
The Deep River Public Library



Policy Type:	Bylaws	Policy Number:	BL-01
Policy Title:	Statement of Authority, Powers and Duties	Initial Policy Approval Date:	June 2020
		Last Review/Revision Date:	May, 2022
		Year of Next Review:	2023

The Deep River Public Library Board bears legal responsibility for the Deep River Public Library by ensuring that it operates in accordance with the *Public Libraries Act*, R.S.O. 1990, chapter P.44. The purpose of this bylaw is to define the legal authority of the Board.

- 1) The Council of the Town of Deep River established the Deep River Public Library Board by the adoption of municipal bylaw no. 452, *A By-Law to Authorize the Formation of a Public Library*, in accordance with the *Public Libraries Act*, section 3 (1).
- 2) In accordance with the *Public Libraries Act*, section 3 (3), the Library shall be under the management and control of The Deep River Public Library Board, which is a corporation.
- 3) The powers and duties of the Library Board are prescribed in the *Public Libraries Act*. The role of the Library Board is to govern the affairs of the library in accordance with its mission, objectives, and the *Public Libraries Act*. The Board approves policies and employs a Chief Executive Officer, who administers the Library under the guidance of those policies. As described in section 20 of the *Public Libraries Act*, the Library Board:
 - a) shall seek to provide, in co-operation with other boards, a comprehensive and efficient public library service that reflects our community's unique needs;
 - b) shall provide library services in the French language, where appropriate;
 - c) shall operate the library and ensure that it is 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; and
 - i) may appoint such committees as it considers expedient.
- 4) Board members have a duty to act in the public interest, in accordance with the *Municipal Conflict of Interest Act*. Responsibilities to the Library should not compete with private interests or the interests of associated organizations.
- 5) If necessity warrants, rules and regulations outlined in these bylaws may be suspended for a specific reason. Any suspension will apply to a single occasion only and requires a vote of at least two-thirds of the entire Board.

Related Documents:

- ***Public Libraries Act***, R.S.O. 1990, chapter P44
- ***Municipal Conflict of Interest Act***, R.S.O. 1990, chapter M. 50
- **Council of the Town of Deep River**, By-Laws no. 452 and no. 53-2014, and no. 31-2022.
- **Deep River Public Library Bylaws**, BL – 02 *Composition and Terms*, BL – 03 *Meetings of the Board*, and BL – 04 *Amendment of Bylaws*.



The Deep River Public Library

Policy Type:	Bylaws	Policy Number:	BL-02
Policy Title:	Board Composition and Terms of Reference for Officers	Initial Policy Approval Date:	June 2020
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The Deep River Public Library Board adheres to the *Public Libraries Act*, R.S.O. 1990, c. P44 as it relates to the composition of the board and the election and appointment of officers. The purpose of this bylaw is twofold: to guide our Municipal Council's appointment process for Board members and to guide the Library Board's appointment of its officers. In addition, this bylaw outlines the responsibilities of each of these officers.

Section 1: Composition of the Library Board

1. The *Public Libraries Act*, section 9 (1) prescribes a board of no fewer than 5 members. The Library Board endorses a board that consists of at least 5, and no more than 7, members.
2. The *Public Libraries Act* gives Municipal Council the power to make appointments to the Library Board (section 9 (1)). As outlined in section 10 (1) of the *Act*, a person is eligible to be appointed to the Library Board as a member of Municipal Council or if they are:
 - (a) at least 18 years old;
 - (b) a Canadian citizen or permanent resident of Canada
 - (c) a resident of Deep River or a municipality which the Deep River Public Library has a contract with; and
 - (d) not employed by the Board, the municipality or Renfrew County.
3. Municipal Council will appoint all Board members at the first regular meeting of Council in each term, as per section 10 (4) of the *Public Libraries Act* and Town By-Law 31-2022, Section 9 and Schedule 'A'.
4. In accordance with the *Public Libraries Act*, section 10 (2a), Council shall not appoint more of its own members to the Board than the number that is one less than a majority of the Board.
5. In accordance with the *Public Libraries Act*, section 10 (3), a Board member shall hold office for a term concurrent with the term of the appointing Municipal Council, or until a successor is appointed.
6. A Board member may be re-appointed for one or more terms. A member seeking re-appointment must follow the same process of application for consideration as new candidates to the Board.

