

AFFIDAVIT OF POSTING

ORDINANCE #200


STATE OF OREGON)
)
COUNTIES OF CLACKAMAS)
AND WASHINGTON)
)
CITY OF WILSONVILLE)

I, the undersigned, City Recorder of the City of Wilsonville, State of Oregon, being first duly sworn on oath depose and say:

On the 23rd day of December, 1981, I caused to be posted copies of the attached Ordinance #200, an ordinance establishing a Public City Library; appointing a Library Board; determining the responsibilities of the Library Board and its authority; and prescribing a penalty for unauthorized detention of Library material, in the following four public and conspicuous places of the City, to wit:

- WILSONVILLE POST OFFICE
- WILSONVILLE CITY HALL
- LOWRIE'S FOOD MARKET
- KOPPER KITCHEN

The ordinance remained posted for more than five (5) consecutive days prior to the time for said public hearing on the 4th day of January, 1982.


DEANNA J. THOM, City Recorder

Subscribed and sworn to before me
this 28th day of December, 1981.


NOTARY PUBLIC, STATE OF OREGON

My commission expires: August 23, 1985

ORDINANCE NO. 200

AN ORDINANCE ESTABLISHING A PUBLIC CITY LIBRARY; APPOINTING A LIBRARY BOARD; DETERMINING THE RESPONSIBILITIES OF THE LIBRARY BOARD AND ITS AUTHORITY; AND PRESCRIBING A PENALTY FOR UNAUTHORIZED DETENTION OF LIBRARY MATERIAL.

WHEREAS, the Wilsonville City Council, on motion duly made, seconded and unanimously adopted at a regular meeting thereof on Monday, October 19, 1981, declared its support of and intention to establish a library for the City of Wilsonville and to form an ad hoc committee to study and report on the steps to be taken in the establishment of said library; and

WHEREAS, the ad hoc committee voted unanimously in favor of operating a municipal library, as opposed to contracting with Clackamas County Library Services, based upon considerations of community interest and enthusiasm for a municipal library, offers of community support, assistance and donations, the ongoing assistance and guidance from the Clackamas County Library staff, inter-library loan privileges and access to State library resources, the opportunity for local decision-making through the Board of Trustees and the fact that no facilities or revenue will be lost through the operation of a municipal library; and

WHEREAS, the City of Wilsonville will have available to it for the establishment of a municipal library an estimated amount of \$20,500.00 based on approximately \$15,000.00 from the Clackamas County tax levy, \$2,500.00 in donations, and \$5,000.00 in projected contributions; and

WHEREAS, the City of Wilsonville submitted planning exhibits for approval of a conditional use permit to authorize the establishment of a municipal library in an existing building located on a portion of the West Linn School property on S. W. Boones Ferry Road (Tax Lot 1200, Township 3 South, Range 1 West, Section 23 AB); and

WHEREAS, the Wilsonville Planning Commission on November 9, 1981, did grant by resolution a conditional use permit to the City of Wilsonville authorizing the establishment of a municipal library on the property above described; and

WHEREAS, ORS 357.400 to ORS 357.621 require the enactment of an appropriate ordinance or resolution by the City of Wilsonville for its establishment, equipping and maintenance of a public library.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE WILSONVILLE CITY COUNCIL THAT:

1. A municipal public library in and for the City of Wilsonville, Clackamas County, State of Oregon, is hereby established under the provisions of ORS 357.400 to ORS 357.621, and its location shall be at Tax Lots 1200, Township 3 South, Range 1 West, Section 23 AB on S. W. Boones Ferry Road, Wilsonville. It shall be known as the "Wilsonville Public Library". The Council proposes to finance the initial costs of the library by funds from the Clackamas County tax levy and by donations. The source, method and estimated amount of any future financing, if necessary, shall be determined by the Council from year to year.

2. The City's Public Library as established by paragraph 1 shall be governed by a Library Board consisting of five (5) persons who are at least 18 years of age, and who are not officials or employees of the City. In addition, one member of the City government, the Mayor or his designee, shall sit with the Library Board as an ex officio member to provide liaison with the Council.

3. Members of the Library Board shall be appointed by the City Council and may be removed by the City Council with or without cause. Any vacancy, unless caused by expiration of a term of office, shall be filled by the Council for the unexpired term of the predecessor in the office; and at the expiration of the term of any member, the City Council shall appoint a new member or may reappoint a member for a term of four (4) years. No member shall hold appointment for more than two (2) full consecutive terms, but any person may be appointed again to the Board after an interval of one (1) year.

4. All members of the Library Board shall be appointed within ten (10) days after the effective date of this Ordinance. One (1) member shall initially hold office for one year, one (1) for two (2) years, one (1) for three (3) years, and two (2) for four (4) years, from July 1, in the year of their appointment.

