



BYLAW NO. 19.22

*A BYLAW OF YELLOWHEAD COUNTY IN THE PROVINCE OF ALBERTA
TO ESTABLISH A LIBRARY BOARD*

WHEREAS, the *Libraries Act*, R.S.A. 2000 c L-11, and amendments thereto provide that Council may pass bylaws to establish a municipal library board;

WHEREAS, section 4(1) of the *Libraries Act* provides that members of the municipal board are appointed by council; and

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

NOW, THEREFORE, the Council for Yellowhead County, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. TITLE

- 1.1. This bylaw may be called the "Yellowhead County Library Board Bylaw."

2. DEFINITIONS

- 2.1. **Act** means *Libraries Act*, R.S.A. 2000 c L-11, and amendments thereto.
- 2.2. **Board** means the Yellowhead County Library Board.
- 2.3. **Council** means the duly elected Council of Yellowhead County.

3. ESTABLISHMENT

- 3.1. The Yellowhead County Library Board is hereby established.

4. MEMBERSHIP

- 4.1. The board is comprised of five members who shall be appointed by resolution of Council as follows:
 - 4.1.1. One member of Council appointed annually;
 - 4.1.2. Four members from the public at large are to be appointed for a three-year term, to a maximum of three consecutive terms.
- 4.2. Notwithstanding section 4.1.2, a member may be reappointed for more than three consecutive terms if the whole of Council passes a resolution with a two-thirds majority to reappoint that Member.



- 4.3. Any member of the Board may be removed from the Board at the sole discretion of Council, by resolution.
- 4.4. In the event of a Board vacancy, Council shall, by resolution, appoint a new member to serve for the remainder of the vacating member's term. Completion of the term shall not be considered a full-term appointment for the purposes of Section 4.1.2.

5. DUTIES

- 5.1. The Board as a governing board shall manage, regulate and control municipal library services as set out in the *Act* and its regulations.
- 5.2. The Board shall prepare and submit a draft budget to the Chief Administrative Officer by no later than September 15th of each year, in a form and with such supporting information required by the County from time to time, including an estimate of the money required by the Board to operate and manage the municipal library for the ensuing fiscal year.
 - 5.2.1. Council may approve the estimate of local appropriation requested by the Board in whole or in part.
- 5.3. The Board shall submit a copy of its minutes to the Chief Administrative Officer for Yellowhead County.
- 5.4. The Board's financial accounts and processes will be audited annually by an independent external auditor as approved by Council.
 - 5.4.1. The financial audit will be presented to Council immediately after its completion for approval.

6. LIMITATIONS

- 6.1. Unless authorized by Council, neither the Board nor any member thereof shall have the power to pledge the credit of the Municipality in any manner whatsoever, nor shall the Board or any member thereof have the power to authorize any expenditure nor appropriate or expend monies of the Municipality in any manner whatsoever beyond those expenditures approved in the Library budget.
- 6.2. Without limitation to any other provision of this Bylaw, the Board shall not approve or otherwise allow:
 - 6.2.1. the relocation of a library building or facility currently operated by the Board;
 - 6.2.2. the location of any new library building or facility to be operated by the Board;or



6.2.3. the entering into a lease or rental agreement between the Board and a third party for the purposes of providing land or premises for library operations, services, programming or facilities

without prior consultation with Council with respect to such relocation or agreement and Council approval with respect to any budgetary implications with respect to same.

7. SEVERABILITY

7.1. Should any provision of this bylaw be found to be invalid, then such invalid provision shall be severed, and the remaining provisions of the Bylaw shall be maintained.

8. REPEAL

8.1. That bylaw 28.09 and any amendments thereto be and are hereby repealed.

9. EFFECTIVE DATE


9.1. This bylaw shall come into force and effect on the third and final reading thereof.

READ a first time this 14 Day of February A.D., 2023.

READ a second time this 14 Day of February A.D., 2023.

READ a third time this 14 Day of February A.D., 2023

SIGNED this 14 Day of February A.D., 2023



Mayor, Wade Williams

Chief Administrative Officer, Luc Mercier