

CHAPTER 22

LIBRARY BOARD OF TRUSTEES

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22.01 ESTABLISHMENT. There is hereby established a free public library for the use of the residents of the City of Central City, Iowa, and rural residents of Linn County, Iowa, to be known as the Central City Public Library.

22.02 LIBRARY TRUSTEES. The Mayor, with the approval of the City Council, shall appoint five persons to constitute a Board of Library Trustees, hereafter referred to as the Board. He or she shall appoint bona fide citizens and residents of the City or bona fide residents of unincorporated Linn County over the age of 21 years. However, at no time shall more than one member of the Board be a nonresident of the City. Preference is that the Board shall have one nonresident of the City to serve on the Board if available when a vacancy occurs.

22.03 ORGANIZATION OF THE BOARD.

1. Term of Office. All appointments shall be for four years, except to fill vacancies.
2. Vacancies. The position of any Trustee shall be vacant if he or she moves permanently from the City or if he or she is absent without due explanation from six consecutive regular meetings of the Board, except in case of sickness, or if he or she is removed for cause by the Mayor with approval of the Council. The Board may nominate for consideration by the Mayor nominees for appointment to fill any vacancy by appointment of a new Trustee to fill the unexpired term. The Mayor, with the approval of the Council, is not bound to appoint a nominee of the Board, but may appoint his or her own nominee.
3. 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 a Librarian, assistant or employee, however, shall require two-thirds vote of the Board, as provided in Section 22.04(5) of this chapter.

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

1. To meet and elect from its members a President, Vice-President, a Secretary, and such other officers as it deems necessary. The City Clerk shall serve as Board Treasurer, but shall not be a member of the Board.
2. To have charge, control and supervision of the Library, its appurtenances, fixtures and rooms.
3. To direct and control all affairs of the Library.

4. To employ a Librarian, assistants, and other employees necessary for the proper management of the Library, and to fix their salaries.
5. To remove by a two-thirds vote of the Board, the Librarian, assistants or employees for misdemeanor, incompetency, or inattention to duty, subject to the provisions of Chapter 35C of the *Code of Iowa*.
6. To select and purchase all items considered necessary for the operation of the Library within the budgetary limits set by the City Council.
7. To authorize the use of the Library by nonresidents of Linn County and to fix charges for this privilege.
8. To make and adopt, amend, modify, or repeal by-laws, 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 by-laws, rules, and regulations shall be posted in the Library where they can be seen by the public.
9. To control exclusively the expenditure of all portions of the municipal enterprise fund allocated for the Library purposes by the Council, and of all moneys available by gift or otherwise for the erection of Library buildings, and of all other money belonging to the Library fund, including fines and rentals collected under the rules of the Board.
10. To make and send to the Council, on or before January 1, or as the Council determines, in each year, an estimate of the amount necessary for the improvement, operation, and maintenance of the Library for the coming year, the amounts expended for like purposes for the two preceding years, and the amount of revenue expected for the next fiscal year from sources other than taxation.
11. 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 execute deeds and bills of sale for the conveyance of such property; and to expend the funds received from such gifts for the improvement of the Library.
12. To enforce the performance of conditions on gifts, donations, devises and bequests accepted by the City, by action against the Council.
13. To keep a record of its proceedings.

22.05 GIFTS TO THE CITY. All gifts, donations, devises, and bequests that may be made to the City explicitly and solely for the purpose of establishing, increasing, or improving the Library shall be administered by the Board.

22.06 POWER TO CONTRACT FOR THE USE OF THE LIBRARY.

1. The Board may contract with any other Town, City, 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 contracts levied by the other City, Town, School Corporation, Township, County, or County Library district.
2. Such a contract may be terminated at any time by mutual consent 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 percent in number of the electors who voted for governor in the territory of the 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 which is held in the territory of the party who is seeking to terminate the contract.

22.07 NONRESIDENT USE OF THE LIBRARY. The Board may authorize the use of the Library by nonresidents of the City in any one or more of the following ways:

1. By lending Library books to the nonresidents on the same conditions as to residents of the City of Central City, Iowa.
2. By establishing depositories of Library books to be loaned to nonresidents.
3. By establishing a traveling library so that books may be loaned to nonresidents.
4. By establishing branch libraries for lending books to nonresidents.

22.08 ANNUAL REPORT. The Board shall make a report to the City Council immediately after the close of the municipal fiscal year. This report shall contain statements of the condition of the Library, the number of books added, the number circulated, the number lost or not returned, the amount of fines collected, the amount of money expended for maintenance of the Library during the year, and further information required by the Council.

22.09 RECOVERY OF LIBRARY BOOKS. If any book or other property of the Library is retained by any person beyond the period provided by the rules and regulations of the Board and is not returned upon request of the Librarian, the Board may issue an order to the Linn County Sheriff's Department to obtain the book or other property and to collect any fine set by the Board for such retention or for damage to the book or property. The order shall be sufficient authority for the Linn County Sheriff's Department to take lawful possession of the book or the property, collect the fine, and return the book or property and the fine to the Librarian.

22.10 INJURY TO LIBRARY PROPERTY. Any person who willfully, maliciously or wantonly tears, defaces, mutilates, injures, steals or destroys, in whole or in part, any newspaper, periodical, book, map, chart, picture or other property belonging to the Library shall be deemed guilty of a simple misdemeanor or municipal infraction and shall be subject to the penalties established under the Code of Iowa.

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