



TOWN OF BLACKFALDS
BYLAW 1224/18

BEING A BYLAW OF THE TOWN OF BLACKFALDS IN THE PROVINCE OF ALBERTA TO
PROVIDE FOR THE ESTABLISHMENT OF A MUNICIPAL LIBRARY BOARD.

A Bylaw of the Town of Blackfalds, in the Province of Alberta, pursuant to the provisions of the *Municipal Government Act (MGA)*, Revised Statutes of Alberta 2000 Chapter M-26, and amendments thereto, for the purpose of the establishment of a Municipal Library Board.

AND WHEREAS, pursuant to the Province of Alberta Libraries Act RSA 2000 Chapter L-11 and the Libraries Regulation, and any amendments thereto.

NOW THEREFORE, with the authority under the MGA, the Alberta Libraries Act and Library Regulation, the Municipal Council of the Town of Blackfalds, duly assembled hereby enacts as follows:

PART 1 – TITLE

- 1 That this Bylaw shall be cited as the Town of Blackfalds “Municipal Library Board” Bylaw.

PART 2 - Purpose

- 2 That there shall be established a Municipal Library Board for the Town of Blackfalds.
- 3 That, on being established, the Municipal Library Board is a corporation under the Libraries Act and Library Regulations, and shall operate in accordance with the Libraries Act and applicable Regulations.
- 4 That the policies and bylaws of the Municipal Library Board shall be governed in accordance with the Libraries Act and Libraries Regulations, and any amendments thereto.
- 5 That the Municipal Library Board may, through the Town’s Volunteer Programmer, review new member applications, and make recommendations to Council for appointment where board vacancies exist, in accordance with Part 1 of the Libraries Act.
- 6 That the Municipal Library Board Role is to:
 - 6.1 Establish the purpose, the vision and mission and operational policies of the Municipal Library; and,
 - 6.2 Plan for the future and set the rate of progress towards achievement of the library’s purpose through goals and objectives, by ensuring there are sufficient funds to achieve the budget, and by overseeing the budget and funding allocations, all in accordance with the Libraries Act and Regulation.
 - 6.3 Make complete annual reports to the Town of Blackfalds Council and other reports from time to time, as requested.
- 7 That the role of Appointed Council to the Board is to:
 - 7.1 Be active voting members.
 - 7.2 Act as liaison between the Board and Council.

PART 4 - RESCIND

- 8 That Bylaws 701/91, 832/98, 870/00 and 873/00 are hereby repealed upon this Bylaw coming into effect.


PART 5 - DATE OF FORCE

- 9 This Bylaw shall take effect on the date of the final passing thereof.

READ for the first time this 12th day of JUNE, A.D. 2018

(RES. 156/18)


MAYOR RICHARD POOLE


CAO MYRON THOMPSON



TOWN OF BLACKFALDS
BYLAW 1224/18

READ for the second time this 26th day of JUNE, A.D. 2018

(RES. 171/18)

Richard Poole
MAYOR RICHARD POOLE

[Signature]
CAO MYRON THOMPSON

READ for the third and final time this 26th day of JUNE, A.D. 2018

(RES. 172/18)

Richard Poole
MAYOR RICHARD POOLE

[Signature]
CAO MYRON THOMPSON

Attachments:

1. Alberta Libraries Act
2. Alberta Library Regulation

BYLAWS OF THE BLACKFALDS PUBLIC LIBRARY

The Blackfalds Public Library enacts the following bylaw pursuant to the *Libraries Act, R.S.A. 2000, Chapter L-11, Section 36.*

1. DEFINITIONS

For the purposes of this bylaw, the expression:

- a) "Act" refers to the Library Act, R.S.A. 2000, Chapter L-11 and amendments from time to time.
- b) "Board" means the Blackfalds Public Library Board.
- c) "Borrower" means the person to whom a library borrower's card has been issued.
- d) "Library Manager" means the person charged by the Board with the operation of the Blackfalds Public Library.
- e) "Library Materials" means any items, regardless of format, that are held in the Blackfalds Public Library's collection or are borrowed by the Blackfalds Public Library.

2. LIBRARY FACILITY

- 2.1 The portion of any building used for public library purposes is open to any member of the public **FREE OF CHARGE** during the hours of opening as set out by the Blackfalds Public Library Board.
- 2.2 Charges for the use of library premises not normally used for public library purposes are set out in Schedule "D"

3. BORROWER'S CARD

- 3.1 Any resident of a community located in the Parkland Regional Library System can apply for a borrower's card.
- 3.2 An application for a borrower's card must be:
 - a) In a form determined by the Library Manager, which may include providing proof of residency.
 - b) If the applicant is less than 18 years old, a parent or guardian must accompany the applicant or give written permission.

4. RESPONSIBILITIES OF BORROWERS

- 4.1 A borrower's card may only be used by the person to whom it is issued.
- 4.2 A borrower will tell library staff of any change of contact information.
- 4.3 A borrower will tell library staff immediately if their borrower's card is lost or stolen.
- 4.4 A borrower will take proper care of any library item entrusted to their care.

- 4.5 A borrower should return any library item to the library on or before the due date as provided in Schedule B.

5. LOAN OF LIBRARY MATERIALS

- 5.1 In accordance with the Libraries Act Section 36 (3), there shall be NO CHARGE for the use of library materials. This includes materials used on the premises, materials loaned to a borrower or materials acquired from other sources.
- 5.2 The loan periods for library materials are set out in Schedule B.
- 5.3 Library materials may be reserved and/or renewed in accordance with system-wide practices of the Parkland Regional Library.

6. PENALTY PROVISIONS

- 6.1 The fines for late return of materials are set out in Schedule C.
- 6.2 The fines for damaged or lost materials are set out in Schedule C.
- 6.3 The procedures for demanding the return of overdue materials are set out in Schedule C.
- 6.4 Borrowing privileges may be revoked by the Library Manager for the reasons set out in Schedule C.
- 6.5 A person who has had their borrowing privileges revoked may, within 30 days of having their privileges revoked, make an appeal to the Board in writing setting out the grounds for the appeal.
- 6.6 The decision of the Board in an appeal is final and not subject to further appeal.

7. FOIP (Freedom of Information and Protection of Privacy Bylaw)

7.1 Purpose:

The purpose of this bylaw is to establish the administrative structure of the Blackfalds Public Library in relation to the Freedom of Information and Protection of Privacy Act and to set associated fees.

7.2 Definitions:

For the purpose of this bylaw, unless the context otherwise requires:

- a) "Act" means the Freedom of Information and Protection of Privacy Act, R.S.A. 2000, and amendments from time to time.
- b) "Applicant" means a person who makes a request for access to a record under Section 7(1) of the Act.
- c) "Board" means the Blackfalds Public Library Board and includes any committee, commission, panel, agency or corporation that is created or represented by the Blackfalds Public Library Board and all the members or officers of which are appointed or chosen by the Blackfalds Public Library Board.
- d) "Library Manager" means the person charged by the Board with the operation of the Blackfalds Public Library.

e) "Province" means the Province of Alberta.

7.3 **Authority:**

The Library Manager shall be responsible and accountable for all decisions taken under the Act.

7.4 **Fees:**

Where an applicant is required to pay a fee for services, the fee payable is in accordance with the Freedom of Information and Protection of Privacy Regulation, AR200/95, as amended from time to time or any successor Regulation that sets fees for requests for information from the province.

BLACKFALDS PUBLIC LIBRARY BYLAWS

SCHEDULES

Schedule "A" – Borrower's Card Fees

All memberships are free.

To renew membership, a customer must be a member "in good standing" that is, a customer may renew membership with outstanding fines on it, but the patron must pay down fines to under \$25.00 to take out any library materials. They also must have dealt with any lost books as per Schedule C.