7. In accordance with the *Public Libraries Act*, section 13, if any member of the Board is disqualified from holding office, the members shall forthwith declare the seat vacant and notify Municipal Council accordingly. Members may be disqualified if they:
 - (a) are convicted of an indictable offence;
 - (b) become incapacitated;
 - (c) absent from three consecutive meetings without a board resolution;
 - (d) cease to be a resident of the municipality; or
 - (e) otherwise forfeit their seat.
- 8: In accordance with the *Public Libraries Act*, section 12, when a vacancy arises in the membership of the Board, the Municipal Council shall promptly appoint a person to fill the vacancy and to hold the office for the unexpired term, except where the unexpired term is less than forty-five days.

Section 2: Officers of the Library Board

1. The Library Board follows parliamentary rules to elect its officers and will adhere to the terms of the *Public Libraries Act*.
2. At the first meeting of the new term, members of the Library Board shall elect a Chair from among the members, in accordance with Section 14 of the *Public Libraries Act*.
3. At the first meeting of the new term, members of the Library Board may elect a Vice Chair from among the members. Alternately, the Board may appoint an Acting Chair when the Chair is absent, in accordance with Section 14 (4) of the *Public Libraries Act*.
4. The Library Board shall appoint a Secretary, in accordance with Section 15 (3) of the *Public Libraries Act*.
5. The Library Board shall appoint a liaison to the Friends of the Library group.
6. The Library Board shall appoint a Chief Executive Officer (CEO), who shall also be Treasurer of the Library Board, in accordance with Section 15 of the *Public Libraries Act*.
7. At the first meeting of the calendar year, the Library Board shall confirm its officers in the Board minutes.
8. If any of the officers retire, step down, or are dismissed during their term, the Library Board must immediately elect or appoint a new officer.

Section 3: Terms of Reference for the Board Chair

1. The term of office for the Chair of The Deep River Public Library Board shall be for the term of the Library Board.
2. The Chair may be removed from office by a two-thirds majority vote of the Board.
3. The Chair leads the Library Board, acts as an official representative of the Library, ensures the proper functioning of the Board and the proper conduct of Board business, in

accordance with appropriate legislation and prescribed rules of procedure adopted by the Board.

4. The Chair will:
 - a) preside at regular and special meetings of the Library Board;
 - b) set the agenda in consultation with the Library CEO;
 - c) ensure that business is dealt with expeditiously and help the Library Board work as a team;
 - d) vote on all questions, in accordance with *Public Libraries Act*, section 16 (6);
 - e) act as an authorized signing officer of all documents pertaining to Board business;
 - f) co-ordinate the CEO evaluation process;
 - g) share with the CEO the responsibility for conducting Board orientation;
 - h) co-ordinate the Library Board's evaluation process;
 - i) represent the Library Board, alone or with other members of the Library Board, at any public or private meetings for the purpose of conducting, promoting or completing the business of the Library Board; and
 - j) not commit the Library Board to any course of action in the absence of the specific authority of the Library Board.

Section 4: Terms of Reference of the Vice-Chair or Acting Chair

1. The election of Vice-Chair shall take place at the first meeting for the term of the Library Board. If no Vice-Chair is elected, the Board may appoint an Acting-Chair when the Chair is absent.
2. The Vice-Chair or Acting-Chair may be removed from office by a two-thirds majority vote of the Board.
3. In the absence of the Board Chair, the Vice-Chair or Acting-Chair will perform the duties of the Chair, including presiding at Library Board meetings.

Section 5: Terms of Reference of the Secretary

1. The Secretary acts as the record-keeper to the Library Board. In the absence of the Secretary, the Library Board may appoint one of its members as Acting Secretary.
2. In accordance with the *Public Libraries Act*, section 15 (3), the Secretary will:
 - a) conduct the Board's official correspondence; and
 - b) keep minutes of every meeting of the Board.

Section 6: Terms of Reference of the Treasurer

1. As permitted by the *Public Libraries Act*, section 15 (5), the Chief Executive Officer of the Deep River Public Library shall serve as the Treasurer of the Library Board.
2. The Treasurer shall monitor the financial activities of the Library and shall ensure that complete and accurate records are kept in accordance with generally accepted accounting practices.
3. In accordance with the *Public Libraries Act*, section 14 (4), the Treasurer will:

- a) receive and account for all the Library Board's money;
 - b) open an account or accounts in the name of the Library Board in a chartered bank, trust company or credit union approved by the Board;
 - c) deposit all money received on the Library Board's behalf to the credit of that account or accounts; and
 - d) disburse the money as the Library Board directs.
4. The Treasurer will act as an authorized signing officer of all documents pertaining to the financial business of the Library Board.
 5. The Treasurer will provide the Library Board with a report of all financial transactions and of the financial position of the Library, monthly or as otherwise required.

