



By-Law #2021-27

The Corporation of the Township of McGarry

Being a By-Law to Establishment of a Public Library

Whereas the Corporation of the Improvement District of McGarry established a public library by passing Bylaw 120 on December 12, 1950, and the legislation over time has changed and Council for the Corporation of the Township of McGarry considers it prudent to update the Bylaw. New By-Law 2020-07 passed on February 11, 2020.

And Whereas Council for the Corporation of the Township of McGarry also deems it prudent to clearly define the relationship between the Township and the public library.

And Whereas the *Public Libraries Act* R.S.O. 1990, Chapter P.44, section 3, requires that a Municipality choosing to establish a public library must do so by Bylaw and provides no provision for replacing or updating an existing Bylaw.

Now Therefore the Council of the Corporation of the Township of McGarry Enacts as follows:

1. That a Public Library be established pursuant to Part 1 of the *Public Libraries Act*, 1990, for the Township of McGarry.
2. That the Council for the Corporation of the Township of McGarry shall determine the level of service to be provided by the Public Library at the outset of the Council term. Any changes to the level of service during the term of the Council will be communicated to the McGarry Public Library Board no less than six (6) months prior to the date of the service level change.
3. That the McGarry Public Library Board shall be composed of two (2) members of council and three (3) members of the public appointed by the municipal council in accordance with the provisions of the *Public Libraries Act*.
4. That the McGarry Public Library Board shall comply with all aspects of the *Public Libraries Act* and any other applicable laws, Bylaws and/or operational standards established by the Township of McGarry.
5. That the McGarry Public Library Board shall provide Council with operating estimates no later than March 31 of any given year.
6. That the Corporation of the Township of McGarry will provide services to the McGarry Public Library Board as detailed in Schedule A attached hereto.

7. That in the event of a conflict between any provision of this Bylaw and any provision of the *Public Libraries Act*, 1990, the provision of the *Act* prevails.
8. That Bylaws 120 and 2020-07 are repealed
9. This By-Law shall come into force and take effect on July 23, 2021.

**READ AT FIRST, SECOND AND THIRD TIME THIS 8TH DAY OF JUNE,
2021.**


MAYOR


CLERK-TREASURER

Bylaw # 2021-27

Schedule "A"

Service Agreement

Whereas the Corporation of the Township of McGarry (the "Township") has established a public library;

And Whereas the *Public Libraries Act* requires that a public library be governed, managed and controlled by a Board and the Council for the Township has appointed such a Board.

And Whereas the Township has historically provided services to the McGarry Public Library Board (the "Board") without a formal agreement in place.

And Whereas Council for the Corporation of the Township of McGarry has established the level of service required to be provided by the Board.

And Whereas Council for the Corporation of the Township of McGarry deems it prudent and financially efficient to provide services to the Board.

Now therefore the Township establishes the following Terms

Preamble

The Township and the Board acknowledge:

1. That the Board is independent of the Township and is responsible for providing the level of service required by the Township.
2. That the Board shall govern, manage and control the public library in a building owned by the Township.
3. That the Board hires, manages and pays its own employees and is solely responsible for their workplace.
4. That the Township will not add Board employees to the Township's payroll.
5. That the Township will not provide financial services to the Board but it does reserve the right to make a grant in money, lands or buildings pursuant to s.27 of the Act.
6. That the Board will track and report their cost on a quarterly basis to the Township.

Building

The Township owns and maintains the building the public library operates from. They will pay all costs associated to the building (building insurance, hydro, building maintenance and repairs).

Human Resources

The Township will provide advice and support to the Board on human resource (HR) matters that it is competent to provide. Additionally, the Township will supply the Board with HR policies that are deemed appropriate for the Board to adopt which may include but not be limited to:

- Health and Safety and Training

Computer Software and Related IT Services

- Internet Service only