

ORDINANCE NO.

An Ordinance establishing Title 8, Chapter 4 of the Red Lodge City Code concerning the Red Lodge Carnegie Library, established by the City of Red Lodge by Ordinance 369.

WHEREAS, the Red Lodge City Council desires to update the current Red Lodge Carnegie Library Code under Title 8, Chapter 4,

NOW THEREFORE,

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF RED LODGE, MONTANA:

The existing Title 8, Chapter 4, Public Library, is hereby adopted as follows to be identified as Public Library:

Chapter 4

Public Library

Sections

- 8-4-1 Established.**
- 8-4-2 Name.**
- 8-4-3 Operations**
- 8-4-4 Board of Trustees.**
- 8-4-5 Power of the City Council.**
- 8-4-6 Library Fund.**

8-4-1 Established.

In accordance with the provisions and the statutes of the State of Montana, and pursuant to the will of the electors of the City, there is hereby established a free public library in the City for the use of the citizens of the City, under such regulations as may be prescribed by a board of trustees hereinafter provided for. ~~(1980 Code 14.08.010)~~ (2015 Code § 22-1-308)

8-4-2 Name.

The name of such library shall be the Red Lodge ~~Public~~ Carnegie Library. ~~(1980 Code 14.08.020)~~ (2015 Code § 22-1-303)

8-4-3 Operations.

The Library shall be operated according to all standards and laws as set by the State of Montana (2015 Code § 22-1-303) and the Memorandum of Understanding between the City of Red Lodge and the Red Lodge Carnegie Library.

8-4-4 Board of Trustees.

- A. Created; Membership: The affairs of such library and the conduct thereof shall be managed, controlled and directed by the board of trustees consisting of five (5) members, to be appointed by the Mayor, by and with the advice and consent of the City Council.
- B. Term: The members of the board shall hold office for a period of ~~three (3) years~~ five (5) years. ~~On the first Monday of May Before July 1~~ of each year, the Mayor shall make such appointments to such board as are necessary to fill vacancies by reason of the expiration of the term of the retiring members.
- C. Duties:
1. Rules for Government: The trustees shall organize as a board and make rules for their own government; (2015 Code § 22-1-309) (MOU for Library Services)
 2. Record of proceedings: The trustees shall keep a record of all their proceedings, open at all times to inspection by the City Council or the ~~library committee~~ public thereof;
 3. Library Director: The trustees shall select, recommend and evaluate a paid Library Director. (MOU for Library Services)
 4. ~~Provide Quarters; Librarian: The trustees shall have the power to arrange for and provide suitable rooms and quarters for a public library and to employ a suitable person for librarian;~~
 5. ~~Receive and Purchase Books: The trustees shall have the power to receive books from all sources for the use of such library and it shall be their duty to purchase books therefor with any money at their disposal;~~
 6. ~~Rules for Use of Books: The trustees shall have the power, and it shall be their duty to prescribe all needful rules and regulations for the use of books belonging to, and to provide for the government and discipline of, the library; and~~
 7. ~~Penalties: They shall have the power to fix penalties, and to prescribe the rules and conditions under which books may be withdrawn from the library, and may suspend any person from the use of the library for cause. (1980 Code 14.08.030, 14.08.040; amd. 2005 Code) (2015 Code § 22-1-311)~~

8-4-5 Power of the City Council.

The City Council shall appoint a board of trustees in accordance with standards and laws set by the State of Montana and the responsibilities set forth in the MOU for Library Services. ~~No monies shall be expended by the board of trustees for library purposes without the consent of the City Council first obtained. The City Council hereby reserves to itself the right to review any order, rule or regulation made by the board of trustees and, if it deems it advisable, to set the same aside and substitute therefor its own order, rule and regulation. (1980 Code 14.08.050) (2015 Code § 22-1-308 and 22-1-309) (MOU for Library Services B1 and B2)~~

8-4-5 Library Fund.

~~For the purpose of maintaining the free public library hereby created, there shall be levied and collected each year, at the same time other City taxes are levied and collected, a tax not to exceed four and one-half (4 ½) six (6) mills on the dollar of all taxable property in the City, over and above the taxes levied and collected for regular or other City purposes, the proceeds of which tax shall be converted into a fund which is hereby established, to be known as the library fund, and to be used for library purposes only. (1980 Code 14.08.060) The City will provide, in accordance with the Memorandum of Understanding for Library Services, funds available each fiscal year from the general fund in consideration of the annual revenue and expenditure budget developed for the Library by the Red Lodge Carnegie Library Board. (2015 Code § 22-1-304) (MOU for Library Services B3 through B8)~~

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