

**ORDINANCE NO. 119-A
CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, SPOKANE COUNTY,
WASHINGTON ESTABLISHING THE LIBERTY LAKE PUBLIC LIBRARY**

WHEREAS, the City of Liberty Lake is a Non-Charter Code City formed pursuant to RCW Title 35A operating under the Mayor-Council form of government, RCW Chapter 35A.12;

WHEREAS, RCW 35A.27.010 provides that a public library may be established in any city by Ordinance of the City Council; and

WHEREAS, the City Council has the authority to define the functions, powers and duties of officers and employees of the City and adopt an annual budget for the City's fiscal year that sets forth revenues and expenditures;

WHEREAS, the Mayor is the Chief Executive and Administrative Office in charge of all departments with authority to appoint and remove officers and employees and provide for the general supervision and administration of the City; and

WHEREAS, the City Council of the City of Liberty Lake desires to establish a public library in the City of Liberty Lake.

NOW, THEREFORE, the City Council of the City of Liberty Lake, Washington, do ordain as follows:

Section 1. Library Created. The City Council of the City of Liberty Lake hereby establishes the Liberty Lake Public Library.

Section 2. Authority of City Council and Mayor. The City Council shall have the following authority with respect to the operation and finances of the Liberty Lake Public Library.

A. Through ordinance of the City, adopt a final budget setting forth the estimated revenues and appropriations for the City of Liberty Lake Public Library.

B. Upon a determination that the best interests of the City of Liberty Lake are being served, increase, decrease, revoke or recall, all or any portion of, the total appropriations provided for Liberty Lake Public Library, provided the same is done by ordinance approved by a vote of one more than the majority of the City Council.

C. Approve contracts related to the Public Library, including but not limited to the acquisition, sale or disposition of library property unless otherwise delegated to the Mayor.

D. Establish the functions, duties and compensation of the City Librarian and employees of the Public Library.

The Mayor shall have the following authority with respect to the administration of the Liberty Lake Public Library.

E. Appoint and remove all officers and employees of the Public Library including the City Librarian whose appointment shall be without definite term.

F. Ensure that all contracts and agreements made with the City on behalf of the Public Library are faithfully kept and performed.

G. Make transfers between individual appropriations within the Library budget in order to further the best interests of the Public Library.

H. Through the City Finance Director pay claims and purchase books, periodicals, maps, supplies and equipment for the library.

I. Through the City Finance Director, pay wages, salaries, provide benefits and spend funds to recruit job candidates including reimbursement of job candidates for reasonable and necessary travel expenses, such as transportation, subsistence and lodging.

To provide the highest level of library service to the citizens of the City of Liberty Lake, the Mayor and City Council with the advice and recommendation of the Board of Trustees shall exercise best efforts to negotiate and enter into Interlocal (or other) Agreements with public and private library service providers.

Section 3. Annual Budget.

A. The overall annual budget appropriation for the Library shall be based upon the original fifty cents (\$.50) per thousand allocation of property tax as permitted by law, as now or hereafter amended. In 2001, fifty cents (\$.50) per thousand represented twenty-three point eight percent (23.8%) of the City's total property tax levy rate. Said percentage shall be the percentage used by the City in establishing Library funding for future years subject to the terms set forth in this Ordinance.

B. The 23.8% sum shall cover expenses for Library operations, Library Capital expenditures, and administrative support. The Library Capital expense and administrative overhead shall be set at three percent (3%) each of the anticipated property tax revenue for the Library as identified in Section 3(A).

C. The Library Staff, City Finance Department, and Board of Trustees shall be responsible for preparing a five (5) year rolling forecast indicating the staffing levels, supplies, and capital items that may be needed and to make recommendations to the City Council to achieve the necessary funding.

- D. As with all City Departments, the City Council shall receive recommendations concerning Library services and funding, but the City Council shall annually appropriate City funds for the support of the Library in the process of adopting a reasonable budget.

Section 4. No Deficit. The Board of Trustees shall not make any expenditures or incur indebtedness in any year in excess of the amount of money appropriated and/or available for library purposes.

Section 5. Annual Report. At the end of each year, the Board of Trustees shall report to the City Council showing the condition of the Board of Trustees trust during the year, the sums of money received for the library fund from taxes and other sources, the sums of money expended and the purposes of the expenditures, the number of books and periodicals on hand, the number added during the year, the number retired, the number loaned out, and such other statistics and information and such suggestions as they deem of public interest. The Board of Trustees shall also file a copy of this report with the state librarian.

Section 6. Board of Trustees.

A. Creation. The Liberty Lake Public Library Board of Trustees is hereby created. The Board of Trustees shall consist of five (5) individuals. Except as otherwise provided in this Ordinance or State law, the management of the Liberty Lake Public Library shall be vested in the Board of Trustees.

B. Appointment. The Board of Trustees shall be appointed by the Mayor and confirmed by the City Council. The majority of the appointed Board shall be residents of the City of Liberty Lake.

