



# The Municipal Corporation of the Town of Fort Erie

## BY-LAW NO. 44-2003

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### BEING A BY-LAW TO RE-ESTABLISH THE FORT ERIE PUBLIC LIBRARY BOARD, TO REPEAL BY-LAW NOS. 197-85 AND 217-94 AND TO AMEND SCHEDULE "C" OF BY-LAW NO. 200-85 (120401)

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**WHEREAS** Section 3 of the *Public Libraries Act*, R.S.O. 1990, Chapter P.44, as amended provides the council of a municipality may by by-law establish a public library, and

**WHEREAS** By-law No. 197-85, as amended by By-law 217-94 was passed by the Municipal Council of the Town of Fort Erie on the 13<sup>th</sup> day of November 1985 to establish the Fort Erie Public Library for the Town of Fort Erie, and

**WHEREAS** *Bill 179, 2002* provides for amendments to the *Public Libraries Act* and in particular, the composition of the Board which no longer requires School Board representation, and

**WHEREAS** it is deemed expedient to re-establish the Fort Erie Public Library Board as is, and to alter the composition thereof, and

**WHEREAS** it is further deemed necessary to amend Schedule "C" to Council Rules of Procedure By-law No 200-85 to reflect the change in composition of the Fort Erie Public Library Board;

**NOW THEREFORE** the Municipal Council of The Corporation of the Town of Fort Erie hereby enacts as follows:

1. **THAT** a public library board be and it is hereby re-established under Part 1 of the *Public Libraries Act*, 1990, Chapter P.44, as amended, for the Town of Fort Erie.
2. **THAT** pursuant to Section 3(3) of the *Public Libraries Act*, R.S.O. 1990, Chapter P.44, as amended the Fort Erie Public Library be and it shall be under the management and control of a board known as the Fort Erie Public Library Board.
3. **THAT** the Fort Erie Public Library Board shall be composed of nine (9) members appointed by the Council of the Town of Fort Erie, as follows:
  - 1 Member of Council (and alternate Member of Council)
  - 8 Citizen Appointees
4. **THAT** the term of the Fort Erie Public Library Board shall be concurrent with the term of the Council of the Town of Fort Erie.
5. **THAT** the Library Board shall employ a Chief Executive Officer who may or may not be a librarian who shall have general supervision over and direction of the operations of the public library and its staff, shall attend all Board meetings and shall have the other powers and duties that the Board assigns to him or her from time to time.


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6. **THAT** the Council of the Town of Fort Erie shall in each year appropriate and pay to the Fort Erie Public Library Board the amount of the estimates of the Board that is approved by the Council of the Town of Fort Erie for the establishment, operation, and maintenance of a comprehensive and efficient public library service that reflects the municipality's unique needs.
7. **THAT** the Fort Erie Public Library Board shall have exclusive control over the disbursement of the finances of the library.
8. **THAT** the property and the income, revenues, issues and profits of all property of the Fort Erie Public Library Board shall be applied solely to the establishment, operation and maintenance of a public library service.
9. **THAT** in the event of a conflict between any provisions of this By-law and any provisions of the *Public Libraries Act*, 1990, as amended, the Act shall prevail.
10. **THAT** pursuant to Section 3(2) of the *Public Libraries Act*, R.S.O. Chapter P.44 as amended, the Clerk of the Town of Fort Erie shall mail or deliver a copy of this By-law to the Minister.
11. **THAT** Schedule "C" to By-law No. 200-85 be and it is hereby further amended by deleting same in its entirety and inserting in lieu thereof, the following under Section C6 (Appointments to be Made by Council) thereto:

*C6.3 A Fort Erie Public Library Board to be composed of nine (9) members; eight (8) citizen appointees and one (1) member of Council (and one (1) alternate member of Council).*

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 17<sup>TH</sup> DAY OF MARCH, 2003.**

  
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**MAYOR**

  
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**CLERK**

I, the Clerk, Carolyn J. Kett, of The Corporation of the Town of Fort Erie hereby certify the foregoing to be a true certified copy of By-law No. -2003 of the said Town. Given under my hand and the seal of the said Corporation this day of \_\_\_\_\_, 2003.

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