Schedule "B" – Loan Periods for Library Materials

Loan periods for library materials follow system-wide practices for the Parkland Regional Library.

Schedule "C" – Penalty Provisions

Damaged or lost materials will be charged the purchase price of the item before the borrower may be reinstated as a member in good standing. These fees may be waived or reduced at the discretion of the Library Manager.

The following fines are set by Parkland Regional Library. These fines may be waived or reduced at the discretion of the Library Manager.

Fines for all materials are \$0.25 per day per item. No fines will accumulate on any day the library is closed. Late fines will not exceed the replacement value of the material and will be capped at \$10.00 per item.

Library privileges will be suspended once late or lost/damaged fines reach \$25.00

Family library privileges will be suspended if one person in the family group reaches maximum fines of \$25.00.

Schedule "D" – Room Rental Fees

Booking the meeting room is dependent on availability and rates are equal to the Town of Blackfalds room rental rate schedule which may be subject to change.

Local - \$25.00/hour

Non Local - \$30.00/hour

Local Not for Profit - \$15.00/hour

Room Rental Deposit - \$100.00

BYLAWS OF THE BLACKFALDS PUBLIC LIBRARY

READ for the first time this 6th day of March A.D. 2018

(RES:)

Karyl Tobin

Karyl Tobin
Chairperson of the Library Board

Carley Binder

Carley Binder
Library Manager

READ for the second time this 3 day of April A.D. 2018

(RES:)

Karyl Tobin

Karyl Tobin
Chairperson of the Library Board

Carley Binder

Carley Binder
Library Manager

READ for the third time this 3 day of April A.D. 2018

(RES:)

Karyl Tobin

Karyl Tobin
Chairperson of the Library Board

Carley Binder

Carley Binder
Library Manager



Province of Alberta

LIBRARIES ACT

Revised Statutes of Alberta 2000 Chapter L-11

Current as of October 4, 2007

Office Consolidation

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Note

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

Amendments Not in Force

This consolidation incorporates only those amendments in force on the consolidation date shown on the cover. It does not include the following amendments:

2012 cE-0.3 s275 amends ss1(o) and 10(3).

Regulations

The following is a list of the regulations made under the *Libraries Act* that are filed as Alberta Regulations under the Regulations Act

	Alta. Reg.	<i>Amendments</i>
Libraries Act		
Libraries	141/98	282/99, 251/2001, 193/2003, 172/2007, 68/2008, 180/2013

LIBRARIES ACT

Chapter L-11

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HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

Definitions

1 In this Act,

- (a) “basic information service” means basic information service as defined in the regulations for the purposes of this Act;
- (b) “board” means a municipal board, intermunicipal library board, library system board, community board or federation board;
- (c) “community board” means a community library board established or continued under Part 3;
- (d) “community library” means a library established or continued under Part 3;
- (e) “council” means
 - (i) in the case of a city, town, municipal district, village, summer village or specialized municipality, the council;
 - (ii) in the case of a school authority, the board of trustees,
 - (iii) in the case of a Metis settlement, the settlement council,
 - (iv) in the case of an improvement district, the Minister responsible for the *Municipal Government Act*, or
 - (v) in the case of a special area, the Minister responsible for the *Special Areas Act*;
- (f) “federation board” means a federation board established under Part 4;
- (f.1) “intermunicipal library board” means an intermunicipal library board established under Part 1.1;
- (g) “library system” means a library system established, or a regional library continued, as a library system under Part 2;
- (h) “library system board” means a library system board under Part 2;

- (i) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;
- (j) “municipal board” means a municipal library board;
- (k) “municipal library” means a library that provides public library services under the control and management of a municipal library board or an intermunicipal library board;
- (l) “municipality” means municipality as defined in the *Municipal Government Act*;
- (m) “public library” means a municipal library, library system or community library;
- (n) “Public Library Rate” means the rate assessed and levied pursuant to section 11;
- (o) “school authority” means a school district, school division or regional division.

RSA 2000 cL-11 s1;2006 c5 s2

Part 1 Municipal Libraries

Application

2 This Part applies to every municipal library board maintained in whole or in part by property taxes and

- (a) established under this Part, or
- (b) continued under this Part.

RSA 2000 cL-11 s2;2006 c5 s3

Municipal board

3(1) The council of a municipality may, by bylaw, establish a municipal library board.

(2) The council shall forward a copy of a bylaw made under subsection (1) to the Minister.

(3) Repealed 2006 c5 s4.

(4) On being established, the municipal library board is a corporation and shall be known as “The (name of municipality) Library Board”.

(5) The boards of management of all public libraries to which Part 3 of the *Libraries Act*, RSA 1980 cL-12, applies are continued as municipal library boards under this Act.

RSA 2000 cL-11 s3;2006 c5 s4

Appointment

4(1) A municipal board shall consist of not fewer than 5 and not more than 10 members appointed by council.

(2) A person who is an employee of the municipal board is not eligible to be a member of that board.

(3) Not more than 2 members of council may be members of the municipal board.

(4) A member of the municipal board is eligible to be reappointed for only 2 additional consecutive terms of office, unless at least 2/3 of the whole council passes a resolution stating that the member may be reappointed as a member for more than 3 consecutive terms.

(5) Subject to subsection (6), appointments to the municipal board shall be for a term of up to 3 years.

(6) When appointments are made in respect of a first municipal board, council shall, as nearly as may be possible, appoint 1/3 of the members for a term of one year, 1/3 of the members for a term of 2 years and the remaining members for a term of 3 years.

(7) Notwithstanding this section, the term of office of a member continues until a member is appointed in that member's place.

1983 cL-12.1 s10;1998 c19 s5

Date of appointment

5(1) The appointments of the members of the municipal board shall be made on the date fixed by council.

(2) Any vacancy arising from any cause must be filled by council as soon as reasonably possible for council to do so.

1983 cL-12.1 s11

Validity of proceedings

6 No resolution, bylaw, proceeding or action of any kind of the municipal board may be held invalid or set aside for the reason that any person whose election to council has been judged invalid acted as a member of the board.

1983 cL-12.1 s12

Board duties

7 The municipal board, subject to any enactment that limits its authority, has full management and control of the municipal library and shall, in accordance with the regulations, organize, promote and maintain comprehensive and efficient library services in the municipality and may co-operate with other boards and libraries in the provision of those services.

1983 cL-12.1 s13

Budget

8(1) The municipal board shall before December 1 in each year prepare a budget and an estimate of the money required during the ensuing fiscal year to operate and manage the municipal library.

(2) The budget and the estimate of money shall be forthwith submitted to the council of the municipality.

(3) Council may approve the estimate under subsection (1) in whole or in part.

RSA 2000 cL-11 s8;2006 c5 s5

Accounts

9 The municipal board shall

- (a) keep accounts of its receipts, payments, credits and liabilities,
- (b) have a person who is not a member of the municipal board and whose qualifications are satisfactory to council review the accounts each calendar year and prepare a financial report in a form satisfactory to council, and
- (c) submit the financial report to council immediately after its completion.

RSA 2000 cL-11 s9;2006 c5 s6

Library building and equipment

10(1) When money is required for the purpose of acquiring real property for the purposes of a building to be used as a municipal library or for erecting, repairing, furnishing and equipping a building to be used as a municipal library, the council may, at the request of the municipal board, take all necessary steps to furnish the money requested or the portion of it that the council considers expedient.

(2) Money approved by the council under subsection (1) may be borrowed by the council under the authority of a bylaw and on the

security of debentures, which shall be termed "Public Library Debentures".

