

# Library Board Operation



Scope of Policy			
<i>Scope:</i>	Mission, Vision, Commitments, Bylaws and Guiding Documentation for Operation of the Library Board	<i>Effective Date:</i>	Revised 9/16/2024

Table of Contents	
<b>Sections</b>	
1.	<b>Mission, Vision, Commitments</b>
2.	<b>Library Board Bylaws</b>
3.	<b>Library Bill of Rights</b>
4.	<b>Freedom to Read</b>
5.	<b>Freedom to View</b>
6.	<b>Statement on Labelling</b>
7.	<b>Statement of Ethics for Library Trustees</b>
8.	<b>Library Ordinance</b>

## Section 1: MISSION & VISION

### **Mission:**

**Ignite possibilities**

### **Vision:**

**Our library is the spark, lighting the way for imagination, growth, learning and connection for our community**

### **Our Commitments to Our Community and Each Other:**

- **We welcome all**
- **We strive to remove barriers**
- **We encourage curiosity and learning**
- **We listen and respond**
- **We celebrate**
- **We build strong relationships**

## Section 2: BYLAWS OF THE MARION PUBLIC LIBRARY BOARD OF TRUSTEES

### ARTICLE I GENERAL

All provisions of the Municipal City Code (City Administration, Chapter 12-5.1 – 12-5.6) shall govern this Board.

### ARTICLE II MEMBERSHIP

Section 1 The Board will consist of eleven members: citizens and residents of the city who are at least 18 years old, appointed by the Mayor with approval of the City Council.

Section 2 Term of Office. All appointments shall be for four (4) years, from July 1 following appointment, except appointments to fill vacancies. Each year Council shall appoint 4 or 3 Board members as needed to fill vacancies. No person shall hold appointment as a member of the Library Board for more than two (2) full consecutive terms, except that when the initial appointment was to fill a vacancy there may be appointment for two (2) full consecutive terms thereafter. Any person may be appointed to the Library Board again after an interval of two (2) years, subject to the above limit of two (2) full consecutive terms.

Section 3 Vacancies will be filled by the Mayor, with approval of the council, for an unexpired term.

Section 4 All actions by the Board shall require a majority vote of the members present. The removal of a Library Director, however, shall require a two-thirds vote of the Board membership.

Section 5 The Board treasurer will sign all purchase orders before they are submitted for payment. In the absence of the treasurer, the Board president or vice-president will sign the purchase orders.

Section 6 The Board may establish honorary Board positions or ex officio Board positions.

### ARTICLE III OFFICERS AND COMMITTEES

Section 1 Officers of this Board shall consist of a president, vice-president, treasurer and secretary. They shall perform such duties as are usually connected with these offices.

Section 2 Terms of office shall be for one year, beginning in July or until successors have been elected.

Section 3 The Marion Public Library Board of Trustees shall maintain four standing committees: the Policy Committee, the Personnel Committee, the Finance Committee, and the Executive Committee to serve the following permanent and continuing functions.

3A The Policy Committee is established to review both internal and public library policies and recommend changes to the full Board. The Library Director shall serve on this committee as advisor.

3B The Personnel Committee is established to review the performance of the Library Director, and to report on performance and make salary recommendations to the full

Board.

3C The Finance Committee is established to review the expenditures of the library and to work with the Library Director to prepare the library annual budget.

3D The Executive Committee is established to review select upcoming items for consideration by the entire Board and work with the Library Director to research and recommend potential courses of action.

Section 4 Committee members are appointed by the Board president to serve a one-year term, beginning in July . Committee members shall choose a chairperson. Each member of the board shall serve on at least one standing committee.

Section 5 Ad hoc committees shall be created and members appointed by the Board president as needed for specified purposes and terms.

## **ARTICLE IV MEETINGS**

Section 1 Meetings of the Marion Public Library Board shall be held monthly at a time and date to be selected by the Board.

Section 2 All meetings of the Marion Public Library Board are conducted according to Roberts Rules of Order.

Section 3 Absence from six consecutive meetings with no acceptable explanation shall be cause for removal from the Board.