Section 7: Terms of Reference of the Chief Executive Officer (CEO)

1. In accordance with the *Public Libraries Act*, section 15 (2), the Library Board appoints the Chief Executive Officer who shall attend all Board meetings.
2. The Library Board delegates the authority for management and operations of services to the Chief Executive Officer.
3. As a non-voting officer of the Library Board, the CEO:
 - a) acts as the Treasurer to the Library Board;
 - b) does not vote on board business;
 - c) sits ex-officio on all the committees of the Library Board and acts as a resource person;
 - d) assists and supports the Library Board at the presentation of the Library budget before the Council;
 - e) reports directly to the Library Board on the affairs of the Library and makes recommendations they consider necessary; and
 - f) interprets and communicates the Board's decisions to the staff.

Section 8: Committees of the Board

1. Ad Hoc Committees may be formed by a Board motion to facilitate Board business. The Board shall establish Terms of Reference for the Committee.
2. The number of members shall be determined by the Terms of Reference.
3. Ad Hoc Committees shall:
 - a) Elect a Committee Chair from its membership;
 - b) Include the Board Chair as an ex-officio member;
 - c) Include the Chief Executive Officer as Committee Secretary;
 - d) Report their recommendations to the Board for decision and as required; and
 - e) Be discharged by Board motion upon completion of their assignment.

Section 9: Community Liaisons

1. The Board may appoint a Board member, staff person, or community member, to represent the Library Board on community or library organizations for a specific term.

2. The role of the Liaison is to communicate the interests and positions of the organization to the Library Board and the interests and positions of the Library Board to the organization. The Liaison will report at regular Board meetings and as required.
3. The Liaison will seek Board approval before committing library resources or endorsement to the organization.

Related Documents:

- ***Public Libraries Act***, R.S.O. 1990, chapter P44
- ***Town of Deep River By-Law no. 31-2022***
- ***Deep River Public Library Bylaws***, BL – 01 *Statement of Authority, Powers and Duties*, BL – 03 *Meetings of the Board*, and BL – 04 *Amendment of Bylaws*.

The Deep River Public Library



Policy Type:	Bylaws	Policy Number:	BL-03
Policy Title:	Meetings of the Board	Initial Policy Approval Date:	June 2020
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Board members must meet regularly to ensure the proper governance of the Library and to conduct the business of the Board. Since the Library Board ‘as a whole’ has the authority to act, and not individual members, the Board meeting is the major opportunity for the Board to do its work. This bylaw sets procedures to follow for meetings and ensures compliance with the *Public Libraries Act*, R.S.O. chapter P.44.

Section 1: Types of Meetings

- 1) Board meetings will be open to the public unless the subject matter being considered falls within the parameters of the *Public Libraries Act*, section 16.1 (4) as stated below.
- 2) The Library Board shall hold at least seven regular meetings in each year, and at other times as it considers necessary, in accordance with section 16 (1) of the *Public Libraries Act*.
- 3) In accordance with the *Public Libraries Act*, section 14 (1), the first meeting in each new term shall be called by the Chief Executive Officer (CEO) upon receipt of the confirmation of appointments from the Municipal Clerk. This inaugural meeting shall be held as soon as possible after the appointments are made by Municipal Council.
- 4) At the first meeting, the CEO shall oversee the election of the Chair. The Chair will preside over elections for the remaining officers.
- 5) In accordance with the *Public Libraries Act*, section 16 (2), the Chair, or any two members of the Library Board, may summon a special meeting by giving each member reasonable notice in writing, specifying the purpose for which the meeting is called. This shall be the sole business transacted at the meeting.
- 6) In accordance with the *Public Libraries Act*, section 16.1 (4) and (5), a meeting or part of a meeting may be closed to the public if the subject matter being considered is:
 - a) the security of the property of the Board;
 - b) personal matters about an identifiable individual;
 - c) a proposed or pending acquisition or disposition of land by the Board;
 - d) labour relations or employee negotiations;
 - e) litigation or potential litigation, including matters before administrative tribunals, affecting the Board;
 - f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

