

POLICY STATEMENT
LIBRARY BOARD BY-LAWS

APPROVED BY: Richmond Hill Public Library Board

REVISED: January 15, 2009

SECTION 1 - THE BOARD

<p>On December 23, 1852, 54 shareholders formed the Richmond Hill Public Library Association. In 1865, a Mechanics Institute was also formed and shared books with the Library Association at a cost of twenty-five (25) cents per year. In 1870, the Mechanics Institute became the Richmond Hill District Library and was incorporated under the Provincial Statutes at that time. In 1895, under the Public Libraries Act, the Ontario Department of Education supported a Board of Management for the public lending library in Richmond Hill.</p>	<p><i>Establishment/ History of Board</i></p>
<p>The Library shall be under the management and control of a board, which is a corporation known in English as "The Richmond Hill Public Library Board". <i>R.S.O. Public Libraries Act, 1990, c.P.44, s.3 (3).</i></p>	<p><i>Title</i></p>
<p>The mission of The Richmond Hill Public Library Board is to provide a progressive, user-oriented library service which anticipates and responds to educational, cultural, leisure and other information needs of the Richmond Hill community.</p>	<p><i>Purpose of Board</i></p>
<p>The address of the Board is: 1 Atkinson Street, Richmond Hill, Ontario, L4C 0H5, and at such other places in the Town of Richmond Hill as the Board may from time to time decide.</p>	<p><i>Head Office</i></p>
<p>The Board shall have a corporate seal, impression of which is stamped on the margin hereof, and this seal shall be affixed under the direction of the Board to all deeds, contracts, documents or instruments requiring the same, which seal shall always be attested by the signatures of the Chair and the Chief Executive Officer of the Board, or by such other member and such other officer of the Board as the Board shall direct.</p> <p>The corporate seal shall be kept in the custody of the Chief Executive Officer of the Board.</p>	<p><i>Seal & Symbol</i></p>
<p>A public library board shall be composed of at least five members appointed by the municipal council. <i>R.S.O Public Libraries Act, 2002, c.18, Sched. F, s. 3 (8)</i></p> <p>The maximum number of council members appointed to the Board shall be one less than a majority of the Board. <i>Public Libraries Act, 1990, s. 9 (1).</i></p>	<p><i>Composition of Board</i></p>
<p>A person is qualified to be appointed as a member of a board who is a member of the appointing council or;</p> <p>(a) is at least eighteen years old; (b) is a Canadian citizen; (c) is a resident of the Town of Richmond Hill; and (d) is not employed by the Board or the Town of Richmond Hill.</p> <p><i>Public Libraries Act, 1990, c. P.44,s.10(1);2002, c.18, Sched. F, s.3(9)</i></p>	<p><i>Qualifications</i></p>