(3) The provisions of the *Municipal Government Act* or the *School Act*, as the case may be, governing

- (a) the passing of bylaws for borrowing money,
- (b) the issue and form of debentures, and
- (c) the assessment, levy and collection of money necessary to meet the indebtedness incurred by the issue of debentures,

apply to the borrowing of money under subsection (2).

1983 cL-12.1 s16

Dissolution, amalgamation or annexation of municipality

10.1(1) If the Lieutenant Governor in Council makes an order under the *Municipal Government Act* dissolving a municipality, that order is deemed to dissolve any municipal library board established by that municipality and to pass to the municipality, immediately prior to the dissolution of the municipality, all the rights, assets and liabilities of the municipal library board.

(2) When an amalgamation of municipal authorities has been initiated under Part 4 of the *Municipal Government Act* and no agreement can be reached among those municipal authorities regarding the rights, assets and liabilities of a municipal library board, the Lieutenant Governor in Council may, by order, dissolve the municipal library board and may make any order the Lieutenant Governor in Council considers appropriate in respect of the disposition of the rights, assets and liabilities of the municipal library board.

(3) When an annexation of land from one municipal authority to another municipal authority has been initiated under Part 4 of the *Municipal Government Act* and no agreement can be reached between the municipal authorities regarding the rights, assets and liabilities of a municipal library board established by the municipal authority from which the land is to be annexed, the Lieutenant Governor in Council may, by order, dissolve the municipal library board and may make any order the Lieutenant Governor in Council considers appropriate in respect of the disposition of the rights, assets and liabilities of the municipal library board.

2006 c5 s7

11 Repealed 2006 c5 s8.

Dissolution of board

12(1) If a municipal board fails to open a library to the public for a period of 2 years, the council may make an ex parte application to the Court of Queen's Bench for an order declaring the municipal board dissolved.

(2) The order dissolving the municipal board vests in the municipality all the property of the municipal board, and the council through its proper officers may take possession of the vested property and dispose of it in any manner it considers advisable.

1983 cL-12.1 s18

Part 1.1 Intermunicipal Library Boards

Definition

12.1 In this Part, "intermunicipal agreement" means an agreement under section 12.2.

2006 c5 s9

Intermunicipal library board

12.2(1) The council of a municipality may, by bylaw, authorize the municipality to enter into an agreement that meets the requirements of the regulations with one or two other municipalities respecting the establishment of an intermunicipal library board to provide library services to the residents of the municipalities.

(2) The council of each municipality that is a party to the agreement shall forward a copy of the bylaw and the agreement under subsection (1) to the Minister.

(3) On receipt of the bylaws and the agreement under subsection (2) the Minister may, by order, establish an intermunicipal library board.

(4) An intermunicipal library board established under subsection (3) is a corporation with the name set out in the Ministerial order.

2006 c5 s9

Members of board

12.3(1) An intermunicipal library board consists of the members appointed to the board in accordance with the intermunicipal agreement.

(2) A person who is an employee of an intermunicipal library board is not eligible to be a member of that board.

2006 c5 s9

Validity of proceedings

12.4 Where a person has acted as a member of an intermunicipal library board, no resolution, bylaw, proceeding or action of any kind of the intermunicipal library board may be held invalid or set aside for the reason that that person's election to the council of a municipality is invalid.

2006 c5 s9

Board duties

12.5 An intermunicipal library board, subject to any enactment that limits its authority, has full management and control of the municipal library established by the board and shall, in accordance with the regulations, organize, promote and maintain comprehensive and efficient library services in the municipalities that are the parties to the intermunicipal agreement respecting that board and may co-operate with other boards and libraries in the provision of those services.

2006 c5 s9

Budget

12.6 Each year an intermunicipal library board shall, before the date specified in the intermunicipal agreement respecting that board, submit to each municipality that is a party to the agreement a budget and an estimate of the money required during the ensuing fiscal year to operate and manage the intermunicipal library board, including the amounts to be paid by each municipality in accordance with the agreement.

2006 c5 s9

Accounts

12.7 An intermunicipal library board shall

- (a) keep accounts of its receipts, payments, credits and liabilities,
- (b) have a person who is not a member of the intermunicipal library board and whose qualifications are approved in accordance with the intermunicipal agreement respecting that board review the accounts each calendar year and prepare a financial report in the form required by the intermunicipal agreement, and

- (c) submit the financial report to the council of each municipality that is a party to the intermunicipal agreement immediately after its completion.

2006 c5 s9

Part 2 Library Systems

Library system

13 Subject to this Act and the regulations, a municipality, improvement district, special area, Metis settlement or school authority,

- (a) on entering into and becoming a party to an agreement that contains provisions on terms required by regulations, with one or more municipalities, improvement districts, special areas, Metis settlements or school authorities, and
- (b) on complying with the regulations,

may request the Minister to establish a library system.

1983 cL-12.1 s19;1998 c19 s7

Library system board

14(1) On receipt of a request referred to in section 13, the Minister may

- (a) establish a library system board, and
- (b) prescribe the boundaries of the library system,

and when the Minister does so the parties to the agreement described in section 13 become members of the library system.

(2) On being established, the library system board is a corporation and shall be known as “The (name of region) Library Board”.

(3) All boards of management of regional libraries under the *Libraries Act*, RSA 1980 cL-12, are continued as library system boards under this Act.

(4) The agreements referred to in section 13 that have been entered into under the *Libraries Act*, RSA 1980 cL-12, are continued under this Act, as modified by this Act.

1983 cL-12.1 s20

Joining an existing library system

15 A municipality, improvement district, special area, Metis settlement or school authority may, in accordance with the regulations, become a member of a library system by complying with the terms of the agreement referred to in section 13, becoming a party to the agreement and receiving the approval of the Minister.

1983 cL-12.1 s21;1998 c19 s8

Appointment

16 A library system board shall consist of

- (a) one member for each municipality, Metis settlement and school authority that is a member of the library system who is appointed by the council of the municipality, Metis settlement or school authority,
- (b) one member for each improvement district that is a member of the library system, who is appointed by the Minister responsible for the *Municipal Government Act*,
- (c) one member for each special area that is a member of the library system, who is appointed by the Minister responsible for the *Special Areas Act*, and
- (d) any additional members appointed in accordance with the regulations.

1983 cL-12.1 s22;1998 c19 s9

System board duties

17 The library system board, subject to any enactment that limits its authority and the agreement described in section 13, has full management and control of the library system and shall, in accordance with the regulations and in co-operation with other boards, organize, promote and maintain comprehensive and efficient library services and may

- (a) borrow from time to time for the purpose of defraying its operating expenses an amount not exceeding 50% of the amount expended by it during its immediately preceding fiscal year;
- (b) fix fees for the use of library services by residents of a municipality within the boundaries of the library system that does not receive library services from the library system board.

1983 cL-12.1 s23

Budget

18(1) The library system board shall, on or before a date specified by each municipality, improvement district, special area and school authority that is a party to the agreement described in section 13, submit to each of them a budget and an estimate of the money required during the ensuing fiscal year to operate and manage the library system, including the amounts to be paid by each of them.

(2) Budget approval and compliance with the amounts to be paid by each party to the agreement described in section 13 shall be in accordance with the terms of that agreement.

1983 cL-12.1 s24

Restriction of authority

19 Notwithstanding this Part, if a municipal library has been established in a municipality and is receiving library services from the library system board, the authority of the library system board and the municipal library board or intermunicipal library board is limited by the terms of any agreement described in section 12.2 or 13.

RSA 2000 cL-11 s19;2006 c5 s10

Establishment and capital grants

20 A municipality, improvement district, special area or school authority may grant money for capital works requirements and grant money to establish a library system.

