

ORDINANCE NO. 183

AN ORDINANCE ESTABLISHING THE MT. CARMEL PUBLIC LIBRARY AS A DEPARTMENT OF TOWN GOVERNMENT, CREATING A PUBLIC LIBRARY BOARD, PROVIDING FOR THE APPOINTMENT OF ITS MEMBERS AND THEIR TERMS, AND DEFINING THE DUTIES OF SUCH BOARD

WHEREAS, the Board of Mayor and Aldermen find that a City operated library (rather than a branch of the regional library system) will more adequately serve the needs of the citizens of the Town of Mt. Carmel; and

WHEREAS, the 1997-1998 Budget for the Town provides for same; and

WHEREAS, Tenn. Code Anno. 10-3-101 et seq. authorizes the creation and operation of a public library and a public library board, provides a method for the appointment of its members, and defines the duties of such board; and

WHEREAS, the Board of Mayor and Alderman wish to endow and delegate to such Library Board some of the powers and authority authorized under Tenn. Code Anno. 10-3-101 et seq.; and

WHEREAS, the public welfare requires it;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF MT. CARMEL, TENNESSEE, AS FOLLOWS:

SECTION ONE DEPARTMENT ESTABLISHED

There is hereby established a public library to be known as the "Mt. Carmel Public Library" to be operated within the corporate limits of the Town of Mt. Carmel, Tennessee, as a department of the Town of Mt. Carmel, Tennessee, subject to the limitations of the budget appropriated and authorized therefore. Use of the library shall be free to the inhabitants of the Town and its services, privileges, and facilities may be extended to persons residing outside the Town upon such terms as the Library Board may deem proper.

SECTION TWO TRANSITION FROM BRANCH OF REGIONAL LIBRARY SYSTEM

It is the intention of the Board of Mayor and Alderman to the extent which can be agreed upon with the Regional Library system to transfer as fully and completely as possible all the assets of that system which were employed in its Mt. Carmel branch to the Mt. Carmel Public Library for its use and operation.

SECTION THREE CREATION OF MT. CARMEL LIBRARY BOARD; APPOINTMENT; TERMS; DUTIES

Mt. Carmel Municipal Code , Title Two "Boards and Commissions", should be and is hereby amended by adding the following Chapter and Sections:

CHAPTER THREE - PUBLIC LIBRARY BOARD

Section 2-301. Establishment. There is established the Mt. Carmel Public Library Board to consist of seven (7) members.

Section 2-302. Appointment. Not more than one of the seven shall be a member of the Board of Mayor and Aldermen. The members shall serve without salary. Three (3) shall initially serve for one (1) year, two (2) shall serve for two (2) years, and two (2) shall serve for three (3) years, and their successors for a term of three (3) years. Not more than five (5) of the members shall be of the same sex. The members shall be appointed by the Mayor subject to the consent of the Board of Mayor and Aldermen.

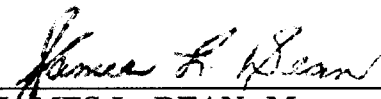
Section 2-303. Powers and duties of library board. The members of library board shall organize by electing officers and adopting by-laws and regulations which are subject to approval by the Board of Mayor and Aldermen. The library board shall advise the Board of Mayor and Aldermen concerning the affairs of the library, including recommending appointment of a librarian to the City Administrator and Board of Mayor and Aldermen, who shall direct the internal affairs of the library, and such employees and assistants as may be necessary. The librarian shall be considered a Department Head answering directly to the City Administrator. It may recommend rules and regulations for adoption by the Board of Mayor and Aldermen by resolution. The library board shall furnish to the state library agency such statistics and information as may be required, and shall make monthly reports to the Board of Mayor and Aldermen.

SECTION FOUR
LEGAL STATUS PROVISIONS

A. Conflict With Other Ordinances. In case of conflict between this ordinance or any part thereof, and the whole or part of any existing or future ordinance of the Town of Mount Carmel, the most restrictive shall in all cases apply.

B. Validity. If any section, clause, provision or portion of this ordinance shall be held to be in doubt or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this ordinance which is not of itself invalid or unconstitutional.

C. Effective Date. This ordinance shall take effect and be in force from and after its passage, the public welfare requiring.



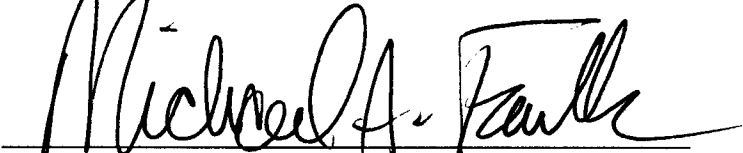
JAMES L. DEAN, Mayor

ATTEST:



NANCY F. CARTER, Recorder

APPROVED AS TO FORM:



LAW OFFICE OF MICHAEL A. FAULK

PASSED 1ST READING - DATE: 10-23-97 Ayes 5 Nays 1 Other 0
PASSED 2ND READING - DATE: 11-20-97 Ayes 4 Nays 1 Other 0

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