- g) a matter in respect of which a Board or committee of a Board may hold a closed meeting under another Act;
 - h) or if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, chapter M56, if the Board or committee of the Board is the head of an institution for the purposes of that Act.
- 7) In accordance with the *Public Libraries Act*, section 16.1 (6), before holding a meeting or part of a meeting that is to be closed to the public, the Library Board or committee of the Board shall state by resolution:
- a) the fact of the holding of the closed meeting and
 - b) the general nature of the matter to be considered at the closed meeting.
- 8) In accordance with section 5 of the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, s. 5 (1) and (2), when present at a meeting where a member has any pecuniary interest, direct or indirect, in any matter considered, the Board member:
- a) shall disclose their interest and the general nature thereof, prior to any consideration of the matter at the meeting;
 - b) shall not take part in the discussion of, or vote on any questions in respect of the matter;
 - c) shall not attempt in any way whether before, during, or after the meeting to influence the voting on any such question;
- Where the meeting referred to is closed to the public, in addition to complying with the requirements above, the member shall leave the meeting or the part of the meeting during which the matter is under consideration.
- 9) Board members may attend Library Board meetings remotely via teleconference or internet videoconferencing.
- a) Meetings held remotely must be conducted so that all participating Board members can hear each other at the same time, and that the public can hear the deliberations and interact in real-time.
 - b) Members who wish to attend remotely must give the Chief Executive Officer notice so that the equipment can be made ready.
 - c) Members participating remotely must join using a technology that enables verification of their identity as a Board member.
 - d) Meeting minutes will reflect that a member is participating remotely.
 - e) Quorum applies to members attending in-person and remotely.
 - f) Members participating remotely may vote.
 - g) If the Board Chair attends the meeting remotely while other members meet in-person, then the Vice-Chair or Acting Chair will chair the meeting.
 - h) A member participating electronically in a Closed Meeting shall take all precautions necessary to ensure the security of the meeting including confidentiality of deliberations and shall use a secure internet connection that is not publicly accessible.

Section 2: Order of Proceedings

1. The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the proceedings of the Library Board in cases where there this bylaw does not.
2. Meetings shall be called to order by the Chair on the hour fixed for the meeting. In the absence of the Chair, the Vice Chair will preside over the meeting.

3. In accordance with the *Public Libraries Act*, section 16 (5), the presence of a majority of the Board is necessary for the transaction of business at a meeting.
 - a) Where a quorum is not present within fifteen minutes of the hour fixed for a meeting, the Secretary shall record the names of the Board Members present and the meeting shall stand adjourned until the next meeting or until a special meeting is called.
 - b) Members in attendance for a regular meeting, when no quorum is present, may constitute themselves as a committee to deal with such agenda items as they see fit. However, no decisions taken at such meeting may be executed until ratified by motion at a regular meeting of the Library Board.
 - c) If the majority of Board members notify the Secretary of their anticipated absence from a meeting, the Secretary shall notify all members of the Library Board that the meeting is cancelled.
4. In accordance with the *Public Libraries Act*, section 13, should a member be absent for three consecutive meetings, the Board shall:
 - a) consider the member disqualified from the Board and notify the appointing Council that the seat is vacant, or
 - b) consider the circumstances of the absence and pass a resolution authorizing that person to continue as a Board member.
5. The Chair shall prepare the meeting agenda in consultation with the Chief Executive Officer. The agenda and standard reports shall be available to members the Monday prior to the Thursday meeting.
6. Delegations:
 - a) Any person wishing to address the Board on matters relating to the library may do so by submitting a written request to the CEO on the day preceding the circulation of the meeting agenda. After this time, any person wishing to address the Board on an item of business listed on a meeting agenda, must submit a written brief to the CEO, no later than 10:00am on the day preceding the meeting.
 - b) The Board reserves the right to request additional information before granting delegation status. The Board may refuse to hear delegations if, in the opinion of the Chair, the subject of the presentation is beyond the library's jurisdiction, or where it contains obscene or defamatory content.
 - c) Delegations may not provide personal information (including views or opinions) about someone else, without confirming that prior agreement of that individual has been granted.
 - d) Unscheduled delegations will require a majority vote to proceed.
 - e) Delegations are limited to fifteen minutes, exclusive of questions posed by the Board.
 - f) Any person addressing the Board is expected to observe the rules of conduct set out in this by-law.
7. In accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, notes taken of any presentation, delegation, written submission, or item of correspondence shall become part of the record of the public Board meeting. Personal information about the participants will become part of the public record. Personal information about individuals referred to will not be published by the Board without written permission of the identified individual.

