

ORDINANCE NO. 2103

AN ORDINANCE OF THE TOWN OF HIGHLAND PARK, TEXAS AMENDING THE CODE OF ORDINANCES OF THE TOWN OF HIGHLAND PARK, **CHAPTER 1, GENERAL PROVISIONS, ARTICLE 1.10, LIBRARY**; REPEALING CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Highland Park, Texas (the "Town"), is a Home Rule municipality having full powers of self-government and may enact ordinances relative to its citizens' welfare that are not inconsistent with the Constitution and laws of the State; and

WHEREAS, the Town Council has determined there is a need to revise the Library ordinance to bring it into compliance with current practice, specifically the amendment of section 1.10.006 Duties of Librarian, the amendment of 1.10.007 Library Advisory Committee, the amendment of section 1.10.008 Hours, 1.10.009 Library Cards, 1.10.010 Fee for Overdue Materials, and 1.10.012 Taking or Failing to Return Library Property; and

WHEREAS, the Town is authorized by law to adopt the provisions contained herein, and has complied with all the prerequisites necessary for the passage of this ordinance; and

WHEREAS, all statutory and constitutional requirements for the passage of this ordinance have been adhered to, including but not limited to the Open Meetings Act; and

WHEREAS, the purpose of this ordinance is to promote the general welfare of the citizens of the Town of Highland Park.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Highland Park, Texas:

SECTION 1. That, the statements contained in the preamble to this ordinance are hereby adopted as findings of fact and as a part of the operative provisions hereto

SECTION 2. That, the Code of Ordinances of the Town of Highland Park, **CHAPTER 1, GENERAL PROVISIONS, ARTICLE 1.10, LIBRARY**; is amended in its entirety and shall read as follows:

Sec. 1.10.001 Established

In accordance with sections 1.04 and 1.14 of the Town charter, there is hereby formally created a public library within the framework of the governmental organization of the Town, which shall be known as the Highland Park Library, hereinafter referred to as the "library," and it shall function according to the laws of the State, the charter of the Town, and the provisions of this enactment. (1971 Code, sec. 13 1/2-1)

Sec. 1.10.002 Books and equipment

The Town hereby accepts all gifts and donations of books and equipment heretofore made for the library, with grateful thanks to the donors both of books and time, and it is ordained that such books

and equipment, together with such additions as may be made from time to time, shall constitute and form the books and equipment of the Town library. (1971 Code, sec. 13 1/2-2)

Sec. 1.10.003 Operating funds

The Town Council shall appropriate for the operation and maintenance of the library such funds as it deems proper in consideration with the Town charter and the laws of the State. (1971 Code, sec. 13 1/2-3)

Sec. 1.10.004 Free use of library

Use of the library shall be free to all residents of the Town. (1971 Code, sec. 13 1/2-4)

Sec. 1.10.005 Appointment of Librarian

The head of the library shall be a person who by education, training and experience shall be qualified to discharge the duties and responsibilities of Librarian. It is desirable for such person to hold a Master of Library Science degree from a school accredited by the American Library Association. Such Librarian, who shall be in charge of the library, shall be appointed by the Town Administrator and shall receive such compensation as may be prescribed by the Town Council. (1971 Code, sec. 13 1/2-5)

Sec. 1.10.006 Duties of Librarian

The Librarian shall:

- (1) Be the chief administrative officer of the Library Department of the Town, subject to the direction of the Town Administrator, and as such shall be in immediate charge of the care, maintenance and operation of the library facilities contained therein of the Town.
- (2) Attend meetings of the Library Advisory Committee and advise the Library Advisory Committee pertaining to the planning, development and operation of the library facilities of the Town.
- (3) Recommend for employment required personnel according to the standard procedures as set forth by the Town and, upon employment, supervise them in the performance of their various duties.
- (4) Inform the general public of the services and facilities being provided by the Library Department.
- (5) Conduct studies of local conditions and needs for library services and assist with recruitment and training of library personnel.
- (6) Prepare an annual budget for submission to the Town Administrator.

Sec. 1.10.007 Library Advisory Committee

The Mayor may appoint a Library Advisory Committee, hereinafter referred to as the "Committee," which shall be an advisory body to the Librarian. The Committee may be composed of three (3) members of the Town Council appointed for a two-year term, and until their successors are appointed and qualified. The Councilmembers shall serve without compensation. It shall be the function of this

Committee to make recommendations to the Town Council, the Town Administrator and the Librarian concerning the operating policies of the library. (1971 Code, sec. 13 1/2-7)

Sec. 1.10.008 Hours

The library shall be kept open for the use of the residents of the Town during such hours as may be fixed by the Town Council upon the recommendation of the Town Administrator. (1971 Code, sec. 13 1/2-8)

Sec. 1.10.009 Library cards

A library card shall be required of each user of the library who desires to be loaned books and other library material and equipment. The fee to be collected for the library card shall be determined by the Town Council upon recommendation of the Town Administrator. (1971 Code, sec. 13 1/2-9)

Sec. 1.10.010 Fee for overdue materials

Fines shall be collected for failure to return, at the date due, any books or other library materials and equipment which have been loaned to holders of library cards. The schedule for fines shall be established by the Town Council upon the recommendation of the Town Administrator. (1971 Code, sec. 13 1/2-10)

Sec. 1.10.011 Destruction of library property

Any person who shall willfully or wantonly cut, mutilate, mark, tear, write upon, deface or otherwise destroy or injure, in whole or in part, any book, pamphlet, periodical, map or document, picture or written or engraved or printed paper belonging to the public library, or shall suffer any such injury to be inflicted while such property is in his or her custody, or shall willfully or wantonly injure any of the furniture or property in the building of the public library, or shall willfully or wantonly mark or deface or in any way injure the public library or any part thereof or any fixture therein or appurtenance thereto, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine as provided in section 1.01.009 of this code for each offense. (1971 Code, sec. 13 1/2-11)

Sec. 1.10.012 Taking or failing to return library property

(a) Any person who shall take from the public library any book, pamphlet, periodical, paper, or other property, except in accordance with the rules of such library, shall be deemed guilty of a misdemeanor, and upon conviction thereof may be fined as provided in section 1.01.009 of this code.

(b) Any person who shall take or borrow from the public library any book, pamphlet, periodical, paper, or other property and neglect, refuse or fail to return the same timely shall be assessed late fines, fees, processing, and/or replacement costs in accordance with Library Policy.

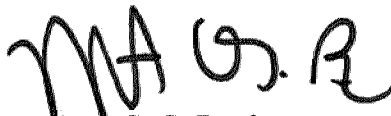
SECTION 3. That, all ordinances or any parts thereof in conflict with the terms of this ordinance shall be and hereby are deemed repealed and of no force or effect.

SECTION 4. That, should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or be held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part thereof decided to be unconstitutional, illegal, or invalid, and the same shall not affect the validity of the Code of Ordinances of the Town of Highland Park as a whole.

SECTION 5. That, this ordinance shall take effect immediately following its passage, approval, and publication as provided by law, and it is accordingly so ordained.

PASSED AND APPROVED by the Town Council of the Town of Highland Park, Texas on this the 3rd day of May, 2022.

APPROVED AS TO FORM AND LEGALITY:



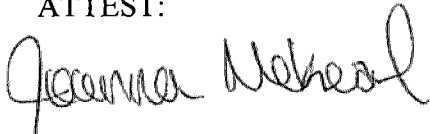
Matthew C. G. Boyle
Town Attorney

APPROVED:



Margo Goodwin
Mayor

ATTEST:



Joanna Mekeal
Town Secretary