

**BY-LAW NUMBER 11-16**

**CORPORATION OF THE TOWNSHIP OF CLEARVIEW**

**A BY-LAW TO ESTABLISH THE CLEARVIEW PUBLIC LIBRARY BOARD AS A  
CLEARVIEW BOARD**

Whereas:

1. Pursuant to Section 3 of the Public Libraries Act, 1990 a municipality may establish a Public Library Board and to give control and delegate to such board certain powers, subject to limits and conditions as the outlined in the Act and which the municipality considers appropriate;
2. The Council of Clearview, in furtherance of the above, now wishes to establish a board and to appoint the members thereof.

NOW THEREFORE, the Council of the Corporation of the Township of Clearview hereby enacts as follows:

1. This bylaw may be known and cited for all purposes as the "Township of Clearview Clearview Public Library Board Bylaw No. 11-16"
2. In this by-law:
  - (a) "Act" means the Public Libraries Act, 1990 and any amendments and regulations thereto;
  - (b) "Clearview" means the Corporation of the Township of Clearview;
  - (c) "Board" means the Clearview Public Library Board;
  - (d) "Terms of Reference" means the Terms of Reference attached hereto as Schedule "A";
  - (e) "Council" means the elected Council of the Corporation of the Township of Clearview;
  - (f) "Fiscal Year" means the fiscal year of the Corporation of the Township of Clearview;

3. A board to be known as the Clearview Public Library Board is hereby established.
4. The Board shall consist of a minimum of five (5) members, the members of which shall be those individuals named in Schedule "B" attached hereto.
5. Subject to the provisions of the Act and the Terms of Reference, each member shall hold office until the expiration of the term of the Council that appointed such member and until his or her successor is appointed to the Board unless that member has either formally resigned or been removed from the Board. The members shall appoint a Chair from among their number.
6. Where there is a conflict between the Terms of Reference and the Public Libraries Act, 1990, or any successor legislation, the Public Libraries Act, or successor legislation, shall be supreme.

BY LAW 11-16 READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 14<sup>th</sup> DAY OF MARCH, 2011.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CLERK



**SCHEDULE A  
TO BY-LAW NUMBER 11-16**

**TERMS OF REFERENCE**

**Establishment**

Pursuant to the provisions of the Public Libraries Act, 1990 as amended and the Regulations made thereunder (collectively, the "Act"), there is hereby created a Board to be known as the 'Clearview Public Library Board' or (the "Board").

**Purpose of the Board**

The Board is a governance board dealing with policy, budget planning and strategic plan implementation for the Clearview Public Library system. The Board shall follow the requirements set out in the Public Libraries Act, 1990 or any successor legislation.

**Powers and Duties of the Board**

- shall seek to provide, in co-operation with other Boards, a comprehensive and efficient public library service that reflects the community's unique needs,
- shall seek to provide library services in the French language, at appropriate levels,
- shall operate one or more libraries and ensure that they are conducted in accordance with this Act and the regulations,
- may operate special services in connection with a library as it considers necessary,
- shall fix the times and places for Board meetings and the mode of calling and conducting them in accordance with the requirements of the Act, and ensure that full and correct minutes are kept,
- shall make an annual report to the Minister and make any other reports or provide any other information required by the Act and the regulations as requested by the Minister from time to time,
- shall make provision for insuring the Board's real and personal property,
- shall take property security for the Treasurer,
- may appoint such committees as it considers expedient.

## **Number and Composition of Members**

The Board shall consist of a minimum of five (5) members and the members shall be those individuals named in Schedule "B" attached hereto. The appointing Council shall not appoint more of its own members than one less than a majority of the Board.

## **Term of Board Members**

A Board member shall hold office for a term concurrent with the term of the appointing Council, or until a successor is appointed and may be reappointed for one or more further terms.

## **Disqualification**

If a Board member,

- (a) is convicted of an indictable offence;
- (b) becomes incapacitated;
- (c) is absent from the meetings of the board for three consecutive months without being authorized by a board resolution;
- (d) ceases to be qualified for membership under clause 10 (1) (c); or
- (e) otherwise forfeits his or her seat,

the member's seat becomes vacant and the remaining members shall forthwith declare the seat vacant and notify the appointing council accordingly. R.S.O. 1990, c. P.44, s. 13

## **Appointment**

Appointments shall be made at the first meeting of Council in each term, but if the Council fails to make the appointments at its first meeting, it shall do so at the first regular meeting or special meeting held within sixty (60) days of its first meeting.

## **Meetings**

The times and places where regular meetings of the Board shall be held and the calling of and procedures applicable to such meetings shall be determined from time to time by the Board.

The Board shall also meet at the call of the Chair of the Board, or in the absence of the Chair, the Vice-Chair, or in the absence of either of them, of any two members of the Board.

The Board shall conduct a minimum of 10 regular meetings per year.

A copy of all minutes of the Board meetings, once passed, shall be forwarded to the office of the Municipal Clerk to keep on file for audit purposes and made publicly available by the Township of Clearview.

A copy of the agenda packages of each meeting shall be retained for future reference according to the Board's Retention Policy, including any written reports or documents handed out to members at each meeting.

### **Quorum**

A majority of the members of the Board shall constitute a quorum at any meeting of the Board for the transaction of business and, notwithstanding vacancies in the membership of the Board, a quorum of members may exercise all of the powers of the Board.

### **Chair and Vice-Chair**

The Chair and Vice-Chair of the Board shall be appointed by the Board from among its members. The Chair shall preside at all meetings of the Board. In the absence of the Chair or in the event of his or her inability to act, the Vice-Chair shall act as Chair.

### **Votes to Govern**

At all meetings of the Board, every question to be decided by the Board shall be decided by a majority of votes cast on the question. As per the Act, the Chair can vote on all questions.

### **Financial Reporting and Authorities**

The Board shall report all remuneration and expenses paid to Board members for each fiscal year to the Municipal Treasurer no later than January 31 of the following year.

The Board is permitted to open a bank account requiring a minimum of two (2) signatures for withdrawals.

The Board is not permitted to borrow without Council authorization.

All records and accounts are to be reviewed by the Board Treasurer and audited by the Municipal Auditor.

**Remuneration and Expense Reimbursement**

Board members are volunteers. There shall be no honorariums, remunerations or per diems paid to members of the Board.

Reimbursement of expenses shall be governed by the Clearview Public Library Board Volunteer Reimbursement Policy.

**SCHEDULE "B"**

**TO BY-LAW NUMBER 11-16**

**Members of Clearview Public Library Board**

Robert Charlton

Kimberlee Adams

Patricia Raible

Joyce Smith

Pam Jeffrey

Margaret Purkis

Richard Paul

Diane Kelly

Joan Greig

Councillor Robert Walker

Deputy Mayor Alicia Savage