8. Voting:
 - a) All motions at Board meetings, except those approving or amending the bylaws, are decided by a majority of votes cast.
 - b) A motion to add, amend or remove a bylaw shall require a majority vote of at least two thirds of the members in order to be carried.
 - c) In accordance to the *Public Libraries Act*, section 16 (6), the Chair of the Board may vote with other Board members upon all questions. Any question on which there is an equality of votes shall be deemed to be negative.
 - d) In accordance to the *Public Libraries Act*, section 16.1 (7) and (8), a meeting shall not be closed to the public during the taking of a vote except if:
 1. Section 1 (6) of this bylaw requires the meeting to be closed to the public; and
 2. The vote is for a procedural matter or for giving directions or instructions to officers, employees, or agents of the Board or committee of the Board or persons retained by or under contract with the Board.
9. Once approved, minutes of meetings are the official record of decisions and provide direction for officers and employees in their subsequent actions.
 - a) Minutes are approved at the next meeting of the Library Board and signed by the Chair.
 - b) Minutes (excluding in-camera minutes) are public documents and shall be made available to the public.
 - c) Minutes of closed meetings are approved at the next in-camera session of the Board, kept separately in a locked cabinet in the Library Archive Room by the Chair and Secretary, and held to be confidential.

Section 3: Chairing the Meeting

The function of the Chair is to act in a leadership role to the Library Board, ensuring that business is dealt with expeditiously, and to help the Library Board work as a team. It is the duty of the Chair to:

- a) call the meetings to order;
- b) announce the business before the Library Board in the order in which it is to be acted upon;
- c) receive and submit all motions presented by the Board members;
- d) put to vote all motions which are moved and seconded, and announce the results;
- e) decline to put to vote motions which infringe the rules of procedure;
- f) enforce rules of conduct and decorum;
- g) authenticate, by signing, all bylaws, resolutions and minutes of the Library Board;
- h) represent and support the Library Board, and abide by its decisions;
- i) receive all messages and communications on behalf of, and announce them to, the Library Board;
- j) ensure that the decisions of the Library Board are in conformity with the laws and bylaws governing the activities of the Library Board.

Section 4: Board Meeting Ground Rules

The Library Board strives to set a productive environment, conducive to exploring ideas as a team.

1. Library Board Members adhere to the Town of Deep River's Council Code of Conduct, bylaw 54-2014.

2. Board Members shall observe the following ground rules:
 - a) All Board Members are equal, and take responsibility for their participation.
 - b) Diverse opinions are valued and respected. All Members will have the opportunity to contribute, to listen, and to be heard. Discussion that questions, accesses the wisdom of the group, and supports creative thinking is valuable.
 - c) To support effective communication, meeting participants will take turns speaking as directed by the Chair.
 - d) Each Member is mindful of confidentiality and conflict of interest.
 - e) Each participant is respectful of each other's time, and the focus of the agenda.

Related Documents:

- ***Municipal Freedom of Information and Protection of Privacy Act***, R.S.O. 1990, chapter M56
- ***Public Libraries Act***, R.S.O. 1990, chapter P44, section 14 and section 16.1
- ***Town of Deep River Bylaw no. 31-2022***
- ***Robert's Rules of Order New Revised***
- ***15 Ground Rules for Nonprofit, Staff and Board Meetings by Simone Joyaux***
- ***Deep River Public Library Bylaws***, BL – 01 *Statement of Authority, Powers and Duties*, BL – 02 *Composition and Terms*, and BL – 04 *Amendment of Bylaws*.



The Deep River Public Library

Policy Type:	Bylaws	Policy Number:	BL-04
Policy Title:	Amendment of Bylaws	Initial Policy Approval Date:	June 2020
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The purpose of this bylaw is to state the conditions under which bylaws are amended.

1. Bylaws may be amended in response to legislation or when circumstances change.
2. At a Board meeting any member can propose a review or an amendment of a bylaw.
3. All members of the Library Board will receive notice and draft of proposed changes prior to the next board meeting at which a motion for amendment may be tabled.
4. A motion to add, amend or remove a bylaw shall require a majority vote of at least two thirds of the entire Board in order to be carried.
5. Amendments become effective as of their approval date.

Related Documents:

- Deep River Public Library Bylaws, BL – 01 *Statement of Authority, Powers and Duties*, BL – 02 *Composition of the Board and Terms of Reference for Officers*, and BL – 03 *Meetings of the Board*.