

The Corporation of the City of Kawartha Lakes

By-Law 2018-

A By-law to Repeal and Replace By-law 2006-193, being a By-law to Establish and Govern The City of Kawartha Lakes Public Library Board.

Recitals

1. The City of Kawartha Lakes Public Library Board was established on January 1, 2001 by the City of Kawartha Lakes Act;
2. Section 9(1) of the Public Libraries Act, R.S.O. 1990, c.P.44, provides that a public library board for a municipality shall be composed of at least five members appointed by the municipal Council;
3. Section 10 of the Public Libraries Act, R.S.O. 1990, c.P.44, sets out the qualifications and term of office for all members of a public library board;
4. This by-law repeals and replaces By-law 2006-193, as amended, being a by-law to provide for the composition of and appointment to the City of Kawartha Lakes Public Library Board.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018- .

Section 1.00: Definitions and Interpretation

1.01 **Definitions:** In this by-law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

"City Clerk" means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

“Council” or “City Council” means the municipal council for the City;

“CEO of City of Kawartha Lakes Public Library” means the person appointed by the City of Kawartha Lakes Public Library Board in accordance with Section 15(2) of the Ontario Public Libraries Act.

1.02 **Interpretation Rules:**

(a) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Establishment of The City of Kawartha Lakes Public Library Board

2.01 The City of Kawartha Lakes Public Library Board is established as a Board of Council under the provisions of the Public Libraries Act.

2.02 The City of Kawartha Lakes Public Library shall be under the management and control of the City of Kawartha Lakes Public Library Board.

Section 3.00: Terms of Reference for the City of Kawartha Lakes Public Library Board

3.01 The City of Kawartha Lakes Public Library shall be governed by the Public Libraries Act and by the Council approved Terms of Reference for the Board.

3.02 In the event of a conflict between the provisions of this By-law or the Council approved Terms of Reference for the City of Kawartha Lakes Public Library Board and the Public Libraries Act or any other Act or Regulations, the provision of the Act or Regulations shall prevail.

Section 3.00: Administration and Effective Date

3.01 **Administration of the By-law:** The CEO of City of Kawartha Lakes Public Library, appointed in accordance with Section 15(2) of the Ontario Public Libraries Act, is responsible for the administration of this by-law.

3.02 **Effective Date:** This By-law shall come into force on the date it is finally passed.

Section 400: Repeals

4.01 **Repeal:** By-laws 2006-193 and amending by-laws 2011-006 and 2014-213 are repealed.

By-law read a first, second and third time, and finally passed, this 11th day of December, 2018.

Andy Letham, Mayor

Cathie Ritchie, City Clerk