

**ORDINANCE NO. 05-2010**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING CHAPTER 2, ARTICLE IV, DIVISION 2 OF THE TOWN CODE ENTITLED "LIBRARY BOARD"; PROVIDING FOR THE AMENDMENT OF SECTIONS 2-154, 2-158, 2-160 AND 2-161 PERTAINING TO THE LIBRARY BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Code provides for a Library Board which has such authority as set forth in Chapter 2, Article IV, Division 2 of the Town Code; and

**WHEREAS**, the Town Manager has recommended to the Town Commission the amendment of Sections 2-154, 2-158, 2-160 and 2-161; and

**WHEREAS**, the Town Commission deems it in the best interests of the Town to amend said Sections.

**NOW THEREFORE**, be it ordained by the Town Commission of the Town of Lake Park, Florida:

**Section 1.** The whereas clauses are incorporated herein as true and correct and the findings of the Town Commission.

**Section 2.** Section 2-154 of Chapter 2 of the Town Code is hereby amended to read as follows:

Members of the library board shall be appointed for a term of three ~~two~~ years or until their successors have been appointed and qualified.

**Section 3.** Section 2-158 is hereby amended to read as follows: In the performance of its duties set forth in this article, the library board shall hold at least one regular meeting ~~every two months-~~ monthly.

**Section 4.** Section 2-160 is hereby amended to read as follows: The library board may make and adopt such bylaws, rules and regulations for its own guidance ~~and for the government and operation of any municipal library and reading room in the town~~ as the library board may deem expedient, subject to the approval, supervision and control of the town commission and not inconsistent with law.

**Section 5** Section 2-161 is hereby amended to read as follows: Powers and duties.

Subject to the control and direction of the town commission, the library board shall:

- 1) ~~Act in an advisory capacity (non-administrative) to the town commission, to ensure representation of the ideas of citizens and taxpayers of the town relative to the function and operation of a municipal library and reading rooms in the town, make recommendations relative to the appointment of a suitable director, and such advisory assistance shall include, but not limited to, recommendations relative to control of expenditures of moneys collected, or donated to the credit of a municipal library in this town, and the supervision, care and custody of the grounds, rooms, property and buildings constructed, leased, or set aside for municipal library purposes;~~
- 2) Make recommendations concerning all matters involving the Library as it sees fit to the Commission concerning the management and operation of the municipal library. Any action, decision or recommendation of the library board shall not be final or binding upon the Commission but shall be advisory only.
- 2) ~~Make recommendations for the appointment of a suitable librarian and assistants and their respective rates of compensation; establish regulations for the government and control of a municipal library as may be deemed necessary for its preservation and to maintain its~~

- ~~usefulness and efficiency; fix and impose by general rules, penalties and forfeitures for failure to return any book or for violation of any bylaws or regulation of the library board;~~
- ~~3) Annually in an advisory capacity assist the town manager in preparing a budget for the maintenance and expansion of municipal library facilities;~~
- 4) Keep records, ~~inventories and accounts, budgetary or otherwise,~~ of all the activities of the library board ~~and the municipal library system~~ and make annual reports to the town manager and the town commission relative thereto or whenever requested to do so by the town commission.

**Section 6. Severability.** If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

**Section 7. Repeal of laws in conflict.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**Section 8. Codification.** The provision of this Ordinance shall become and be made a part of the Charter for the Town of Lake Park.

**Section 9. Effective Date.** This Ordinance shall take effect immediately upon passage.

Upon First Reading this 19 day of May, 2010, the foregoing Ordinance, was offered by Commissioner Rumsey, who moved its approval. The motion was seconded by Commissioner Hockman and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR DESCA DUBOIS	<u>Absent</u>	_____
VICE MAYOR PATRICIA OSTERMAN	<u>/</u>	_____
COMMISSIONER STEVEN HOCKMAN	<u>/</u>	_____
COMMISSIONER JEANINE LONGTIN	<u>/</u>	_____
COMMISSIONER KENDALL RUMSEY	<u>/</u>	_____

**PUBLISHED IN THE PALM BEACH POST THIS** 23 **DAY OF** May, 2010

Upon Second Reading this 2 day of June, 2010, the foregoing Ordinance, was offered by Vice-Mayor Osterman, who moved its adoption. The motion was seconded by Commissioner Hockman and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR DESCA DUBOIS	<u>/</u>	_____
VICE MAYOR PATRICIA OSTERMAN	<u>/</u>	_____
COMMISSIONER STEVEN HOCKMAN	<u>/</u>	_____
COMMISSIONER JEANINE LONGTIN	<u>/</u>	_____
COMMISSIONER KENDALL RUMSEY	<u>/</u>	_____

The Mayor thereupon declared **Ordinance No.** 05-2010 duly passed and adopted this 2 day of June, 2010.

TOWN OF LAKE PARK, FLORIDA

BY: Desca DuBois  
Mayor, Desca DuBois

ATTEST:

Vivian M. Lemley  
Town Clerk, Vivian M. Lemley  
(Town Seal)  
TOWN OF LAKE PARK  
SEAL

Approved as to form and legal sufficiency:

Thomas J. Baird  
Town Attorney, Thomas J. Baird

FLORIDA