1983 cL-12.1 s26

Annual grants

21(1) If an improvement district or a special area is a party to an agreement described in section 13,

- (a) the Minister responsible for the *Municipal Government Act*, in the case of an improvement district, or
- (b) the Minister responsible for the *Special Areas Act*, in the case of a special area,

may, in addition to all other rates and assessments assessed and levied for the purposes of an improvement district or special area, assess and levy from year to year a special annual rate on the assessed value of all property liable to taxation in the improvement district or special area for the purposes of the library system board and shall, on behalf of the improvement district or special area, make an annual grant, from the money derived from the special annual rate, to the library system board with respect to its budget under section 18.

(2) If a school authority is a party to an agreement described in section 13, the school authority may make an annual grant to the library system board with respect to its budget under section 18.

1983 cL-12.1 s27

Withdrawal from the library system agreements

22 At any time after the expiration of 3 years from the date that the party entered into the agreement, a party to an agreement described in section 13 may, by giving 12 months' notice, withdraw from the agreement.

1983 cL-12.1 s28

Dissolution of a library system board

23(1) If a library system board fails to provide library services in accordance with the regulations for 2 years, the majority of the parties to the agreement described in section 13 may join in making an application to the Court of Queen's Bench for an order declaring the library system board dissolved.

(2) The Court, in the order dissolving the board, shall vest the property of the library system board in the Minister or in the councils of the parties to the agreement described in section 13 severally or in common as it considers just, or make any other disposition of the property that it considers just in the circumstances and the Minister and the councils may then take possession of the property and dispose of it as considered advisable by them, in accordance with any terms or conditions in the order.

1983 cL-12.1 s29

Borrowing for library system boards

24 A municipality or a school authority that is a party to an agreement described in section 13 may, with the approval of the Minister, borrow money to acquire real property for the purposes of a building to be used as the headquarters of a library system or for erecting, repairing, furnishing and equipping a building to be used as the headquarters of a library system, and section 10(2) and (3) apply to the borrowing of the money.

1983 cL-12.1 s30

Part 3 Community Libraries

Community library

25 In any area, other than a municipality, where library services are not provided by a library system board, any association of persons, whether incorporated or not, may apply to the Minister to

be established as a community library board and to be authorized to provide library services to the public in that area.

1983 cL-12.1 s31

Community library board

26(1) The Minister may establish a community library board and prescribe the boundaries of the community library.

(2) On being established, a community library board is a corporation and shall be known as “The (name of the library) Community Library Board”.

(3) All community library boards under the *Libraries Act, RSA 1980 cL-12*, are continued as community library boards under this Act.

(4) The members of the community board shall be appointed in the manner and on the conditions prescribed by the Minister.

1983 cL-12.1 s32;1998 c19 s10

Community board duties

27 The community board, subject to any enactment that limits its authority, has full management and control of the community library and may

- (a) provide library services within the boundaries of the community library in accordance with the regulations, and
- (b) raise funds for the support of the community library, including the fixing of an annual membership fee.

1983 cL-12.1 s33

Dissolution of board

28 On the formation of a library system board, a municipal library board or an intermunicipal library board in an area where a community board is authorized to provide library services, the Minister may order that a community board be dissolved and dispose of its property in consultation with the persons who were the members of the dissolved community board.

RSA 2000 cL-11 s28;2006 c5 s11

Part 4 Federations

Forming a federation board

29(1) Two or more municipal boards, on entering into an agreement that meets the requirements of this Act and the

regulations, may request the Minister to establish a federation board.

- (2)** An agreement described in subsection (1) must include
 - (a) either The City of Calgary Library Board or The City of Edmonton Library Board as a party to the agreement;
 - (b) provisions on establishing a plan for the co-operative provision of library services among the parties to the agreement;
 - (c) provisions respecting the amount or portion of federation board expenses that each party to the agreement is responsible for.
- (3)** On receipt of a request under subsection (1), the Minister may
 - (a) establish a federation board, and
 - (b) name the federation board.
- (4)** On being established, a federation board is a corporation that consists of one person selected by each of the parties to the agreement described in subsection (1).
- (5)** A municipal board may join an existing federation board if
 - (a) that municipal board applies for membership in the federation board,
 - (b) that municipal board meets the requirements of this Act and the regulations,
 - (c) that municipal board enters into an agreement with the federation board for membership and becomes a party to the agreement described in subsection (1),
 - (d) the members of the federation board make any necessary amendments to the agreement described in subsection (1), and
 - (e) the Minister approves the agreement referred to in clause (c), the amendments referred to in clause (d) and the municipal board's becoming a party to the agreement described in subsection (1).
- (6)** The Minister may order that a federation board be dissolved and dispose of its property in consultation with the members of the federation board when it is dissolved.

Operating a federation board

30(1) A federation board must

- (a) facilitate the enhancement of library services offered by its members to the public, and
- (b) encourage its members to co-operate with each other in the provision of library services to the public.

(2) A federation board may not borrow money for payment of its operating expenses in an amount that exceeds 50% of the money it spent on its operating expenses in the immediately preceding fiscal year.

(3) Each municipal board that is a party to an agreement referred to in section 29(1) must appoint one of its members to represent it at meetings of the federation board.

(4) A representative under subsection (3) may serve a term of up to 3 years.

(5) A federation board must prepare a budget prior to December 1 of each year for the next fiscal year.

(6) The fiscal year of a federation board is the same as the fiscal year of a municipality under the *Municipal Government Act*.

1998 c19 s12

Part 5 General

Board member disqualification

31(1) A person is disqualified from remaining a member of a board if the person fails to attend, without being authorized by a resolution of the board to do so, 3 consecutive regular meetings of the board.

(2) If a member of a board is disqualified from remaining a member under subsection (1), the person is deemed to have resigned the person's seat on the board.

1983 cL-12.1 s35

Chair of board

32 A board shall elect a chair and any other officers it considers necessary from among its members.

1983 cL-12.1 s36

Meetings

33(1) A board shall meet at least once every 4 months and at any other times it considers necessary.

(2) If the regulations require a library system board to have an executive, that executive must meet at least once every 3 months and at any other times it considers necessary.

1983 cL-12.1 s37;1998 c19 s13

Record of meetings

34(1) All minutes, resolutions and bylaws of a board shall be entered in books to be kept by it for that purpose and the books shall be signed by the chair or acting chair.

(2) The minutes, resolutions and bylaws entered in books and purporting to be signed under subsection (1) are deemed to be original minutes, resolutions and bylaws, and the books shall be admitted in evidence as proof in all judicial and other proceedings without proof of the signature or official character of the person purporting to have signed them.

1983 cL-12.1 s38

Library agreements

35 With the consent in writing of the Minister, a board in a municipal district may enter into agreements with any other municipal board or intermunicipal library board relating to the provision of library services to the residents of that municipal district.

RSA 2000 cL-11 s35;2006 c5 s12

Safety and use of library facilities

36(1) A board may pass bylaws for the safety and use of the library, including

- (a) the terms and conditions under which
 - (i) the public may be admitted to the building,
 - (ii) public library property may be used or borrowed by members of the public, and
 - (iii) borrowing privileges may be suspended or forfeited;
- (b) notwithstanding subsection (3), fees to be paid by members of the public for
 - (i) the issuance of library borrowing cards,

- (ii) the use of those parts of the building not used for the purposes of the public library,
 - (iii) photocopying,
 - (iv) receiving information in a printed, electronic, magnetic or other format, and
 - (v) receiving, on request, a library service not normally provided by a public library;
- (c) penalties to be paid by members of the public for abuse of borrowing privileges.

(2) The *Regulations Act* does not apply to bylaws passed under subsection (1).

(3) A bylaw or part of a bylaw that requires a member of the public to pay a fee or charge for any of the following is invalid:

- (a) admittance to any portion of a building used for public library purposes;
- (b) using library resources on library premises;
- (c) borrowing library resources, in any format, normally lent by the library;
- (d) acquiring library resources through inter-library loan;
- (e) consultation with members of the library staff;
- (f) receiving basic information service.

