

# Chapter 18

## Library

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# Chapter 18

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### 18.01 LIBRARY FUND

The Village of Amherst having established, equipped and maintained a Public Library, may annually levy a tax or appropriate money to provide a Library Fund, to be used exclusively to maintain the Public Library; and may enact and enforce police regulations to govern the use, management and preservation thereof.

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### 18.02 LIBRARY USE

Every public library shall be free for the use of the inhabitants of the municipality by which it is established and maintained, subject to such reasonable regulations as the library board prescribes in order to render its use most beneficial to the greatest number. The library board may exclude from the use of the public library all persons who willfully violate such regulations, in accord with Wisconsin Statutes s.43.52(2), as amended.

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### 18.03 LIBRARY BOARD

A. Membership: Pursuant to requirements of s. 43.54, Wisconsin Statutes, as amended, the Library Board of the Amherst Public Library shall consist of five (5) members, all of whom shall be appointed by the Village President for a term of three (3) years, with approval of the Village Board.

Members shall be residents of the Village except two (2) members may be residents of towns adjacent to the Village; one member shall be the School District Administrator.

No compensation shall be paid to the members of the Library Board for their service, except as follows, in accord with the provisions of s.43.54(a)(d) Wisconsin Statutes:

- (1) Members may be reimbursed for their actual and necessary expenses incurred in performing the duties outside the municipality if so authorized by the Library Board.

- (2) Members may receive per diem, mileage and other necessary expenses incurred in performing their duties if so authorized by the Library Board and the municipal governing body.

B. Duties and Powers: The Library Board shall have the following duties and powers:

(1) Expenditures

- (a) The Library Board shall audit and approve all vouchers for the expenditures of the public library and forward such vouchers or copies of same, setting forth the names of claimants, the amounts of each claim and the purpose for which expended, to the Village Clerk, with a statement thereon, signed by the Library Board Secretary or other designee of the Library Board, that the expenditure has been incurred and that the Library Board has audited and approved the bill. The Village Clerk shall thereupon draw an order upon the Treasurer and the same shall be paid as other municipal orders are paid as provided by Section 66.042 or where appropriate, Section 120.54, Wisconsin Statutes.
- (b) All library expenditures, except investments of moneys derived from gift or bequest, shall be made from the Library Fund as set forth in (1) (a) above. In the event municipal appropriations to the Library Fund are insufficient to cover all Library expenditures, the Library Board shall transfer to the Library Fund from funds derived from gifts or bequests, on or about December 15 in each year,
  - (i) such sums budgeted as payable from interest on gifts and bequests and
  - (ii) such additional sums as it shall determine, in its discretion, shall be necessary to cover such excess expenditures.

(2) Gifts and Bequests: The Library Board shall have dominion and control over all gifts, bequests, devises, and endowments made to the Library or the Library Board, as follows:

- (a) When a gift, bequest, devise, or endowment is received, the Library Board may either (i) pay or transfer the gift, bequest, or endowment, or the proceeds thereof, to the Treasurer of the Village, (ii) may entrust any funds therefrom to a public depository under Chapter 34 State Statutes, or (iii) may pay or transfer such gift, bequest, devise or endowment to any member of the Library Board to be selected by the Library Board and thereafter to be known as the Financial Secretary.
- (b) The Financial Secretary shall hold office only during membership on the Library Board and shall be elected annually at the same time and in the same manner as the other officers of the Library Board. If the Financial Secretary holds any property belonging to the public library or the Library Board under (2)(a) above, the Library Board shall require a bond from the Financial Secretary to the Library Board in such sum, not less than the amount required by State Statutes, and with such sureties as the Library Board

requires. The bond shall be conditioned in substantially the same form as the ordinary bond required from the Treasurer of the municipality, with the necessary changes.

- (c) The Financial Secretary shall make an annual report to the Library Board showing in detail the amount, investment, income and disbursements from the trust funds in his/her charge. Such report shall also be appended to the annual report of the Library Board under (3) below. The Financial Secretary shall also send a copy of such annual report to the Commissioner of Banking.

(3) Report to Village Board

- (a) Within thirty (30) days after the conclusion of the fiscal year for the Village, or at such other time during the year as the Village Board may direct, the Library Board shall make a report to the Village Board. The report shall state the condition of the Library Board's trust and the various sums received for the use of the public library during the year, specifying separately the amounts received from appropriations, from the income of trust funds, from rentals and other revenues of the public library, and from other sources. The report shall state separately the condition of the permanent trust funds in the Library Board's control, shall state in detail the disbursements on account of the public library during that fiscal year, or other reporting period, and shall contain an estimate of the needs of the public library for the next succeeding fiscal year.
- (b) The report shall also be made to the Division, as required by Section 43.58 (6)(b) State Statutes.

C. Officers: The officers of the Amherst Library Board shall be a President, a Vice President, a Secretary and a Treasurer. The Officers shall be elected at the annual meeting for a term of one year. Vacancies in office shall be filled by ballot at the next regular meeting of the Library Board after the vacancy occurs.

The duties of the Officers shall be such as, by custom and law and the rules of the Village Board, usually devolve upon such officers in accordance with their titles.

D. Meetings

- (1) Regular: The Library Board shall meet on the first Monday of each month at the Library. The January meeting shall be considered the Annual Meeting.
- (2) Special: Special Meetings may be called by the President of the Library Board, or upon request of the members, for the transaction of business as stated in the call.
- (3) Quorum: A quorum for the transactions of business shall consist of a simple majority.
- (4) Order of Business: Order of Business shall be:
  - (a) Call to order
  - (b) Reading and approval of minutes
  - (c) Treasurer's Report

- (d) Approval of Bills
- (e) Report of the Librarian
- (f) Committee Reports
- (g) Communications
- (h) Unfinished business
- (i) New business
- (j) Adjournment

Robert's Rules of Order, latest revised edition, shall govern the parliamentary procedure of the Library Board

E. By Laws: The Library Board may from time to time enact by-laws facilitating the provisions of this chapter and encompassing rules governing the use, maintenance, and control of the library facility, which by-laws shall be effective upon approval by the Village Board. A copy of these by-laws shall be on file in the office of the Village Clerk/Treasurer.

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#### **18.04 LIBRARIAN**

The Librarian shall be appointed by the Library Board. The Librarian shall be considered the executive officer of the Library Board and shall have sole charge of the administration of the Library under the direction and review of the Library Board. The Librarian shall be held responsible for the care of the equipment, for the employment and direction of the staff, for the efficiency of the library's service to the public, and for the operation of the library under the financial conditions set forth in the annual budget. The Librarian shall attend all Library Board meetings except those at which his appointment or salary are to be discussed or decided.

Effective: 12-31-81

#### **18.05 ADOPTION OF CHAPTER 43 OF WISCONSIN STATUTES**

- (1) Adoption of Chapter 34 Wisconsin Statutes: The provisions of Chapter 34 of the Wisconsin Statutes, as amended, as they apply to municipal library operations, are hereby adopted and incorporated herein by reference.
- (2) Repeal of Conflicting Ordinances: All ordinances or parts of ordinances in conflict with this Chapter are hereby repealed.

Effective: 7-26-86