<p>Appointment shall be made at the first meeting of Council in each term, but if council fails to make the appointments at its first meeting, it shall do so at its next regular meeting. <i>Public Libraries Act, 1990, s. 10 (4).</i></p> <p>The first appointments of members of a new board shall be made at a regular meeting of council and the member shall take office as soon as possible thereafter, and thereafter appointments shall be made at the first meeting of council in each term, but if the council fails to make the appointments at its first meeting, it shall do so at any regular or special meeting held within 60 days after its first meeting. <i>Public Libraries Act, 1990, c.4,s.10(4); 2002 c. 18, Sched.F, s.3(10)</i></p>	<p><i>Appointment</i></p>
<p>A Board member shall hold office for a term concurrent with the term of the appointing Council, The Corporation of the Town of Richmond Hill, or until a successor is appointed, and may be re-appointed for one or more further terms. <i>Public Libraries Act, 1990,c.P.44, s. 10 (3).</i></p>	<p><i>Term</i></p>
<p>If a Board Member:</p> <ul style="list-style-type: none"> (a) is convicted of an indictable offence; (b) becomes incapacitated; (c) is absent from the meetings of the Board for three consecutive months without being authorized by a Board resolution; (d) ceases to be qualified for membership under clause 10(1)(c); or (e) otherwise forfeits his or her seat, <p>the Member's seat becomes vacant and the remaining Members shall forthwith declare the seat vacant and notify the Council of the Corporation of the Town of Richmond Hill accordingly. <i>Public Libraries Act, 1990, c.P.44, s. 13.</i></p>	<p><i>Disqualification</i></p>
<p>Where a vacancy arises in the membership of a Board, the appointing Council shall promptly appoint a person to fill the vacancy and to hold office for the unexpired term, except where the unexpired term is less than forty-five days. <i>Public Libraries Act, 1990, c.P.44,s 12.</i></p>	<p><i>Vacancy</i></p>
<p>The first meeting of the Board in a new term shall be called, if a by-law has been passed under subsection (2), by the Chief Executive Officer appointed under subsection 15(2). <i>Public Libraries Act, 1990, s. 14 (1).</i> <i>Town of Richmond Hill By-Law 257-85</i></p>	<p><i>First Meeting</i></p>
<p>The Chief Executive Officer shall call the meeting to order and conduct the election for the position of Chair.</p> <p>The Board shall elect one of its members as Chair at its first meeting in a new term and at the first meeting in each year of its term. <i>Public Libraries Act, 1990, s. 14 (3).</i></p>	<p><i>Chair Election</i></p>
<p>The Board shall elect one of its members as Vice-Chair at its first meeting in a new term and at the first meeting in each year of its term. <i>Public Libraries Act, 1990, s. 14 (3).</i></p>	<p><i>Vice-Chair Election</i></p>

<p>In the absence of both the Chair and Vice-Chair, the Board may appoint one of its members as acting chair. <i>Public Libraries Act, 1990,c.P.44, s. 14 (4).</i></p>	<p><i>Acting Chair Election</i></p>
<p>The Library Board is composed of the following committees:</p> <p>Art Committee Executive Committee Finance Committee of the Whole Library Services Committee</p> <p>The Terms of Reference for these committees is attached as Appendix ‘A’.</p>	<p><i>Committees</i></p>
<p>The Library Board establishes policies to direct the operations of the Richmond Hill Public Library, in accordance with its mission.</p> <p>Responsibilities of the Board:</p> <p><u>Service</u> The Board shall determine the Library's goals and objectives and formulate a plan for meeting these goals.</p> <p>The Board shall identify the library needs of the community, the requirements of the Library and relate the aforesaid to current standards.</p> <p><u>Finance</u> The Board shall submit its annual financial statements, audited by a person in accordance with the Municipal Act, to Council of the Town of Richmond Hill annually. <i>Public Libraries Act, 1990, s. 24 (7).</i></p> <p>The Board shall recommend to Council of the Town of Richmond Hill the Board's annual operating budget and capital forecast, as developed by the C.E.O. and approved by the Board. <i>Municipal Act s. 86 and s. 68.(1) (a) (b).</i></p> <p><u>Policies</u> The Board shall formulate and periodically review the Library's Mission Statement and written policy statements which govern the operation and programme of the Library. Such policies should include those dealing with personnel, public service, materials selection and financial authorities.</p> <p><u>Legislation</u> Should any of the provisions of the By-laws or policies of the Board be in conflict with the provisions of any legislation, the legislation shall take precedence.</p>	<p><i>Board Responsibilities</i></p>