Section 4 Public notice of the monthly meetings shall be provided by the Library Director.

Section 5 Special meetings of the Board may be called by the president.

Section 6 All meetings of the Board are open to the public, except those that qualify for closed session according to the Code of Iowa, Section 21.5.

## **ARTICLE V ATTENDANCE AT MEETINGS VIA ELECTRONIC COMMUNICATIONS**

Section 1 A quorum must be present as required by statute for a valid meeting to occur.

Section 2 Board members may attend a meeting by video or audio conference.

Section 3 If for any reason the remote access malfunctions before the adjournment of the meeting, the meeting shall continue.

## **ARTICLE VI AMENDMENTS TO THE BYLAWS**

Section 1 These Bylaws may be amended at any time.

Section 2 Proposed amendments must be presented one month before final action by the Board.

Section 3 Approval of changes in the Bylaws shall be by a majority vote of those present.

## **ARTICLE VII LIBRARY DIRECTOR'S RESPONSIBILITIES TO THE BOARD**

The Director shall prepare monthly and annual reports, showing as fully as possible the progress of the library during the preceding period. The Director shall attend the meetings of the Board. The Director shall discharge such other duties as may be assigned by the Board. The Director shall select and make purchases for the library within budgetary limits set by the Board in accordance with City policy.

## Section 3: LIBRARY BILL OF RIGHTS

**The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.**

- I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
- II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
- III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
- IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
- V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
- VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 18, 1948. Amended February 2, 1961; June 28, 1967; and January 23, 1980, inclusion of "age" reaffirmed January 23, 1996, by the ALA Council.

## Section 4: THE FREEDOM TO READ

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label “controversial” views, to distribute lists of “objectionable” books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be “protected” against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings. The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany

these rights.

**We therefore affirm these propositions:**

- 1. It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.***

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

- 2. Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.***

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

- 3. It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.***

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

- 4. There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.***

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be



legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

- 5. *It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous.***

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

- 6. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information.***

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society, individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

- 7. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.***

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.

**We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.**

# Library Board Operation



This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953; revised January 28, 1972, January 16, 1991, July 12, 2000, June 30, 2004, by the ALA Council and the AAP Freedom to Read Committee.

A Joint Statement by: American Library Association of American Publishers

## Section 5: FREEDOM TO VIEW STATEMENT

The FREEDOM TO VIEW, along with the freedom to speak, to hear, and to read, is protected by the [First Amendment to the Constitution of the United States](#). In a free society, there is no place for censorship of any medium of expression. Therefore these principles are affirmed:

1. To provide the broadest access to film, video, and other audiovisual materials because they are a means for the communication of ideas. Liberty of circulation is essential to insure the constitutional guarantee of freedom of expression.
2. To protect the confidentiality of all individuals and institutions using film, video, and other audiovisual materials.
3. To provide film, video, and other audiovisual materials which represent a diversity of views and expression. Selection of a work does not constitute or imply agreement with or approval of the content.
4. To provide a diversity of viewpoints without the constraint of labeling or prejudging film, video, or other audiovisual materials on the basis of the moral, religious, or political beliefs of the producer or filmmaker or on the basis of controversial content.
5. To contest vigorously, by all lawful means, every encroachment upon the public's freedom to view.

This statement was originally drafted by the Freedom to View Committee of the American Film and Video Association (formerly the Educational Film Library Association) and was adopted by the AFVA Board of Directors in February 1979. This statement was updated and approved by the AFVA Board of Directors in 1989.

Endorsed January 10, 1990, by the ALA Council

## Section 6: LABELING AND RATING SYSTEMS

### An Interpretation of the LIBRARY BILL OF RIGHTS

Libraries do not advocate the ideas found in their collections or in resources accessible through the library. The presence of books and other resources in a library does not indicate endorsement of their contents by the library. Likewise, providing access to digital information does not indicate endorsement or approval of that information by the library. Labeling and rating systems present distinct challenges to these intellectual freedom principles.