1983 cL-12.1 s40;1998 c19 s14

Bylaw transmission

37(1) A municipal library board, on passing a bylaw under section 36, shall forthwith forward a copy of the bylaw to the council of the municipality.

(2) An intermunicipal library board, on passing a bylaw under section 36, shall forthwith forward a copy of the bylaw to the council of each municipality that is a party to the intermunicipal agreement respecting that board.

RSA 2000 cL-11 s37;2006 c5 s13

Bylaw invalidated

38 The council of a municipality may disallow a bylaw passed by a municipal board it has appointed.

1983 cL-12.1 s42

Authorization to inspect

39(1) The Minister or a person authorized in writing by the Minister may, during regular business hours, inspect the books, records and accounts of a board.

(2) A person authorized under subsection (1) shall, while inspecting the books, records or accounts of a board, carry identification in the prescribed form and present it on request.

1983 cL-12.1 s43

Regulations

40 The Minister may make regulations

- (a) respecting the establishment, maintenance, operation and management of public libraries;
- (b) respecting the acquisition, provision, management, maintenance and disposition of library materials and facilities by public libraries;
- (c) respecting the planning for, and provision and management of, library services;
- (d) governing the filing, by boards, of returns and reports, and their contents;
- (e) respecting the inspection of public libraries;
- (f) prescribing the form of identification for persons authorized to inspect public libraries;
- (g) providing for the making of any surveys by boards that the Minister considers necessary or advisable for the purpose of obtaining information to assist in the formulation of policies respecting matters to which this Act relates;
- (g.1) governing the matters required to be dealt with in agreements described in section 12.2;
- (h) prescribing conditions to be complied with by any municipality, Metis settlement or school authority prior to its association with a library system;
- (i) governing the matters required to be dealt with in agreements described in section 13 and the requirements and procedure to establish or expand a library system;
- (j) respecting the disposition and transfer of library assets by municipal boards desirous of disposing of them to library

system boards on entering into agreements described in section 13;

- (j.1) respecting the dissolution of intermunicipal library boards;
- (k) subject to section 16, governing appointments to library system boards and the terms of office of their members;
- (l) respecting requirements for establishing a federation board and for membership in a federation board;
- (m) defining basic information service for the purposes of this Act.

RSA 2000 cL-11 s40;2006 c5 s14

Offence

41(1) Any person who wilfully contravenes any bylaw under section 36 is guilty of an offence.

(2) A person who wilfully retains any book, record, film or other library property from any public library established and conducted under the authority of this Act is guilty of an offence.

(3) A person who obstructs the Minister or a person authorized in writing by the Minister to act on the Minister's behalf in the inspection of the records of a public library is guilty of an offence.

1983 cL-12.1 s45

Disposition of fines

42(1) Any fine or penalty imposed pursuant to an offence under section 41(1) inures to the benefit of the board whose bylaw was contravened.

(2) Any fine or penalty imposed pursuant to an offence under section 41(2) inures to the board having the management or control of the property in respect of which the offence was committed.

1983 cL-12.1 s46



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LIBRARIES ACT

LIBRARIES REGULATION

Alberta Regulation 141/1998

With amendments up to and including Alberta Regulation 180/2013

Office Consolidation

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Note

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

(Consolidated up to 180/2013)

ALBERTA REGULATION 141/98

Libraries Act

LIBRARIES REGULATION

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Schedule

Definitions

1 In this Regulation,

- (a) “Act” means the *Libraries Act*;
- (b) “Deputy Minister” means the Deputy Minister of Municipal Affairs;
- (b.1) “intermunicipal agreement” means an intermunicipal agreement under section 12.2 of the Act;
- (c) “library resources” means any material, regardless of format, that is held in a library’s collection and includes books, periodicals, audio recordings, video recordings, projected media, paintings, drawings, photographs, micromaterials, toys and games, kits, CD-ROMs and electronic databases;
- (d) “library service point” means a facility that provides public library services under the control and management of a board;
- (e) “resource sharing” means making available to other libraries the library resources owned by a board, the information contained in those resources and the staff expertise required to locate and make available the information or the library resources.

AR 141/98 s1;172/2007;68/2008

Definition for Act

2 For the purposes of the Act, “basic information service” means public access to current and accurate information and assistance with making use of information, communication technology and library resources.

Part 1 Boards Generally

Reports of by-laws

3 Every board shall, within one year of being established, file with the Minister a report that contains any by-laws passed by it under section 36 of the Act and shall file further reports on any additional by-laws immediately after their passage.

AR 141/98 s3;251/2001

Reports of policies

4(1) Subject to subsection (2), every board shall file with the Minister a report that contains the policies established by it under section 7.

(2) A report under subsection (1) shall be filed

- (a) by a community board immediately after establishing the policies,
- (b) by a municipal board or intermunicipal library board within 2 years of the board's establishment, and
- (c) by a library system board or a federation board, within 3 years of the board's establishment.

(3) When a board revises any policy established by it under section 7, the board shall immediately file with the Minister a report of the revision.

AR 141/98 s4;172/2007

Meetings open to public

5(1) Every meeting of a board is open to the public.

(2) A person or group may make representations to a board at its meeting if the representations relate to the board and its programs.

Public inspection of by-laws

6(1) Every board that operates a library service point shall make its by-laws available for inspection by any person during the hours that the library service point is open to the public.

(2) A person who inspects a by-law under subsection (1) may copy it according to the conditions and procedures established by the board.

Policies

7(1) Subject to section 36 of the Act, every board shall establish policies with respect to the following:

- (a) confidentiality of user records, except where disclosure is required by law;
- (b) orientation and continuing education of board members and staff, including expenses for attendance at library meetings, conference workshops and courses and for memberships in library associations;

- (c) finance, including designation of expenses for which board members and staff will be reimbursed, the form and manner in which those expenses shall be claimed and the appointment of signing officers for the board.

(2) Every board that operates a library service point shall, in addition to establishing policies under subsection (1), establish policies with respect to the following:

- (a) personnel, including job descriptions and performance appraisals for employees and volunteers, qualifications for staff positions, working hours, conditions of employment and a grievance procedure;
- (b) selection, acquisition, purchase and disposition of library resources, including a policy respecting gifts and donations;
- (c) resource sharing, including participation in a provincial resource sharing network and the conditions that apply to the acquisition of library resources and information from other sources, including inter-library loans and information in electronic databases;
- (d) provision of library resources to persons unable to use conventional print resources, including provision in co-operation with community agencies;
- (e) the terms and conditions under which library resources will be loaned to members of the library for use in a location other than the library;
- (f) hours of service at each library service point;
- (g) the terms and conditions for use of any areas of a building managed by the board that are not normally used for library purposes, including who may use those areas.

(3) A library system board shall also establish a policy with respect to the provision of municipal library services to any member municipality that does not have a municipal board and shall ensure that by-laws under section 3 and policies under subsections (1) and (2) apply to those library services.

AR 141/98 s7;251/2001

Some types of inspections

8 Without limiting the generality of section 39 of the Act, the Minister or a person authorized by the Minister may inspect the books, records and accounts of a board

- (a) to determine the extent to which a board is meeting the requirement to provide comprehensive and efficient service as defined by that board,
- (b) to determine compliance with the *Libraries Act* and the regulations under the Act,
- (c) to determine the adequacy of accounting practices and financial controls,
- (d) to determine the use to which provincial grants are put, and
- (e) to assist a board in periodic reviews of its administrative practices, policies, library collections and any other matters on which a board may request advice.

