property acquired by devise, bequest, purchase, gift or otherwise.~~
- ~~—(5) A statement of the character of any extensions of library service which have been undertaken.~~
- ~~—(6) A statement of the financial requirements of the library for the ensuing fiscal year for inclusion in the appropriation of the corporate authority, and of the amount of money which, in the judgment of the board of library directors, it will be necessary to levy for library purposes in the next annual tax levy ordinance.~~
- ~~—(7) A statement as to the amount of accumulations and the reasons therefor.~~
- ~~—(8) A statement as to any outstanding liabilities including those for bonds still outstanding.~~
- ~~—(9) Any other statistics, information and suggestions that may be of interest.~~

By June 30, following the end of each calendar year, the City's Audited Financial Statements will be presented to the Library Board & City Council. The audit will include the following schedules for each of the Library Funds:

- (1) Balance Sheet – Assets and Liabilities
- (2) Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual

(3) Fixed Asset Schedule – additions and deletions

Following the release of the previous year audit and in preparation for the ensuing fiscal year budget, the Library Board, through the Library Director, will prepare a budget request of the financial requirements of the Library for inclusion in the annual appropriation of the corporate authority, and of the amount of money which, in the judgement of the Library Board, is necessary to levy for library purposes in the next tax levy ordinance. The final levy distribution will be adopted by City Council resolution.