SECTION 2 – STAFF

<p>Under the authority of the Act, the Chief Librarian shall be the Chief Executive Officer. The Chief Executive Officer shall also be the Secretary/Treasurer of the Board. <i>Public Libraries Act, 1990, c.,P.44, s. 15 (2) (3) (4)(5).</i> <i>Richmond Hill Public Library Board, Motion 57:85</i></p> <p>The Chief Executive Officer shall have the general supervision over and direction of the operations of the public library and its staff, shall attend all board and committee meetings and shall have the other powers and duties that the board assigns to him or her from time to time. <i>Public Libraries Act, 1990, c.P44, s. 15 (2).</i></p>	<p><i>Chief Executive Officer</i></p>
<p>The Board may appoint and remove such employees as it considers necessary, determine the terms of their employment, fix their remuneration and prescribe their duties. <i>Public Libraries Act, 1990,c.P.44, s.15 (1);1993, c.27.</i></p>	<p><i>Staff</i></p>

SECTION 3 – MEETINGS

<p>Following the first meeting in a new term, further regular meetings of the Board shall be held on the third Thursday of each month from January to June and from September to December, both inclusive, or at such time as is decided at the previous meeting by a majority of the members present. <i>Public Libraries Act, 1990c.P.44, s. 16 (1).</i></p> <p>The Board shall recognize Canadian Statutory Holidays as the only prescribed non-Library Board meeting days. <i>Richmond Hill Public Library Board, Motion 05:15</i></p>	<p><i>Regular Meetings</i></p>
<p>Special meetings of the Board may be called by the Chairman or any two members by giving each member reasonable notice in writing, specifying the purpose for which the meeting is called. <i>Public Libraries Act, 1990, c. P.44 s.16 (2).</i></p>	<p><i>Special Meetings</i></p>
<p>All Board meetings shall be open to the public except as provided in this section.</p>	<p><i>Open Meetings</i></p>
<p>A meeting or part of a meeting may be closed to the public if the subject matter being considered is,</p> <ul style="list-style-type: none"> (a) the security of the property of the Board; (b) personal matters about an identifiable individual; (c) a proposed or pending acquisition or disposition of land by the Board; (d) labour relations or employee negotiations; (e) litigation or potential litigation, including matters before administrative tribunals, affecting the Board; 	<p><i>Closed Meetings</i></p>

<p>(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;</p> <p>(g) a matter in respect of which a board or committee of a board may hold a closed meeting under another <i>Act, 2002, c. 17, Sched. C, s.24(5)</i>;</p> <p>(h) an intimate financial matter where the consequences of public disclosure outweighs the desirability of holding the meeting in public;</p> <p><i>Public Libraries Act, 1990 s. 16 (3).</i> <i>Municipal Act, 1990 c. M.45, s. 55 (5)</i></p> <p>A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act if the Board or part thereof is designated as head of the institution for the purposes of that Act.</p> <p><i>Municipal Act, 1990 c. M.45, s 55 (6)</i></p>	
<p>The Chair shall give notice of each regular, and special meeting, to the members and to the Chief Executive Officer. The notice shall be accompanied by the agenda and any other matter to be brought before the meeting. The Chair and Chief Executive Officer shall be responsible for the preparation of the agenda. Any member wishing to place an item on the agenda may do so by making a request to the Chair or Chief Executive Officer at least one week prior to the meeting.</p> <p>Notice of a regular meeting shall be delivered or sent by mail to the residence or place of business for each member so as to be received not later than the day previous to the day of the meeting. Every attempt will be made to provide the notice no later than 3 days prior to the day of the meeting.</p> <p>Notice of meetings will be delivered to the local press for publication and posted on the Notice Boards in the Central and Branch libraries at least one week prior to the meeting.</p> <p>Lack of receipt of the notice of a regular or special meeting shall not affect the validity of holding the meeting or any action taken thereafter so long as a quorum is obtained.</p>	<p><i>Notification of Meetings</i></p>
<p>The presence of a majority of the Board is necessary for the transaction of business at a meeting.</p> <p><i>Public Libraries Act, 1990,c.P.44, s. 16 (5).</i></p> <p>If a quorum is not present twenty minutes after the time fixed for the meeting, the Secretary shall record the names of the members present and the Board shall remain adjourned until the next meeting.</p>	<p><i>Quorum</i></p>
<p>Attendance of members at meetings shall be noted and recorded by the Secretary.</p> <p>Members unable to attend a meeting should notify the Secretary or Chairman at least one day prior to the meeting.</p> <p>If a member is absent from the meetings of the Board for three (3) consecutive months, without authorization by Board resolution, the remaining members</p>	<p><i>Record of Attendance</i></p>

