



**TOWN OF CARDSTON  
IN THE PROVINCE OF ALBERTA**

**BYLAW 1539**

**LIBRARY BOARD**

**Consolidated to 1539E May 27, 2025**

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# **TOWN OF CARDSTON IN THE PROVINCE OF ALBERTA**

## **BYLAW 1539**

### **LIBRARY BOARD**

A BYLAW OF THE TOWN OF CARDSTON IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE TOWN OF CARDSTON LIBRARY BOARD OPERATING AS THE JIM AND MARY KEARL LIBRARY

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**WHEREAS** pursuant to the provisions of the Libraries Act, being Chapter L-11 of the Revised Statutes of Alberta 2000 and amendments thereto, a council may, on its own initiative, pass a bylaw providing for the establishment of a municipal library board.

**AND WHEREAS** the Municipal Council of the Town of Cardston deems it advisable and expedient to establish the The Town of Cardston Library Board operating as the Jim and Mary Kearl Library to manage and control the Cardston Public Library.

**NOW THEREFORE** the Municipal Council of the Town of Cardston, duly assembled, enacts as follows:

### **PART I - DEFINITIONS**

**1)**

- (a)** “Council” shall mean the Municipal Council of the Town of Cardston.
- (b)** “The Board” shall mean the Town of Cardston Library Board operating as the Jim and Mary Kearl Library.
- (c)** “Municipal Administrator” shall mean the Municipal Administrator of the Town of Cardston or anyone authorized by the Municipal Administrator to act on his/her behalf.

### **PART II – APPOINTMENTS**

- 1)** A Municipal Library Board to be known as the Town of Cardston Library Board operating as the



Jim and Mary Kearl Library, hereinafter called the “Library Board” is hereby established in and for the Town of Cardston.

- 2)** The Board shall consist of no fewer than five (5) and not more than ten (10) voting members who shall be appointed by resolution of Council. The said Board members shall consist of:
  - (a)** One (1) member of Council; and
  - (b)** Up to nine (9) members from the public at large; of which no more than three (3) members may be residents of Cardston County.
- 3)** All members shall be appointed by resolution of Council, and their appointments shall become effective on January 1<sup>st</sup> of the following calendar year unless otherwise designated.
  - (a)** The resolution of Council must state the following:
    - i.** the name of the member being appointed;
    - ii.** that they are being appointed to the Town of Cardston Library Board operating as the Jim and Mary Kearl Library, and;
    - iii.** the term length, including both the effective date of their appointment, and the date their term expires, which shall be no later than three years from their effective appointment date.
- 4)** The members appointed shall serve for the following terms:
  - (a)** The member of Council shall be appointed annually at the Organizational Meeting of Council;
  - (b)** A member of the board is eligible to be reappointed for only two (2) additional consecutive terms of office, for a total of three (3) consecutive three-year terms, unless at least two-thirds (2/3) of the whole council of the municipality passes a resolution stating that the member may be appointed for more than three (3) consecutive terms.
  - (c)** The initial appointments for the five to nine public at large members shall be



staggered so that an equal number of the member terms expire or are eligible for re-appointment each year.

- 5) The Chair of the Board shall be appointed by a majority vote of the Board on an annual basis. The Chair shall be selected from a member of the public appointees referred to in Part II 2 (b).
- 6) A person is disqualified from remaining a member of the Board if he/she fails to attend, without being authorized by a resolution of the Board to do so, the meetings of the Board for three (3) consecutive regular meetings, and is deemed to have resigned his/her seat on the Board.
- 7) In the event of a vacancy occurring, the person appointed by resolution of Council to fill such vacancy, shall hold office for the remaining term of his/her predecessor.

### **PART III – PROCEEDINGS**

- 1) The Board shall meet no less than once every four months, and shall endeavor to meet at least ten (10) times per calendar year, with the time and date to be determined by the Board on an annual basis. The time and date of these regular meetings can be altered by the Board when necessary.
- 2) Sub-committees of the Board may be established when necessary.
- 3) The Board may appoint members of the Board and interested citizens to sit on Sub-committees of the Board to deal with any special matters coming within the scope and jurisdiction of the Board.
- 4) Special meetings of the Board or Sub-committees may be called on a twenty-four hour notice by the Chair of the Board or Sub-committee, or at the request of any three members of the Board.
- 5) All minutes, resolutions and bylaws shall be entered in books to be kept for that purpose and the books shall be signed by the Chair or Acting Chair. Copies of all minutes and bylaws shall be forwarded to the Municipal Administrator.



- 6) A quorum of the Board shall be a majority of the members of the Board.
- 7) The Chair shall have a vote on any question and in the event of a tie, the motion shall be declared defeated.

## **PART IV – ROLE OF THE BOARD**

- 1) The Board shall have full management and control of the Library Board 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 these services.
- 2) The Board shall, before December 1<sup>st</sup> 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.
- 3) The budget and the estimate of the money shall be forthwith submitted to the Municipal Administrator.
- 4) Council may approve the estimate in Part IV, Section 2 in whole or in part.
- 5) The 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.
- 6)
  - (1) A board may pass bylaws for the safety and use of the library, this may include:
    - (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 use 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.
- 7)** The Council may disallow a bylaw passed by the Library Board it has appointed.
- 8)** Any person who willfully contravenes any bylaw under section 6 is guilty of an offence
- 9)** Any fine or penalty imposed pursuant to an offence under section 8 inures to the benefit of the Library Board.



## **PART V – ENACTMENT**

- 1)** That Bylaw No. 624 is hereby repealed.
- 2)** That this Bylaw shall come into force and have effect upon final reading thereto

Received First Reading this 28 day of June, 2005

Received Second Reading this 28 day of June, 2005

Received Third & Final Reading this 26 day of July, 2005

Signed by the Mayor and the Chief Administrative Officer this 2 day of August, 2005

Amended by Bylaw 1539A this 8 day of November, 2011

Amended by Bylaw 1539B this 13 day of November, 2018

Amended by Bylaw 1539C this 12 day of April, 2022

Amended by Bylaw 1539D this 12 day of June, 2022

Amended by Bylaw 1539E this 27<sup>th</sup> day of May, 2025

