

Statement of Authority, Powers, and Duties of the Board

By-law Number: **BL-01**

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The library board bears legal responsibility for the library by ensuring that it operates in accordance with the Public Libraries Act, R.S.O. 1990, chapter P.44. The purpose of this by-law is to define the legal authority of the board.

The library shall be known as the Port Colborne Public Library. Where the term “Board” is used, it is understood to mean “Port Colborne Public Library Board of Trustees.” Where the term “Act” is used, it is understood to mean the Public Libraries Act, R.S.O. 1990, chapter P.44.

1. In accordance with the Public Libraries Act, section 3 (1), the Council of the Corporation of the City of Port Colborne (the City) established the Port Colborne Public Library (the Library) by the adoption of Municipal By-law #1709/134/85. **This document is the Establishing By-law for the Port Colborne Public Library.**
2. In accordance with the Public Libraries Act, section 3 (3), the library “shall be under the management and control of the Port Colborne Public Library Board which is a corporation...” **Together with the Establishing By-law (above), this section of the PLA provides evidence of incorporation under Canada Review Agency (CRA) rules for charitable organizations.**
3. The Port Colborne Public Library will operate under the authority of the Public Libraries Act, R.S.O. 1990, chapter P44 and, **as a charitable organization within the CRA framework, will be operated without purpose of gain for its members, and any profits or other assets of the organization will be used solely to promote its objectives. Should the library board dissolve, the directions provided under Section 42 of PLA will be followed, with assets distributed to other charitable organizations, including, for example, the municipality.**
4. The powers and duties of the library board are prescribed in the Public Libraries Act, R.S.O. 1990, chapter P44, to which this by-law adheres. The role of the board is to

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govern the affairs of the library. In accordance with the PLA, section 20, the library board:

- a) shall seek to provide, in co-operation with other boards, a comprehensive and efficient public library service that reflects the community's unique needs
- b) shall provide library services in the French language, where appropriate
- c) shall operate one or more libraries and ensure that they are conducted in accordance with this Act and the regulations
- d) may operate special services in connection with a library as it considers necessary
- e) shall fix the times and places for board meetings and the mode of calling and conducting them, and ensure that full and correct minutes are kept
- f) shall make an annual report to the Minister and make any other reports required by this Act and the regulations or requested by the Minister from time to time
- g) shall make provision for insuring the board's real and personal property
- h) shall take proper security for the treasurer
- i) may appoint such committees as it considers expedient

5. Under the Public Libraries Act, (Section 15(2)), the library board must appoint a Library Chief Executive Officer, and it is that person to whom the library board shall delegate authority for management of library operations.

Related Documents:

- Public Libraries Act, R.S.O. 1990, Chapter P44, Sections 3(1) and 3(3)
- Council of the City of Port Colborne. By-law #1709/134/85.
- Port Colborne Public Library. BL-02: Composition of the Board and Terms of Reference of Officers.
- Port Colborne Public Library. BL-03: Meetings of the Board.
- Port Colborne Public Library. BL-04: Amendments of By-laws.
- Port Colborne Public Library. GOV-01: Purpose of the Board.
- Port Colborne Public Library. GOV-08: Board-CEO Relationship.