AR 141/98 s8;251/2001

Identification of inspector

9 Any person authorized by the Minister to inspect pursuant to section 39 of the Act

- (a) shall carry an identification card bearing that person's photograph, name, position and the signature of the Deputy Minister, or
- (b) shall carry an identification card bearing that person's photograph, name and position and shall also carry written authorization from the Minister to do the inspection.

AR 141/98 s9;251/2001

Part 2 Community Boards

Functions

10 In managing and controlling a community library, a community board may

- (a) assemble, make available, promote, preserve and dispose of organized collections of library resources that, in the opinion of the community board, are needed to meet the needs and interests of the community,
- (b) provide staff with the knowledge and ability to help library users find the ideas, information and resources to meet their interests,

- (c) initiate and promote information services, program events, exhibits and other informational activities related to its goals and objectives, and
- (d) provide fixtures, furnishings and accommodation necessary for proper operation and maintenance of the library services and do all things necessary to keep its assets in a proper state of preservation and repair.

Report to Minister

11 A community board shall annually complete and file with the Minister a report in a form and containing the information required by the Minister.

Minutes to be filed upon request

12 The Deputy Minister may, by written request, require a community board to file copies of the minutes of each of its meetings with the Deputy Minister for the purpose of determining if the community board is complying with the Act and this Regulation.

Part 3 Municipal Boards and Intermunicipal Library Boards

Plan of service

13(1) In managing and controlling a municipal library, a municipal board or intermunicipal library board shall

- (a) within 3 years of being established, develop and file with the Minister a plan of service with a mission statement and goals and objectives based on a needs assessment of the municipality or municipalities served by the board, and
- (b) annually review its plan of service.

(2) A municipal board or intermunicipal library board shall file with the Minister a copy of its current plan of service with goals and objectives not less frequently than every 5 years following the date on which the plan was previously filed with the Minister.

AR 141/98 s13;193/2003;172/2007

Employment of professional librarian

14(1) Subject to subsection (3), the following shall, within 2 years of completing a plan of service under section 13(1)(a), employ a

graduate of a postgraduate library program in Canada or a person with equivalent qualifications from another country:

- (a) a municipal board of any municipality with a population of 10 000 or more;
- (b) an intermunicipal library board that serves municipalities with a total population of 10 000 or more.

(2) Repealed AR 193/2003 s3.

(3) This section does not apply to any municipal board or intermunicipal library board that

- (a) does not operate a library service point, and
- (b) has an agreement under section 35 of the Act with another municipal board or intermunicipal library board that employs a person referred to in subsection (1).

AR 141/98 s14;251/2001;193/2003;172/2007

Report to Minister

15 A municipal board or intermunicipal library board shall annually complete and file with the Minister a report in a form and containing the information required by the Minister.

AR 141/98 s15;172/2007

Requests by Deputy Minister

16 The Deputy Minister may, by written request, require a municipal board or intermunicipal library board

- (a) to file copies of the minutes of each of its meetings with the Deputy Minister for the purpose of determining if the board is complying with the Act and this Regulation;
- (b) to make any survey that the Minister considers necessary
 - (i) to obtain information on resource sharing, or
 - (ii) to assist in the development of policies and procedures regarding networking between libraries.

AR 141/98 s16;172/2007

When municipal library may be in a school

17 A municipal board or intermunicipal library board shall not operate a library housed in a school unless

- (a) the board enters into an agreement with the school authority that sets out the responsibilities of the board and

the school authority for the operation of the library, including the responsibilities of the employees and volunteers of both,

- (b) the board has its own bank account and signing officers, none of whom are employees of the school authority, and
- (c) the library is open to the public outside of the hours during which the school is in operation for regular classes, including being open during evenings or weekends or both, and during the summer.

AR 141/98 s17;172/2007

Contents of intermunicipal agreement

17.1 An intermunicipal agreement shall, at a minimum, contain the following:

- (a) a formal indication of each municipality's desire to enter into the intermunicipal agreement;
- (b) a starting date for the intermunicipal agreement;
- (c) provision for a third municipality to become a party to the intermunicipal agreement after the starting date if only 2 municipalities enter into the intermunicipal agreement initially;
- (d) provision for the appointment of not more than 10 and not fewer than 7 members to the intermunicipal library board, with a requirement that only one member of council from each municipality that is a party to the agreement may be appointed as a member to the intermunicipal library board;
- (e) terms respecting the terms of appointment of the members of the intermunicipal library board;
- (f) the annual date by which the intermunicipal library board must submit a budget and an estimate of the money required during the ensuing fiscal year to each municipality that is a party to the intermunicipal agreement;
- (g) terms specifying how the intermunicipal library board must calculate the estimate of the money required during the ensuing fiscal year and each municipality's share of that money, the date on which payment of the money becomes due from each municipality, and how the money is to be paid;

- (h) terms specifying the form of the financial report to be prepared under section 12.7 of the Act and setting out a process for the approval of the qualifications of the person who will review the accounts of the intermunicipal library board and prepare the financial report;
- (i) terms governing the process for amending and terminating the intermunicipal agreement;
- (j) details of the assets and liabilities that each municipality that is a party to the intermunicipal agreement will transfer to the intermunicipal library board on the formation of the board;
- (k) where the intermunicipal agreement is an agreement between 3 municipalities, terms respecting the transfer of assets and liabilities of the intermunicipal library board in the event that one of the 3 municipalities withdraws from the agreement;
- (l) a procedure to be used to resolve or attempt to resolve any conflict between the municipalities that are parties to the intermunicipal agreement;
- (m) terms respecting the notice that a municipality must give to the intermunicipal library board and to the other municipalities that are parties to the intermunicipal agreement before making an application under section 17.2.

AR 172/2007 s10

Dissolution of intermunicipal library board

17.2(1) The council of a municipality that is a party to an intermunicipal agreement may, by bylaw, authorize the municipality to apply to the Minister to dissolve the intermunicipal library board.

(2) An application to the Minister to dissolve an intermunicipal library board must contain a proposed winding-up plan that addresses the transfer of all of the assets and liabilities of the intermunicipal library board.

(3) If complete applications to dissolve an intermunicipal library board are received

- (a) from one or both municipalities that are parties to an intermunicipal agreement that is between 2 municipalities, or

- (b) from 2 or 3 municipalities that are parties to the intermunicipal agreement that is between 3 municipalities,

the Minister may, by order, dissolve the intermunicipal library board and transfer the assets and liabilities of the intermunicipal library board in accordance with the proposed winding-up plan or in any other manner the Minister considers appropriate if the municipalities cannot agree as to how the assets and liabilities should be distributed.

AR 172/2007 s10

Part 4

Library System Boards

Plan of service

18(1) In managing and controlling a library system, a library system board shall, within 4 years of being established, develop and file with the Minister a plan of service with a mission statement and goals and objectives based on an assessment of

- (a) the needs of the municipal boards and intermunicipal library boards within the library system,
- (b) the library needs of those school authorities that are parties to an agreement referred to in section 13 of the Act, and
- (c) the need for public library service generally.

(2) A library system board shall review and file with the Minister a copy of its plan of service with goals and objectives every 3 years following the date on which the plan was previously filed with the Minister.

(3) In developing a plan of service under this section, a library system board shall establish and include procedures to address the following:

- (a) co-operation with municipal boards and intermunicipal library boards to assemble, make available, promote, preserve and dispose of organized collections of library resources to meet the needs and interests of the communities served;
- (b) employment of suitably qualified staff, with the knowledge and ability to help municipal boards and intermunicipal library boards and their employees to provide comprehensive and efficient library service as well as to operate the library system;

- (c) co-operation with municipal boards, intermunicipal library boards and other groups in the communities that it serves in the initiation and provision of information services, program events and other activities related to its goals and objectives;
- (d) provision of fixtures, furnishings and accommodation necessary for proper operation and maintenance of the library services and maintenance of the assets of the library system board in a proper state of preservation and repair;
- (e) the development, implementation and operation of a provincial resource sharing network in partnership with the Minister and other library system boards.