Many organizations use or devise rating systems as a means of advising either their members or the general public regarding the organization's opinions of the contents and suitability or appropriate age for use of certain books, films, recordings, websites, games, or other materials. The adoption, enforcement, or endorsement of any of these rating systems by a library violates the American Library Association's *Library Bill of Rights* and may be unconstitutional. If enforcement of labeling or rating systems is mandated by law, the library should seek legal advice regarding the law's applicability to library operations.

Viewpoint-neutral directional labels are a convenience designed to save time. These are different in intent from attempts to prejudice or discourage users or restrict their access to resources. Labeling as an attempt to prejudice attitudes is a censor's tool. The American Library Association opposes labeling as a means of predisposing people's attitudes toward library resources.

Prejudicial labels are designed to restrict access, based on a value judgment that the content, language, or themes of the resource, or the background or views of the creator(s) of the resource, render it inappropriate or offensive for all or certain groups of users. The prejudicial label is used to warn, discourage, or prohibit users or certain groups of users from accessing the resource. Such labels sometimes are used to place materials in restricted locations where access depends on staff intervention.

Viewpoint-neutral directional aids facilitate access by making it easier for users to locate resources. Users may choose to consult or ignore the directional aids at their own discretion.

Directional aids can have the effect of prejudicial labels when their implementation becomes proscriptive rather than descriptive. When directional aids are used to forbid access or to suggest moral or doctrinal endorsement, the effect is the same as prejudicial labeling.

Libraries sometimes acquire resources that include ratings as part of their packaging. Librarians should not endorse the inclusion of such rating systems; however, removing or destroying the ratings—if placed there by, or with permission of, the copyright holder—could constitute expurgation (see "Expurgation of Library Materials: An Interpretation of the *Library Bill of Rights*"). In addition, the inclusion of ratings on bibliographic records in library catalogs is a violation of the *Library Bill of Rights*.

Prejudicial labeling and ratings presuppose the existence of individuals or groups with wisdom to determine by authority what is appropriate or inappropriate for others. They presuppose that individuals must be directed in making up their minds about the ideas they examine. The fact that libraries do not advocate or

# Library Board Operation



use proscriptive labels and rating systems does not preclude them from answering questions about them. The American Library Association affirms the rights of individuals to form their own opinions about resources they choose to read or view.

Adopted July 13, 1951, by the ALA Council; amended June 25, 1971; July 1, 1981; June 26, 1990; January 19, 2005; July 15, 2009; July 1, 2014.

## Section 7: PUBLIC LIBRARY TRUSTEE ETHICS STATEMENT

### Official Statement from United for Libraries

Public library Trustees are accountable for the resources of the library as well as to see that the library provides the best possible service to its community.



Every Trustee makes a personal commitment to contribute the time and energy to faithfully carry out his/her duties and responsibilities effectively and with absolute truth, honor and integrity.

- Trustees shall respect the opinions of their colleagues and not be critical or disrespectful when they disagree or oppose a viewpoint different than their own.
- Trustees shall comply with all the laws, rules and regulations that apply to them and to their library.
- Trustees, in fulfilling their responsibilities, shall not be swayed by partisan interests, public pressure or fear of criticism.
- Trustees shall not engage in discrimination of any kind and shall uphold library patrons' rights to privacy in the use of library resources.
- Trustees must distinguish clearly in their actions and statements between their personal philosophies and attitudes and those of the library, acknowledging and supporting the formal position of the Board even if they disagree.
- Trustees must respect the confidential nature of library business and not disclose such information to anyone. Trustees must also be aware of and in compliance with Freedom of Information laws
- Trustees must avoid situations in which personal interests might be served or financial benefits gained as a result of their position or access to privileged library information, for either themselves or others.
- A Trustee shall immediately disqualify him/herself whenever the appearance of or a conflict of interest exists.
- Trustees shall not use their position to gain unwarranted privileges or advantages for themselves or others from the library or from those who do business with the library.
- Trustees shall not interfere with the management responsibilities of the director or the supervision of library staff.
- Trustees shall support the efforts of librarians in resisting censorship of library materials by groups or individuals.