C. Term. The first appointments to the Board of Trustees shall be for a term of one (1), two (2), three (3), four (4) and five (5) years, respectively. Thereafter, a Trustee shall be appointed annually to serve a term of five (5) years. No person shall be appointed to the Board of Trustees for more than two (2) consecutive terms. A Board member after serving two (2) consecutive terms may apply and receive appointment to a vacated seat. Provided that person has been off the Board for a period of one year.

D. Vacancies. Vacancies on the Board of Trustee shall be filled for any unexpired terms as soon as possible in the manner in which members of the Board of Trustees are regularly chosen.

E. Salary. No member of the Board of Trustees shall be paid a salary or other compensation for services as trustee. A member of the Board of Trustees shall, however, be entitled to reimbursement from the library funds of necessary expenses actually incurred.

F. Removal. A member of the Board of Trustees may only be removed by a majority vote of the City Council of the City of Liberty Lake.

G. Powers and Duties. The Board of Trustees shall have the power and duty to do the following:

1. Adopt such bylaws, rules, and regulations for the guidance of the Board of Trustees and for the use of the Liberty Lake Public Library.
2. Supervise, care and have custody of all property of the library, including the rooms or buildings constructed, leased, or set apart therefore.
3. Make recommendations to the City Council concerning functions, authority, compensation and duties of the City Librarian.
4. Make a recommendation to the Mayor concerning the appointment of the City Librarian qualified under RCW 27.04.055.
5. Submit annually to the City Council a budget containing detailed estimates of the amount of money necessary for the library for the ensuing year.
6. Perform any and all other acts necessary for the orderly and efficient management and control of the library.

Section 7. Use of Library.

A. Residents. The Liberty Lake Public Library shall be free for the use of residents of the City of Liberty Lake, subject to such reasonable rules and regulations as adopted by the Board of Trustees to assure the greatest benefit to the greatest number.

B. Non-Residents. The Board of Trustees may allow non-residents of the City of Liberty Lake to use the books belonging to the Liberty Lake Public Library, under such rules and regulations as the Board of Trustees deems necessary and upon such terms and conditions as established by the Board of Trustees. The form of the agreement for non-resident services shall be approved by the City Council.

C. Exclusion from Use. The Board of Trustees may exclude from the use of the Liberty Lake Public Library any person who wilfully or persistently violates any rule or regulation prescribed for the use of the library or its facilities or any person whose physical condition is deemed dangerous or offensive to other library users.

D. Exchanges. The Board of Trustees may adopt such rules and regulations to allow exchanges of books with any other library, either permanently or temporarily.

Section 8. Gifts. Title to money or property given to or for the use or benefit of the Liberty Lake Public Library shall vest in the City of Liberty Lake, on behalf of the Liberty Lake Public Library, to be held and used according to the terms of the gift.

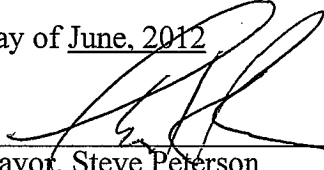
Section 9. Retaining Books. Any person who wilfully retains any book, newspaper, magazine, pamphlet, manuscript or other property belonging to the Liberty Lake Public Library for an excess of thirty (30) days after notice in writing to return the same, when said notice is given after the expiration of time such article or other property maybe kept, shall be guilty of a class 4 civil infraction.

Section 10. Damage to Property. Any person who intentionally injures, defaces or destroys any property belonging to or deposited in the Liberty Lake Public Library shall be guilty of a misdemeanor.

Section 11. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

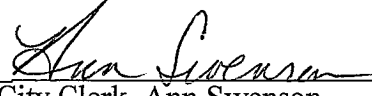
Section 12. Effective Date. This Ordinance shall be in full force and effect five (5) days after publication of this Ordinance or a summary thereof in the official newspaper of the City as provided by law.

PASSED by the City Council this 5th day of June, 2012



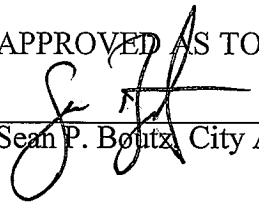
Mayor, Steve Peterson

ATTEST:



City Clerk, Ann Swenson

APPROVED AS TO FORM:



Sean P. Boutz, City Attorney

Date of Publication: 6/28/2012

Effective Date: 7/3/2012

CERTIFICATION

I, the undersigned City Clerk of the City of Liberty Lake, of Spokane County, Washington, HEREBY CERTIFY that the foregoing Ordinance is a full, true, and correct copy of Ordinance No. 119-A duly adopted at a regular meeting of the City Council of said City, duly and regularly held at the regular meeting place thereof on June 5, 2012 of which meeting all members of said City Council had due notice and at which a majority thereof were present; and that at said meeting said Ordinance was adopted by the following vote: 6-0, unanimous.

AYES, and in favor thereof: Mayor Pro Tem Langford, Council Members Beckett, Kaminskas, Brickner, Dunne, and Kopelson

NAYS: None.

ABSENT: None.

ABSTAINED: None.

CITY OF LIBERTY LAKE



CITY CLERK