

ORDINANCE # 01-01-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANGER, TEXAS, AMENDING CHAPTER 9 OF THE CODE OF ORDINANCES, ARTICLE 9.400 "LIBRARY," SECTION 9.401 "CREATION AND APPOINTMENT OF BOARD"; SECTION 9.403 "SELECTION OF OFFICERS"; SECTION 9.404 "POWERS AND DUTIES OF LIBRARY BOARD"; SECTION 9.405 "LIBRARY RULES AND REGULATIONS"; SECTION 9.407 "RETURN OF BORROWED MATERIALS; FINE"; AND SECTION 9.408 "DEFACING OF LIBRARY MATERIALS, FINE"; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR A PENALTY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANGER, TEXAS:

SECTION 1. That Chapter 9, Article 9.400 of the Code of Ordinances of Sanger, Texas is hereby amended to read as follows:

ARTICLE 9.400 LIBRARY

Sec. 9.401 Creation and Appointment of Board

There is hereby created a library board to be composed of a chairperson and four (4) members appointed by the city council and they shall serve from July 1 of the year of appointment for staggered terms of two (2) years, and may be reappointed to three (3) successive terms of office for a total of six (6) years, subject to approval by the city council. The members of the board shall be identified by places numbered 1 through 5. The even-numbered places shall expire in the even-numbered years; the odd-numbered places shall expire in the odd-numbered years. Such determination of respective places shall be determined by lottery at the initial meeting of board following adoption of this article and appointment of the members. Newly appointed members shall be installed at the first regular board meeting after their appointment. Vacancies shall be filled for any unexpired term in the same manner as provided for regular appointments. Each member of the board shall be entitled to one (1) vote. The library director shall serve as an ex officio member of the board.

Sec. 9.403 Selection of Officers

At its organizational meeting and annually thereafter, when new members are appointed to the library board by the city council, the board shall elect from its own membership a chairperson and a secretary. Any three (3) of the regularly appointed members shall constitute a quorum. The board shall determine its own rules and order of business. The board shall meet at least once a quarter and at other times as called by the chairperson or three (3) members of the board; all meetings shall be open to the public, shall be posted as according to the Texas State Open Meetings Act and a permanent record of proceedings shall be maintained.

Sec. 9.404 Powers and Duties of the Library Board

(a) The board shall serve the City of Sanger as a consulting and advisory body to study

and recommend policies relating to the operation, promotion, enlargement, future planning and such other matters involving the city-owned library as may be referred to it by the city council.

- (b) Reports or items requiring action by the city council shall be submitted to the city manager for review and submittal to the city council.

Sec. 9.405 Library Rules and Regulations

The general rules and regulations for the operation and use of the library shall be promulgated by the library director, with advisement from the library board, subject to approval by the city council. The books, newspapers, magazines, manuscripts, electronic devices, or other property of the city public library shall be the property of the city; any person injuring or defacing any such property shall be liable to account to the library director or designated staff. The library director and library board, with approval by the city council, shall have authority to establish or eliminate fines for any person retaining library materials beyond the expiration of the time which by the rules of the library such property may be kept.

Sec. 9.406 Illegal Removal of Materials; Fine

Every person, including the parent or guardian of a child who is under the age of seventeen (17) years, who shall take or borrow from the Sanger Public Library any book, periodical,, audio visual material, electronic device, or other property except in accordance with the rules of such library, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine in accordance with the general penalty provision found in Section 1.109 of this code.

Sec. 9.407 Return of Borrowed Materials; Fine

Every person, including the parent or guardian of a child under the age of seventeen (17) years, who shall take or borrow from the Sanger Public Library any book, , periodical, , electronic device, or other property and neglect, refuse or fail to return the same within the specified lending period, will be sent overdue notices and will lose borrowing privileges and use of the library's computers if materials are not promptly returned, If the library materials in question were lost or damaged, the cardholder or the parent/guardian of the minor cardholder, shall be responsible for either the cost of replacement, or the actual replacement, and any associated processing fees, or shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine in accordance with the general penalty provision set forth in Section 1.109 of this code for each offense. Provided such legal action is taken, a notice by certified mail with return receipt requested will be sent to the mailing address noted in the library account. In addition, electronic devices are subject to late fines assessed by the library.

Sec. 9.408 Defacing of Library Materials; Fine

Every person, including the parent or guardian of a child under the age of seventeen (17) years, who shall willfully or wantonly cut, mutilate, mark, tear, write upon, deface or otherwise destroy or injure in whole or in part any book, periodical, or other printed material, audio-visual resource, electronic device, or any other library property belonging to the Sanger Public Library, or shall suffer any such injury to be inflicted while such property is in his or her custody, or shall willfully or wantonly injure any of the furniture or property in the building of the Sanger Public Library, or shall willfully or wantonly mark or deface or in any way injure the

Sanger Public Library or any part thereof, or any fixtures therein or appurtenances thereto, shall be responsible for either the cost of replacement or actual replacements of the materials, or shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine in accordance with the general penalty provision found in Section 1.109 of this code.

SECTION 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

SECTION 3. Should any word, phrase, clause, sentence, paragraph, or section of this ordinance or of the Code of Ordinances as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 4. Any person, firm or corporation who shall violate any of the provisions of this article shall be guilty of a misdemeanor and upon conviction shall be fined in accordance with the general penalty provision found in The Code of Ordinances, Section 1.109 General Penalty for Violations of Code.

SECTION 5. This ordinance shall take effect immediately from and after its passage and publication of the caption as required by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SANGER, DENTON COUNTY, TEXAS ON THIS 10 day of January, 2018.

APPROVED:



Thomas E. Muir

Thomas E. Muir, MAYOR

ATTEST:

Cheryl Price

Cheryl Price, CITY SECRETARY