# Library Board Operation



Signature \_\_\_\_\_ Date \_\_\_\_\_

*Approved by the United for Libraries Board in January 2012*

## Section 8: LIBRARY ORDINANCE

### Article V LIBRARY BOARD OF TRUSTEES

[Adopted as Ch. 21, §§ 21.02 through 21.09, of the 2000 Code]

#### § 12-5.1 Composition.

**[Ord. No. 20-04; amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**

- A. Members. The Mayor, with the approval of the Council, shall appoint 11 persons to constitute a Board of Library Trustees. The Mayor shall appoint bona fide citizens and residents of the City over the age of 18.
- B. Term of office. All appointments shall be for four years, from July 1 following appointment, except appointments to fill vacancies. Each year the Council shall appoint four or three Board members as needed to fill vacancies. No person shall hold appointment as a member of the Library Board for more than two full consecutive terms, except that when the initial appointment was to fill a vacancy there may be appointment for two full consecutive terms thereafter. Any person may be appointed to the Library Board again after an interval of two years, subject to the above limit of two full consecutive terms. Board members appointed and serving at the time of the approval of this measure may fulfill the original term for which they were appointed.
- C. Honorary or ex officio members. The Board may, on its own motion, establish honorary Board positions or ex officio Board positions as the Board deems advisable under such term limitations as the Board may set.
- D. Vacancies. The position of any Trustee shall be vacated if such member moves permanently from the City, or if the Trustee is absent without due explanation from six consecutive regular meetings of the Board, except in the case of sickness or temporary absence from the City. The Mayor, with the approval of the Council, shall fill any vacancy by appointment of a new Trustee to fill the unexpired terms.

#### § 12-5.2 Organization.

- A. Quorum and voting. All action by the Board shall require a majority vote of the whole number of members appointed to the Board. The removal of the Library Director, however, shall require a two-thirds vote of the Board. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- B. Compensation. Trustees shall receive no compensation for their services.
- C. Officers. The Board shall meet and elect from its members a President, a Secretary and such other officers as it deems necessary.

#### § 12-5.3 Powers and duties.

The Board shall have and exercise the following powers and duties:

- A. Physical plant. To have charge, control and supervision of the Library, its appurtenances, fixtures and



# Library Board Operation

rooms.

- B. Charge of affairs. To direct and control all affairs of the Library.
- C. Hiring of personnel. To employ a Library Director, and authorize the Library Director to employ such assistants and employees as may be necessary for the proper management of the Library, and fix their compensation; provided, however, that, prior to such employment, the compensation of the Library Director, assistants and employees shall have been fixed and approved by a majority of the members of the Board voting in favor thereof. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- D. Removal of personnel. To remove the Library Director, by a two-thirds vote of the Board, and provide procedures for the removal of the assistants or employees for misdemeanor, incompetence or inattention to duty; subject, however, to the provisions of Chapter 35C of the Code of Iowa. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- E. Purchases. To authorize the Library Director to select and make purchases of books, pamphlets, magazines, periodicals, papers, maps, journals, other Library materials, furniture, fixtures, stationery and supplies for the Library within budgetary limits set by the Board. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- F. Use by nonresidents. To authorize the use of the Library by nonresidents of the City and to fix charges for this privilege.
- G. Rules and regulations. To make and adopt, amend, modify or repeal bylaws, rules and regulations for the care, use, government and management of the Library and the business of the Board, and to fix and enforce penalties for violations. Copies of such bylaws, rules and regulations shall be made available to the public at the circulation desk.
- H. Expenditures. To have exclusive control of the expenditure of all funds allocated for Library purposes by the Council, and of all moneys available by gift or otherwise for the erection of Library buildings, and of all other moneys belonging to the Library, including fines and rentals collected under the rules of the Board.
- I. Budget. To make and send to the Council, following City procedures and time lines, an estimate of the amount necessary for the improvement, operation and maintenance of the Library for the coming fiscal year, the amounts expended for like purposes for the two preceding years, and the amount of income expected for the next fiscal year from sources other than taxation.
- J. Gifts. To accept gifts, in the name of the Library, of real property, personal property or mixed property, and devises and bequests, including trust funds; to administer such gifts, devises and bequests; to execute deeds and bills of sale for the conveyance of said property; and to expend the funds received from such gifts, for the improvement of the Library. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- K. Enforce the performance of conditions on gifts. To enforce the performance of conditions on gifts, donations, devises and bequests accepted by the City on behalf of the Library by action against the Council.