AR 141/98 s18;251/2001;193/2003;172/2007

Employment of professional librarians

19(1) A library system board shall employ, for every 25 000 persons that it serves, a graduate of a postgraduate library program in Canada or a person with equivalent qualifications from another country.

(2) A calculation under subsection (1) of the number of persons that a library system board serves shall exclude the population of any municipality in which a municipal board or intermunicipal library board employs a person under section 14.

AR 141/98 s19;172/2007

Reports to Minister

20(1) A library system board shall annually complete and file with the Minister a report in a form and containing the information required by the Minister with respect to

- (a) the library system board, and
- (b) each library service point as specified by the Minister.

(2) A library system board shall file with the Minister a report containing its minutes and resolutions as soon as practicable after each meeting of the board.

Requests by Deputy Minister

21 The Deputy Minister may, by written request, require a library system board

- (a) to make any survey that the Minister considers necessary

- (i) to obtain information on resource sharing, or
 - (ii) to assist in the development of policies and procedures regarding networking between libraries;
- (b) to provide any information that the Minister considers necessary to undertake a systematic review of library services within the library system.

Part 5 Completion of Library Systems

Definitions

22 In this Part,

- (a) “agreement” means an agreement referred to in section 13 of the Act;
- (b) “jurisdiction” means a municipality, an improvement district, a special area or a Metis settlement;
- (c) “resource centre” means a municipal library within a library system that the library system board designates as a resource centre.

AR 141/98 s22;251/2001

Library system membership

23 A jurisdiction or school authority shall not request the Minister to establish a library system under section 13 of the Act unless a minimum of 75% of the parties to the agreement are jurisdictions.

AR 141/98 s23;251/2001

Resolutions before membership

24(1) Before a jurisdiction that is not a party to an intermunicipal agreement becomes a member of a library system,

- (a) the municipal board in the jurisdiction shall pass a resolution accepting service from the library system board and providing its recommendations to the jurisdiction’s council with respect to the agreement, and
- (b) the jurisdiction’s council shall pass a resolution assenting to the agreement.

(1.1) Before a jurisdiction that is a party to an intermunicipal agreement becomes a member of a library system,

- (a) the intermunicipal library board established by the intermunicipal agreement shall pass a resolution accepting service from the library system board for that jurisdiction and providing its recommendations to the council of each jurisdiction that is a party to the intermunicipal agreement with respect to the agreement, and
- (b) the jurisdiction's council shall pass a resolution assenting to the agreement.

(2) Before a school authority becomes a member of a library system, it shall pass a resolution accepting service from the library system board on the terms and conditions prescribed by that board.

AR 141/98 s24;172/2007

Contents of agreement

25(1) An agreement shall at a minimum contain the following terms:

- (a) a formal indication of the parties' desire to enter into an agreement;
- (b) a starting date for the agreement;
- (c) provision for parties to become members of the library system after the starting date;
- (d) terms setting out the powers and duties of the library system board;
- (e) provision for the establishment of an executive committee of not more than 10 persons when the number of members of the library system board is more than 20, and a statement of the powers and duties of that committee;
- (f) terms specifying how to calculate the estimate of the money required under section 18 of the Act, the date on which payment of the money becomes due and how the money is to be paid;
- (g) an explanation of the financial relationship between the library system board and the parties to the agreement;
- (h) an explanation of the financial relationship between the library system board and the municipal boards and intermunicipal library boards;
- (i) terms setting out the services that the library system board will provide, including a commitment to make all library

resources acquired by the board available to all residents served by the library system;

- (j) an explanation of the relationship between the library system board, the municipal boards, the intermunicipal library boards and the board of the resource centre respecting the provision of library services, subject to section 19 of the Act;
- (k) provision for expansion of the library system to all jurisdictions within the prescribed boundaries;
- (l) terms specifying the reports required by the library system board from municipal boards, intermunicipal library boards and advisory committees and the reports to be provided by the library system board to the councils;
- (m) terms governing the method for amendment, extension and renewal of the agreement.

(2) An agreement shall be signed by the persons authorized by the councils to enter into the agreement and by the chairs of municipal boards and intermunicipal library boards where they exist.

(3) to (5) Repealed AR 180/2013 s2.

AR 141/98 s25;251/2001;193/2003;172/2007;180/2013

Notice of withdrawal

26 If a party to an agreement gives notice of withdrawal under section 22 of the Act, the library system board

- (a) shall, not later than 90 days prior to the effective date of withdrawal, provide to that party's council and municipal board or intermunicipal library board, if any, a written appraisal of the expected effects of that withdrawal on the provision of library services to the residents of that jurisdiction or school authority, and
- (b) may request a review by that party's council and municipal board or intermunicipal library board, if any, of the notice of withdrawal.

AR 141/98 s26;251/2001;172/2007

Request to Minister

27(1) A jurisdiction or school authority that wants to become a member of an existing library system shall forward to the Minister a request to that effect.

(2) Section 23 applies to an application under this section.

(3) The Minister shall not approve an application to join an existing library system unless a minimum of 75% of the parties to the agreement are jurisdictions.

Mergers

28(1) Two or more library system boards may apply to the Minister for a merger of their library systems into a single library system if at least 51% of the parties to each agreement, representing at least 51% of the population of each library system, have passed a resolution approving the proposed merger.

(2) An application under subsection (1)

- (a) shall be submitted not less than 60 days prior to the date on which the proposed merger is planned to take effect, and
- (b) shall be accompanied with the following:
 - (i) a proposed agreement to effect the merger;
 - (ii) a budget for the next fiscal year of the proposed library system;
 - (iii) a plan of service with goals and objectives for the proposed library system;
 - (iv) any recommendation for revision of boundaries.

Personal property of municipal board

29 All personal property of a municipal board or intermunicipal library board on the date on which a council signs an agreement affecting that board remains the property of the municipal board or intermunicipal library board unless

- (a) the municipal board or intermunicipal library board agrees, by resolution of a 2/3 majority of its membership, to transfer its assets to the library system board, or
- (b) in the case of library resources, the municipal board or intermunicipal library board agrees, by resolution, to transfer its library resources to the library system board for use elsewhere in the library system or for disposal.

AR 141/98 s29;172/2007

Real property of library system board

30 A library system board may not hold or own real property unless it is required for the purposes of administering the library system or for distribution of library resources.

Advisory committee

31(1) A member of a library system board who is appointed by the council of a jurisdiction that does not have a municipal board or intermunicipal library board shall receive any concerns respecting library service to that jurisdiction's residents from an advisory committee appointed by the council to transmit those concerns.

(2) If a council does not appoint an advisory committee, the library system board may appoint an advisory committee to act under subsection (1).

AR 141/98 s31;172/2007

Library system board members

32(1) When a library system board is established, it shall prepare a list that names every library system board member appointed by the councils that have signed the agreement.

(2) An appointment under section 16(a) of the Act shall not exceed a term of 3 years.

(3) A council of a municipality, Metis settlement or school authority shall not appoint a member under section 16(a) of the Act to serve for more than 9 consecutive years without the approval of 2/3 of all the members of that council.

(4) Any vacancy in the membership of a library system board shall be filled in accordance with section 16 of the Act as soon as reasonably possible.

(5) Subject to subsections (4) and (6), a council may, with respect to appointments under section 16(a) of the Act, appoint an alternate member to the library system board if its library system board member

- (a) is unable to attend a meeting of the library system board, and
- (b) has given notice to the library system board that an alternate member will attend.

