

TITLE IV - CULTURE AND RECREATION

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CHAPTER 115

LIBRARY BOARD OF TRUSTEES

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115.01 PURPOSE. The purpose of this chapter is to provide for the appointment of a City Library Board of Trustees, and to specify that Board's powers and duties.

115.02 PUBLIC LIBRARY. The public library for the City is known as the Lake Park Public Library. It is referred to in this chapter as the Library.

115.03 LIBRARY TRUSTEES. The Board of Trustees of the Library, hereinafter referred to as the Board, consists of five (5) members, two (2) from the Harris-Lake Park Community School District and three (3) from the City. All members are to be appointed by the Mayor with the approval of the Council.
(Ord. 1-98 - May 98 Supp.)

115.04 QUALIFICATIONS OF TRUSTEES. All resident members of the Board shall be bona fide citizens and residents of the City. Any nonresident member of the Board shall be a bona fide citizen and resident of the unincorporated County. Members shall be over the age of eighteen (18) years.

115.05 ORGANIZATION OF THE BOARD. The organization of the Board shall be as follows:

1. **Term of Office.** All appointments to the Board shall be for six (6) years, except to fill vacancies. Each term shall commence on July first. Appointments shall be made every two (2) years of one-third (1/3) the total number or as near as possible, to stagger the terms.
2. **Vacancies.** The position of any resident Trustee shall be vacated if such member moves permanently from the City. The position of a nonresident Trustee shall be vacated if such member moves permanently from the County or into the City. The position of any Trustee shall be

deemed vacated if such member is absent from six (6) consecutive regular meetings of the Board, except in the case of sickness or temporary absence from the City or County. Vacancies in the Board shall be filled in the same manner as an original appointment except that the new Trustee shall fill out the unexpired term for which the appointment is made.

3. Compensation. Trustees shall receive no compensation for their services.

115.06 POWERS AND DUTIES. The Board shall have and exercise the following powers and duties:

1. Officers. To meet and elect from its members a President, a Secretary, and such other officers as it deems necessary. The Council Member who serves on the Library Board shall serve as Board Treasurer.

2. Physical Plant. To have charge, control and supervision of the Library, its appurtenances, fixtures and rooms containing the same.

3. Charge of Affairs. To direct and control all affairs of the Library.

4. Hiring of Personnel. To employ a librarian, and authorize the librarian 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 librarian, assistants and employees shall have been fixed and approved by a majority of the members of the Board voting in favor thereof.

5. Removal of Personnel. To remove the librarian, 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 70 of the Code of Iowa.

6. Purchases. To select, or authorize the librarian 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.

7. Use by Nonresidents. To authorize the use of the Library by nonresidents and to fix charges therefor unless a contract for free service exists.

8. Rules and Regulations. To make and adopt, amend, modify or repeal rules and regulations, not inconsistent with this Code of Ordinances and the law, for the care, use, government and management of the Library and the business of the Board, fixing and enforcing penalties for violations.

9. 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.

10. Gifts. To accept gifts of real property, personal property, or mixed property, and devises and bequests, including trust funds; to take the title to said property in the name of the Library; to execute deeds and bill of sale for the conveyance of said property; and to expend the funds received by them from such gifts, for the improvement of the Library.

11. Enforce the Performance of Conditions on Gifts. To enforce the performance of conditions on gifts, donations, devises and bequests accepted by the City by action against the Council.

(Code of Iowa, Ch. 661)

12. Record of Proceedings. To keep a record of its proceedings.

13. County Historical Association. To have authority to make agreements with the local County historical association where such exists, and to set apart the necessary room and to care for such articles as may come into the possession of the association. The Trustees are further authorized to purchase necessary receptacles and materials for the preservation and protection of such articles as are in their judgment of a historical and educational nature and pay for the same out of funds allocated for Library purposes.

115.07 CONTRACTING WITH OTHER LIBRARIES. The Board shall have power to contract with other libraries in accordance with the following:

1. Contracting. The Board may contract with any other boards of trustees of free public libraries, any other city, school corporation, private or semiprivate organization, institution of higher learning, township, or County, or with the trustees of any County library district for the use of the Library by their respective residents.

