



CITY OF LYONS

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ORDINANCE NO. 251 - 2024

AN ORDINANCE REPEALING AND REPLACING CHAPTER 2.15 LIBRARY BOARD OF THE LYONS MUNICIPAL CODE (LMC); AND REPEALING LMC 1.10

WHEREAS, the Lyons City Council (Council) adopted Resolution #14 on February 7, 1968, which established a public library in and for the City of Lyons (City) and directed Council appointment of a governing library board; and

WHEREAS, the Council has determined to import the Library and Board's creation into its current City Municipal Code, pursuant to ORS 357.610(1); and

WHEREAS, ORS 357.465(3) requires a one-year interval after a board member has served two consecutive full terms; and

WHEREAS, the Council desires for Lyons Municipal Code (LMC) Chapter 2.15 to conform to ORS 357.465, in order to ensure State funding eligibility for the Library; and

WHEREAS, the Council has further determined that the terms "librarian" and "chairman" should be updated throughout LMC Chapter 2.15; and

WHEREAS, the Council recognizes ordinance adoption procedures are governed by Lyons City Charter §IV, rendering LMC 1.10 superfluous.

NOW, THEREFORE, THE CITY OF LYONS ORDAINS AS FOLLOWS:

Section 1. The entirety of LMC Chapter 2.15 is hereby repealed and replaced with the following language:

"2.15.005. Lyons Public Library Board Established.

Established in 1968 by Resolution #14, the Lyons Public Library and governing Board is hereby continued as established by the Lyons City Council for the purpose of overseeing the general operation of the City library pursuant to ORS 357.400 to 357.621.

2.15.010. Board members.

A. The library board shall consist of five members who are appointed by the Lyons city council. All board members shall be required to reside within a 10-mile radius of the city limits.

B. Members of the board shall receive no compensation for their services, but may be reimbursed for expenses incurred in the performance of their duties.

2.15.020. Terms of office.

A. Except as allowed for the filling of vacancies pursuant to LMC 2.15.040, library board member terms of office begin on July 1st after appointment.

B. Each member shall be appointed to a term of office for a period of four years or until their successors are appointed and qualified, and their terms shall be staggered so that the term of office of not more than a majority will expire in the same year.

2.15.030. Officers.

A. At its first annual meeting in July, the library board shall elect a chairperson and a vice chairperson from among its members who shall serve for a term of one year. At the expiration of each officer's term, the board shall elect a new officer by re-electing the existing officer or electing a new library board member to serve.

B. The library director shall serve as secretary to the board, keep a record of its actions, and make a copy of all meeting minutes available to the city manager, library board members, city council members and the mayor.

2.15.040. Vacancies and removal.

At the expiration of any board member's term, the council shall appoint a new member or may reappoint that member for a second four-year term. In the event of a vacancy, the council shall appoint a new member for the unexpired term. Recommendations for appointments may be made by the library board. Appointees to fill vacancies shall serve for the remainder of the unexpired term. No person shall hold appointment as a member for more than two full consecutive terms, but any person may be appointed again to the board after an interval of one year.

Any member may be removed by the mayor and council for misconduct or failure to perform appointed duties. A member who is absent for three meetings within any one year (July to July) without an absence excused by the library board chairperson

shall be reported to the city council as failing to perform appointed duties, and the mayor and city council shall declare that position vacant. Board members shall provide at least 1 hour advance notice of an absence prior to a library board meeting by contacting a board member or the library director. Recommendations of misconduct or failure to perform appointed duties shall be submitted in writing by the library board to the mayor and city council. All library board meeting absences shall be noted in the minutes and identified as excused or unexcused.

2.15.050. Duties and powers.

A. The library board shall assist in the interview process when selecting and appointing a library director. The city manager, as the fiscal and internal administrative agent for the library, shall have primary responsibilities for library personnel, including recruitment, selection, classification and pay, and supervision.

B. The library board shall make recommendations to the city council regarding rules and policies for the efficient and effective operation of the library, its services and programs.

C. The library board shall assist the library director with preparing the annual budget request for submittal by the library director to the city manager.

D. The library board shall make recommendations regarding the acceptance, use, and expenditure of any real or personal property and funds donated to the library under LMC [2.15.060](#), and make recommendations regarding the purchase, control, and disposal of real or personal property necessary for library purposes.

E. The library board shall make recommendations regarding the selection of sites for public library buildings and library facilities.

F. The library board shall review and recommend to the city council terms for contracts and working relationships with private and public agencies regarding library services.

G. The library board shall submit the annual report received from and compiled by the library director to the Oregon State Library and city council in a timely manner, on the form supplied by the state library.

H. The library board may develop and recommend to the city council long-range plans for library service, consistent with city priorities and state, regional and national goals for libraries.

I. The library board shall undertake additional activities, as assigned by the city council.

2.15.060. Acceptance of gifts for library purposes.

Gifts of any real or personal property or funds donated to the library and accepted by the city council shall be administered in accordance with each gift's terms.

2.15.070. Operation and maintenance.

The library shall be financed through the use of general funds monies, revenue obtained from the operation of the library, grants, gifts, donation and bequests received and designated to be used for library purposes and any tax levies that may be authorized by the electors and such other sources as outlined in LMC [2.15.060](#).

2.15.080. Internal administrative policies and procedures.

The city manager shall be the fiscal and internal administrative agent for the Lyons Public Library and the library shall operate in conformance with city administrative procedures, including those pertaining to the following:

- A. Personnel, including recruitment, selection, classification and pay for library personnel.
- B. Receipts, disbursement and accounting for monies.
- C. Maintenance of general books, cost accounting records, and other financial documents.
- D. Budget administration.
- E. Operation and maintenance of equipment and buildings in accordance with city guidelines.

2.15.090. Prohibit actions and penalties.

A. It shall be unlawful for any person to willfully or maliciously detain any library materials belonging to the Lyons Public Library for 30 days, after notice in writing from the library director that the materials are overdue. The notice shall bear upon its face a copy of ORS [357.975](#) and [345.990](#).

B. Violation for willful detention of library materials is punishable upon conviction by a fine of not less than \$50.00 nor more than \$1,000. Such conviction and payment of the fine shall not be construed to constitute payment for library materials, nor shall a person convicted under this section be thereby relieved of any obligation to return such material to the library.”

Section 2. Repeal LMC 1.10. LMC 1.10 is hereby repealed in its entirety.

Chapter 3. Savings. Notwithstanding these amendments, the City Code provisions in existence at the time any criminal or civil enforcement actions were commenced shall remain valid and in full force and effect for purposes of all cases filed or commenced during the times said provision(s) or portions thereof were operative.

Section 4. Codification. Provisions of this Ordinance shall be incorporated into the City Code, and the words “ordinance” or “section” may be changed to “code,” “article,” “chapter,” “division,” or another word, and the sections of this Ordinance may be renumbered or re-lettered, provided however, that any recital clause and boilerplate provisions of this Ordinance (i.e., Section Nos. 2 through 5) need not be codified, and the City Manager is authorized to correct any cross-references and any typographical errors.

Section 5. Effective Date. This ordinance will go into full force and effect on the 30th day after City Council enactment.

This ordinance passed by the Lyons City Council this ____ day of _____, 2024.

APPROVED:

COPY

Lloyd Valentine - Mayor
City of Lyons, Oregon

Date: _____

ATTEST:

COPY

By: _____
Micki Valentine – City Manager
City of Lyons, Oregon

Date: _____

	Aye	Nay
Mayor Valentine	___	___
Pro Tem Ritchie	___	___
Councilor Wagner	___	___
Councilor Hyde	___	___
Councilor Thatcher	___	___