

First Reading: December 12, 2017
Second Reading: December 19, 2017

ORDINANCE NO. 13257

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE,
PART II, CHAPTER 22, LIBRARIES.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, that Chattanooga City Code, Part II, Chapter 22, Libraries, be and the same is hereby amended by deleting Section 22-2 in its entirety and substituting in lieu thereof the following:

Sec. 22-2. Appointment of Library Board; Terms of Board Members.

The members of the reestablished Library Board shall serve without salary, four (4) for one (1) year, four (4) for two years, and three (3) for three (3) years, and their successors for terms of three (3) years. Board members may serve two (2) consecutive terms and may be reappointed after a minimum three-year break in service. The members of the Library Board shall be nominated and confirmed by a majority of the members of the City Council. At the expiration of a Library Board member's term, the member shall hold over until the City Council nominates and confirms a new member for that position. Notwithstanding the foregoing, the provisions of this Section shall remain in compliance with T.C.A. §§ 10-3-101, *et seq.*, which may be amended from time to time.

SECTION 2. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 22, Libraries, be and the same is hereby amended by deleting Section 22-3 in its entirety and substituting in lieu thereof the following:

Sec. 22-3. Authority and Responsibilities of Library Board.

The members of the Library Board shall initially organize by electing officers and adopting bylaws and regulations consistent with this chapter. The Library Board shall have the power to direct all the affairs of the library, including appointment of a library administrator, who shall direct the internal affairs of the library, including the hiring and directing of such assistants or employees as may be necessary. The Library Board may make and enforce rules and regulations and establish branches of service at its discretion, subject to

available funding. The Library Board may expend funds for the special training and formal education of library personnel; provided, that such personnel shall agree to work in the library for at least two (2) years after completion of such training and education. The Library Board may receive donations, devises and bequests to be used by it directly for library purposes. It may hold and convey realty and personal property and negotiate leases for and on behalf of such library. The Library Board shall furnish to the state library agency such statistics and information as may be required. The Board should endeavor to comply with all state requirements to qualify for available funds.

The Library Board shall furnish to the City Council at its first meeting of each fiscal year, an annual financial report setting forth its current year actual and upcoming year capital and operations requirements during the City's annual budgeting process. The Board shall be required to operate within the operating budget approved by the City Council without utilizing reserve funds unless that use is approved by the City Council. Notwithstanding the foregoing, the provisions of this Section shall remain in compliance with T.C.A. §§ 10-3-101, *et seq.*, which may be amended from time to time.

SECTION 3. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 22, Libraries, be and the same is hereby amended by inserting a new Section 22-7 as follows:

Sec. 22-7. Property and donations.

The title to all property acquired by the Library Board, operating under this Chapter shall be taken in the name of the City of Chattanooga for the use and benefit of the Library and the proceeds from all activities conducted by the Library Board or from any disposition of its assets shall be taken in the name of the City of Chattanooga for the use and benefit of the Library. Notwithstanding the foregoing, the provisions of this Section shall remain in compliance with T.C.A. §§ 10-3-101, *et seq.*, which may be amended from time to time.

SECTION 4. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 22, Libraries, be and the same is hereby amended by renumbering the remaining sections of Chapter 22 as follows:

Sec. 22-8. Free public library fund created; duties of city finance officer.

- (a) There is hereby created and reestablished a special fund known as the "Chattanooga Public Library Fund" to be maintained by the city finance officer as a special and separate fund, and which shall be kept separate and

apart from all other funds. Charitable contributions, funds from other governmental entities, tax funds, whether raised by bonds or taxation, governmental grants, or otherwise shall be deposited to such special fund for the use and benefit of the Chattanooga Public Library to be hereafter established, created, constructed, maintained and supported pursuant to Tennessee Code Annotated, section 10-3-101 et seq. The city finance officer is authorized to direct the investment of such funds in the same manner as surplus funds of the city are now being invested.

- (b) The city finance officer is authorized to sell stock that is contributed for a free public library and deposit the proceeds therefrom to the Chattanooga Public Library Fund established herein.
- (c) The proceeds from the sale of surplus books by the library may be credited to such special fund in the discretion of the Library Board.

Notwithstanding the foregoing, the provisions of this Section shall remain in compliance with T.C.A. §§ 10-3-101, *et seq.*, which may be amended from time to time.

Sec. 22-9. Borrowing for buildings and equipment.

The City Council has the power to borrow money for the purchase of realty and the erection or purchase of suitable buildings for the library and its branches, and for the equipment of the library. The title to such property may be vested in trust in the Library Board and its successors, which shall be responsible for disbursing bond proceeds as provided herein in section 22-4 and in the Tennessee Code Annotated, section 10-3-106. Notwithstanding the foregoing, the provisions of this Section shall remain in compliance with T.C.A. §§ 10-3-101, *et seq.*, which may be amended from time to time.

SECTION 5. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two

(2) weeks from and after its passage.

Passed on second and final reading: December 19, 2017



CHAIRPERSON

APPROVED: DISAPPROVED:



MAYOR

VLM/kap/mem