(Code of Iowa, Sec. 392.5 & Ch. 28E)

2. 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 five (5) percent 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 forty (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.

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

1. 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.

2. Depository. By establishing depositories of Library books or other materials to be loaned to nonresidents.

3. Bookmobiles. By establishing bookmobiles or a traveling library so that books or other Library materials may be loaned to nonresidents.

4. Branch Library. By establishing branch libraries for lending books or other Library materials to nonresidents.

115.09 EXPENDITURES. All money appropriated by the Council 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 and Secretary.

(Code of Iowa, Sec. 384.2 & 392.5)

115.10 ANNUAL REPORT. The Board shall make a report to the Council immediately after the close of the fiscal year. This report shall contain statements as to the condition of the Library, the number of books added, the number circulated, the amount of fines collected, and the amount of money expended in the maintenance of the Library during the year, together with such further information as may be required by the Council.

115.11 INJURY TO BOOKS OR PROPERTY. It shall be 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.

(Code of Iowa, Sec. 716.1)

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

(Code of Iowa, Sec. 714.1)

115.13 NOTICE POSTED. There shall be posted in clear public view within the Library a notice stating:

1. Failure To Return. Failure to return Library materials for two (2) months or more after the date the person agreed to return the Library materials, or failure to return Library equipment for one (1) 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.

(Code of Iowa, Sec. 714.5)

2. Detention and Search. Persons concealing Library materials may be detained and searched pursuant to law.

(Code of Iowa, Sec. 808.12)

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CHAPTER 116

PARK AND RECREATION BOARD

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116.05 Compensation

116.06 Jurisdiction
116.07 Powers and Duties
116.08 Rules and Regulations
116.09 Annual Report

116.01 BOARD MEMBERS. There is hereby established a Park and Recreation Board for the City consisting of five (5) members, each of whom shall be a resident of the City. *(Ord. 6-03 – Feb. 04 Supp.)*

116.02 TERM OF OFFICE. The term of office for each Board Member appointed shall be five (5) years, the terms being staggered so that each year one member will be up for appointment. Vacancies shall be filled by appointment by the Mayor with Council approval to fill the unexpired term. *(Ord. 6-03 – Feb. 04 Supp.)*

116.03 ORGANIZATION. Members shall, within ten (10) days after commencement of term, qualify by taking the oath of office and organize as a Board by the election of one of its members as Chairperson and one as Secretary. *(Ord. 6-93)*

116.04 TREASURER. The City Treasurer shall be the treasurer of the Board and pay out all moneys under the control of the Board on orders signed by the Chairperson and Secretary, but shall receive no compensation for services as such treasurer.

116.05 COMPENSATION. There shall be no compensation attached to the office of Park Board Members, and all services performed by said Member shall be rendered without compensation therefor. *(Ord. 6-93)*

116.06 JURISDICTION. The jurisdiction of the Board shall extend over all lands used for parks of any kind excluding mobile home parks within or without the corporate limits and all ordinances of the City shall be in full force and effect in and over the territory occupied by such parks.

116.07 POWERS AND DUTIES. The Board shall have such powers and perform such duties as are now or may be hereafter prescribed by the laws of the State.

116.08 RULES AND REGULATIONS. The Board may in writing prescribe rules and regulations for the government of the parks or other public grounds under its control, which rules and regulations shall be in force when entered in the record of the proceedings of the Board and a copy thereof signed by the Members has been posted at such park or public grounds and a willful violation thereof shall constitute a misdemeanor and shall be punishable as provided in this Code of Ordinances. *(Ord. 6-93)*

116.09 ANNUAL REPORT. The Board shall make an annual detailed report to the Council immediately after the close of each municipal fiscal year of the amounts of money expended and the purposes for which used, and such annual statement shall be published as part of the annual municipal report.

TITLE IV - CULTURE AND RECREATION

CHAPTER 117
SWIMMING POOL BOARD

- RESERVED FOR FUTURE USE -

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