- L. Record of proceedings. To keep a record of its proceedings.
- M. Annual report. The Library Director, on behalf of the Board, shall make a report to the Council soon after the close of the fiscal year. This report shall contain statements as to the condition of the Library.

## § 12-5.4 Contracting with other libraries.

The Board has power to contract with other libraries in accordance with the following:

- A. Contracting. The Board may contract with any other city, town, school corporation, township, county or with the trustees of a county library district for the use of the Library by their respective residents. Such a contract between the Board and a county shall supersede all contracts between the Board and townships or school corporations outside of cities or towns in that county. All of the contracts mentioned in this subsection shall provide for the rate of tax to be levied by the other city, town, school corporation, township, county or county library district.
- B. Termination. Such a contract may be terminated at any time by mutual consent of the contracting parties. It also may be terminated by a majority vote of the electors represented by either of the contracting parties. Such a termination proposition shall be submitted to the electors by the governing body of a contracting party on a written petition of not less than 5% in number of the electors who voted for Governor in the territory of the contracting party at the last general election. The petition must be presented to the governing body not less than 40 days before the election. The proposition may be submitted at any election provided by law that is held in the territory of the party seeking to terminate the contract.

## § 12-5.5 Nonresident use.

The Board may authorize the use of the Library by persons not residents of the City in any one or more of the following ways:

- A. Lending. By lending the books or other materials of the Library to nonresidents on the same terms and conditions as to residents of the City, or county, or upon payment of a special nonresident Library fee.
- B. Depository. By establishing depositories of Library books or other materials to be loaned to nonresidents.
- C. Bookmobiles. By establishing bookmobiles or a traveling library so that books or other Library materials may be loaned to nonresidents.
- D. Branch Library. By establishing branch libraries for lending books or other Library materials to nonresidents.

## § 12-5.6 Library account.

**[Ord. No. 19-01]**

All money appropriated by the Council from the general fund for the operation and maintenance of the Library shall be set aside in an account for the Library. Expenditures shall be paid for only on orders of the Board, signed by its President (or Vice President in the absence of the President) or the Secretary. The warrant-writing officer is the City Treasurer.

## Chapter 195 Library

[**HISTORY: Adopted by the City Council of the City of Marion as Ch. 21, §§ 21.01, 21.10, 21.11 and 21.12, of the 2000 Code. Amendments noted where applicable.**]

### § 195-1 **Establishment of Public Library.**

There is hereby established a free public library for the use of residents of the City, to be known as the "Marion Public Library." It is referred to in this chapter as the "Library."

### § 195-2 **Injury to books or property.**

It is unlawful for a person willfully, maliciously or wantonly to tear, deface, mutilate, injure or destroy, in whole or in part, any newspaper, periodical, book, map, pamphlet, chart, picture or other property belonging to the Library or reading room.

### § 195-3 **Theft.**

No person shall take possession or control of property of the Library with the intent to deprive the Library thereof.

### § 195-4 **Notice posted.**

There shall be posted in clear public view within the Library notices informing the public of the following:

- A. Failure to return. Failure to return Library materials for two months or more after the date the person agreed to return the Library materials, or failure to return Library equipment for one month or more after the date the person agreed to return the Library equipment, is evidence of intent to deprive the owner, provided a reasonable attempt, including the mailing by restricted certified mail of notice that such material or equipment is overdue and criminal actions will be taken, has been made to reclaim the materials or equipment.
- B. Detention and search. Persons concealing Library materials may be detained and searched pursuant to law.