(6) The alternate member shall not act in place of the library system board member at more than 2 consecutive meetings except by resolution of the library system board.

AR 141/98 s32;251/2001

Appointment of additional members

33(1) The Minister may, for terms determined by the Minister, appoint pursuant to section 16(d) of the Act additional members to a library system board if the Minister considers it necessary for the effective management of the board.

(2) The board of a resource centre may, pursuant to section 16(d) of the Act, appoint one additional member to the library system board for a term not exceeding 3 years.

AR 141/98 s33;251/2001

Library system boundaries

34(1) For the purposes of section 14(1)(b) of the Act, the boundaries of each library system are as set out in the Schedule to this Regulation.

(2) Notwithstanding the Schedule, the municipalities of Grande Cache and Swan Hills may join either the Peace or Yellowhead library systems.

AR 141/98 s34;282/99;251/2001

Provincial resource sharing network

35 Every jurisdiction and school authority that is a member of a library system shall, for the purpose of managing its library services or public libraries, meet the requirements of the provincial resource sharing network.

Part 6 Federation Boards

Definition

36 In this Part, “agreement” means an agreement referred to in section 29 of the Act.

AR 141/98 s36;251/2001

Eligible municipal boards

37(1) The municipal boards of Strathcona County, St. Albert or Fort Saskatchewan may form a federation board with The City of Edmonton Library Board.

(2) The municipal board of Airdrie may form a federation board with The City of Calgary Library Board.

Resolution before membership

38 Before becoming a member of a federation board, a municipal board shall pass a resolution accepting service from the federation board according to the agreement.

Documents for Minister's approval

39(1) Before an agreement is entered into, the municipal boards that propose to form a federation board shall provide the following documents to the Minister:

- (a) written resolutions from 2 or more municipal boards, one of which must be either The City of Calgary Library Board or The City of Edmonton Library Board, that endorse the formation of a federation board and signify assent to the terms of the proposed agreement;
- (b) a plan of service with goals and objectives for the proposed federation board;
- (c) a budget for the first 2 fiscal years of the proposed federation board.

(2) Each document referred to in subsection (1) must be approved by the municipal boards not more than 90 days before being provided to the Minister.

(3) On receiving approval from the Minister of the documents provided under subsection (1), municipal boards that enter into an agreement may proceed with a request to the Minister under section 29(1) of the Act to establish a federation board.

(4) A request under section 29(1) of the Act shall be accompanied with the following:

- (a) a copy of the agreement signed by each party;
- (b) a list of the names, addresses and telephone numbers of each party's board members.

AR 141/98 s39;251/2001

Contents of agreement

40(1) An agreement shall at a minimum contain the following terms:

- (a) a formal indication of the parties' desire to enter into an agreement;
- (b) a starting date for the agreement;

- (c) provision for parties to become members of the federation board after the starting date;
- (d) terms setting out the powers and duties of the federation board;
- (e) an explanation of the relationship between the federation board and each member respecting the manner in which the relationship will operate and how library services will be provided;
- (f) terms specifying how to calculate each party's share of the federation board expenses under section 29(2)(c) of the Act, the date on which payment of the money becomes due and how the money is to be paid;
- (g) an explanation of the financial relationship between the federation board and the parties to the agreement;
- (h) terms setting out the services that the federation board will provide, including a commitment to make all library resources acquired by the board available to all residents served by the members of the federation board;
- (i) terms specifying the reports that are required to be provided to each other by the federation board and the municipal boards;
- (j) terms governing the method for amendment, extension and renewal of the agreement.

(2) An agreement shall be signed by the persons authorized by the municipal boards to enter into the agreement.

AR 141/98 s40;251/2001

Personal property of municipal board

41 All personal property of a municipal board on the date on which it enters into an agreement remains the property of the municipal board.

Real property

42 A federation board may not own or hold real property.

Federation board members

43(1) When a federation board is established, it shall prepare a list that names every federation board member appointed by each party to the agreement.

- (2) Any vacancy arising from any cause in the membership of a federation board shall be filled in accordance with section 30 of the Act as soon as reasonably possible.
- (3) Subject to subsection (2), a municipal board may, with respect to appointments under section 30 of the Act, appoint an alternate member to the federation board if its federation board member
- (a) is unable to attend a meeting of the federation board, and
 - (b) has given notice to the federation board that an alternate member will attend.

AR 141/98 s43;251/2001

Plan of service

44(1) In managing and controlling a federation, a federation board shall, within 4 years of being established, prepare and file with the Minister a report that

- (a) assesses the needs of its member municipal boards for federation services,
- (b) assesses the need for public library service generally, and
- (c) develops goals and objectives suitable to meeting those needs.

(2) A federation board shall review at least every 3 years the goals and objectives developed under subsection (1).

(3) A federation board

- (a) shall, within one year of filing its report under subsection (1), develop and file with the Minister a plan for comprehensive and efficient service that implements the goals and objectives developed under subsection (1), and
- (b) shall review and file with the Minister a copy of its plan under clause (a) not less frequently than every 5 years and not more frequently than every 3 years following the date on which the plan was previously filed with the Minister.

Reports to Minister

45 A federation board shall

- (a) annually complete and file with the Minister a report in a form and containing the information required by the Minister, and

- (b) file with the Minister a report containing its minutes and resolutions as soon as practicable after each meeting of the board.

Requests by Deputy Minister

46 The Deputy Minister may, by written request, require a federation board

- (a) to make any survey that the Minister considers necessary
 - (i) to obtain information on resource sharing, or
 - (ii) to assist in the development of policies and procedures regarding networking between libraries;
- (b) to provide any information that the Minister considers necessary to undertake a systematic review of library services within the federation.

Part 7 Repeal and Expiry

Repeal

47 The *Libraries Regulation* (AR 342/84) is repealed.

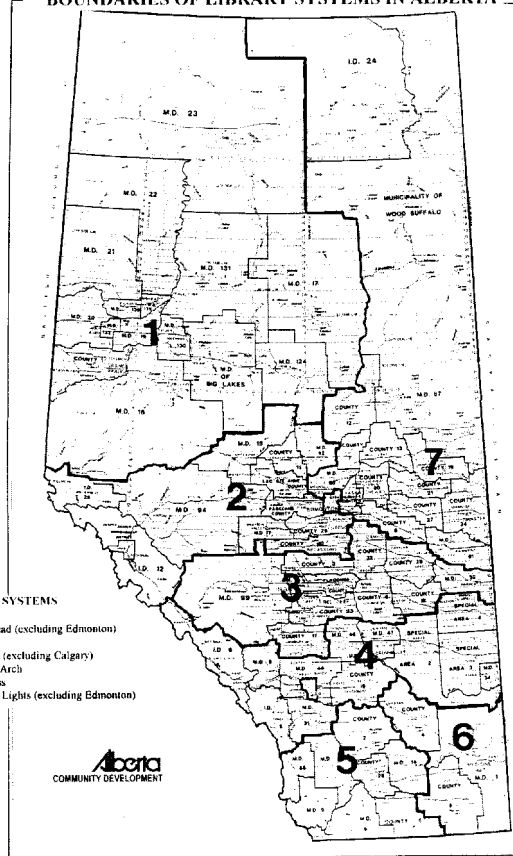
Expiry

48 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on September 30, 2018.

AR 141/98 s48;193/2003;172/2007;180/2013

Schedule

BOUNDARIES OF LIBRARY SYSTEMS IN ALBERTA



- LIBRARY SYSTEMS
- 1 Peace
 - 2 Yellowhead (excluding Edmonton)
 - 3 Parkland
 - 4 Marigold (excluding Calgary)
 - 5 Chinook Arch
 - 6 Shortgrass
 - 7 Northern Lights (excluding Edmonton)



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