<p>shall declare the seat vacant and notify Council accordingly. <i>Public Libraries Act, 1990 s. 13 (c).</i></p>	
<p>Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Board at which the matter is the subject of consolidation, the member:</p> <ul style="list-style-type: none"> ▪ shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof; ▪ shall not take part in the discussion of, or vote on any question in respect of the matter; and ▪ shall not attempt in any way whether before, during or after the meeting to influence the voting on any such questions. <p>Where the Member is absent from a meeting, he/she shall disclose any conflict of interest at the next meeting he/she attends.</p> <p>All declarations of interest shall be recorded by the Secretary in the Minutes of that meeting, and, if the meeting is not open to the public, in the Minutes of the next meeting that is open to the public. <i>Municipal Conflict of Interest Act, 1990, Chapter M.50</i></p>	<p><i>Conflict of Interest</i></p>
<p>At all regular meetings of the Board, the order of business shall be as follows:</p> <ul style="list-style-type: none"> Regrets Declaration of Conflicts of Interest Delegations Adoption of Board and Committee Minutes Business Arising from the Minutes Correspondence Chief Librarian's Report Staff Reports New Business Date of Next Meeting Adjournment <p>The Board may suspend or vary the order of business outlined by a majority vote of the members present.</p>	<p><i>Order of Business</i></p>
<p>Any person wishing to appear before the Board shall advise the Chief Executive Office or Chairman one week before the meeting. The request to appear before the Board shall be in writing and shall state the nature of the matter to be presented and the name of the spokesman. No delegation may speak on the matter for more than a total of five minutes, exclusive of the time required to answer questions posed by the Board, except that a group of persons may have more than one spokesman provided that the total length of time is not more than ten minutes, exclusive of the time required to answer questions put to them by the Board. <i>Town of Richmond Hill Procedural By-Law No. 65-91, s. 16.</i></p>	<p><i>Delegations</i></p>

<p>Minutes of every Board meeting will be recorded by the Secretary. <i>Public Libraries Act, 1990 s. 15 (3) (b).</i></p> <p>Minutes of the Board and Committee meetings shall be approved at the next regular meeting of the Board.</p> <p>Copies of Board Adopted minutes are distributed as follows: Richmond Hill Public Library Board Members Town of Richmond Hill – <i>Clerk & CAO</i> Richmond Hill Public Library, Central Richmond Hill Public Library, Branches</p>	<p><i>Minutes of Meetings</i></p>
<p>Each member present shall vote on every motion unless the member is disqualified to vote by reason of a conflict of interest or other statutory qualification. Notwithstanding the foregoing, where a member fails or refuses to vote on a motion, then such member shall be deemed to be voting in the negative.</p> <p>Votes shall be taken by a show of hands and any member may request a recorded vote immediately prior to or immediately subsequent to the taking of the vote and the Secretary shall record each vote. <i>Municipal Act, 1990, chap. M45, s. 61. (1).</i></p> <p>The Chairman or the Acting Chairman of the Board shall vote with the other members of the Board upon all motions. <i>Public Libraries Act, 1990. s. 16 (6).</i></p> <p>Any motion on which there is an equality of votes shall be deemed to be negative. <i>Public Libraries Act, 1990. s. 16 (6).</i></p>	<p><i>Voting</i></p>
<p>Except as set out here-in, all meetings will be conducted in accordance with Robert's Rules of Order.</p>	<p><i>Rules of Order</i></p>
<p>Public sessions of the Board shall be concluded by 10:00 p.m. with extension by the consent of a simple majority of Members present.</p>	<p><i>Time Limit for Meetings</i></p>