5. The Library Board which is first appointed and each Board thereafter shall, each year on or before July 1st, elect a Chairman and a Vice-Chairman and appoint a Librarian. The librarian shall serve as secretary to the Board and keep the records of its actions.

6. The Library Board shall have authority to fix and pay compensation for its appointed Librarian and any clerks or assistants which the Board may employ, providing the City Council has budgeted sufficient funds for such purposes. The Library Board shall not, under any circumstances, exceed the budget funded for its year by the City Council.

7. Board members shall receive no compensation but shall be reimbursed for duly authorized expenses; and no member of the Board shall have any financial interest, either directly or indirectly, in any contract to which the Library is a party.

8. Unless and until another place is assigned to it by the City Council, the Library Board shall maintain its office, hold its meetings, transact its business and keep its records at the library.

9. The Library Board shall meet at least once a month and may make and alter rules and regulations for its government and procedure consistent with the laws of this State and with the City Ordinances. A majority of the members of the Board constitutes a quorum.

10. It shall be the responsibility of the Library Board to:

- A. Appoint a Librarian, approve the employment of any assistants, determine their working conditions, prescribe their duties, and fix their compensation;
- B. Formulate rules and policies for the governance of the library;
- C. Prepare and submit an annual budget to the Wilsonville City Council;

- D. Approve, or delegate to the Librarian, the responsibility for approving, all expenditures from the library funds and/or the Public Library Building Fund;
- E. Recommend to the Wilsonville City Council for its approval the acceptance, use or expenditure of any real or personal property or funds donated to the library, or purchase, control or disposal of real and personal property necessary for the purposes of the library, except that each donation shall be administered in accordance with its terms, and all properties or funds shall be held in the name of the Wilsonville City Council as set forth in paragraph 11 below.
- F. Recommend to the Wilsonville City Council selection of sites for public library buildings or for a location of library facilities;
- G. Enter into contracts for the purposes of the library which are first approved by the Wilsonville City Council;
- H. Perform such other functions and engage in such other activities relating to the purpose of the library as the Wilsonville City Council may assign;
- I. Make an annual report to the State Library and to the Wilsonville City Council on a form supplied by the State Library.

11. The City of Wilsonville hereby establishes as a separate fund of the City of Wilsonville for the benefit of the Library a fund to be designated as the City of Wilsonville Library Trust Fund, hereinafter referred to as Library Trust Fund.

A. The City may accept gifts, devises or bequests of money/property to the fund. Gifts to the City for library or library purposes shall be deemed given to the Library Trust Fund unless a contrary intent on part of donor is evidenced. All donations are subject to approval by the Wilsonville City Council. They may be accepted on such conditions as approved by Council. Without limitation or generality of lawful conditions which may be approved by the City Council, donations may be excepted on condition that principal be retained and invested and only income expended for benefit of the Library.

B. Library Trust Fund income thereof shall be used exclusively for benefit of the Library for books, library materials, other property used by the Library, capital improvements, or salaries of library personnel, subject to any other requirements of law, all expenditures and disbursements for the Library Trust Fund shall be approved by the City Council upon recommendation of the

Library Board.

- C. Assets may be segregated into separate accounts and may for convenience or in order to comply with conditions or requests of donor, be designated by separate names. The assets of the various accounts may nevertheless be comingled as may be deemed expedient by the City for investment or accounting purposes.
- D. Assets of the Library Trust Fund, including separate accounts thereof, if any, may from time to time be invested and reinvested by the City in such depositories or securities as may be lawful for investment of City funds.

12. It shall be unlawful for any person, wilfully or maliciously, to detain any book or library materials belonging to the Wilsonville Public Library for thirty (30) days after notice in writing from the Librarian of said library, given after the expiration of time which by regulations of the library such materials may be kept. The notice shall bear upon its face a copy of this section. Violations of this section are punishable by a fine of not less than \$5.00 or more than \$25.00. Such conviction and payment of the fine shall not be construed to constitute payment for library material, nor shall a person convicted under this section be thereby relieved of any obligation to return to the library such material.

13. In order to facilitate the establishment and financing of a City Library, and in the interest of the general welfare of the citi-

zens of Wilsonville, an emergency is declared to exist.

Submitted to the Council and read the first time at a regular meeting thereof on the 7th day of December, 1981, and scheduled for second reading at a regular meeting of the Council on the 21st day of December, 1981, commencing at the hour of 7:30 o'clock p.m., at the Wilsonville City Hall.


Deanna J. Thom, City Recorder

ENACTED by the Council on the 21st day of December, 1981,
by the following votes: YEAS 5 NAYS 0.


Deanna J. Thom, City Recorder

DATED and signed by the Mayor this 23rd day of December,
1981.


William G. Lowrie, Mayor