

# ROYAL OAK PUBLIC LIBRARY

## Bylaws

February 24, 2004

### NAME, PURPOSE, AND ESTABLISHMENT

**1.1–Name.** The name of the organization is “Royal Oak Public Library”. The name of its governing body is “Library Board”, which may also be referred to as “Board of Trustees”.

**1.2–Purpose.** The purpose of the Royal Oak Public Library is to be an informational, intellectual, cultural, and recreational resource for all persons.

**1.3–Establishment.** The Royal Oak Public Library was established pursuant to the Charter of the City of Royal Oak, Michigan, (Chapter 3, Section 48) and Ordinance No. 215 (“Library Ordinance”), and shall comply with all applicable federal, state, and local laws.

### LIBRARY BOARD

**2.1–Authority and Responsibility.** The Library Board has ultimate authority and responsibility for governing, controlling, and monitoring the business and affairs of the Royal Oak Public Library. The Library Board may delegate such authority as it deems proper. Policies adopted by the Library Board are binding on its officers, agents, employees, and committees.

**2.2–Trustees.** Members of the Library Board, known as Trustees, are appointed and serve terms pursuant to the Library Ordinance.

**2.3–Representatives.** When entering into a contract with other entities for access to library services for residents or other persons designated by such other entities, the Library Board may agree to allow such other entities to appoint one or more Representatives to the Library Board. Such Representatives shall not be entitled to vote or make motions at Library Board meetings, but shall be entitled to participate in debate and to receive notice of meetings, copies of minutes, and copies of policies on the same basis as Trustees.

**2.4–Individual Authority.** Trustees have no authority as individuals, apart from that specified in these Bylaws or applicable law, but rather exercise their authority collectively with Library Board action. A Trustee or Representative may, however, individually make reasonable requests for information from the Library Director.

### OFFICERS

**3.1–Officers.** The officers of the Library Board are the President, the Vice-President, and the Secretary.

**3.2–Qualifications.** The President, Vice-President, and Secretary must be Trustees.

**3.3–Nomination.** The President shall appoint a Nominating Committee prior to the January regular meeting of the Library Board. The Nominating Committee shall

recommend to the Library Board a slate of officers for election at the January regular meeting.

**3.4–Election.** Officers are elected by the Library Board at its January regular meeting, pursuant to the Library Ordinance. Trustees may nominate candidates for office in addition to those on the slate recommended by the Nominating Committee. If an office is vacant, it may be filled by majority vote of the Library Board at any regular meeting, or at any special meeting called for that purpose.

**3.5–Term.** An officer's term begins upon election, and continues until a successor is elected, unless terminated sooner by death, resignation, or by no longer being a Trustee.

**3.6–Resignation.** An officer may resign by giving the Secretary written notice. The resignation is effective on the date specified in the notice, or the date of receipt of the notice by the Secretary, whichever occurs later.

**3.7–Duties of the President.** The President establishes proposed agenda for Library Board meetings, presides at Library Board meetings, and facilitates full and open discussion of items on the agenda. He or she also executes documents authorized by the Library Board, serves as an ex-officio member of all committees, and performs such duties as are described elsewhere in these Bylaws, or as are assigned by the Library Board.

**3.8–Duties of the Vice-President.** The Vice-President performs the duties of the President when that office is vacant, or when the President so requests due to temporary absence or disability. The Vice-President also performs such duties as are described elsewhere in these Bylaws, or as are assigned by the Library Board.

**3.9–Duties of the Secretary.** The Secretary keeps and disseminates to Trustees, Representatives, and the Library Director minutes of Library Board meetings, including the date, time, place, and Trustees and Representatives in attendance; committee appointments announced by the President; the text of each motion made and seconded, along with the disposition of the motion (passed, failed, or tabled); and the date and time of adjournment. He or she also keeps and disseminates to Trustees, Representatives, and the Library Director a current version of all policies established by the Library Board, and performs such other duties as are described elsewhere in these Bylaws, or as are assigned by the Library Board.

## **MEETINGS OF THE LIBRARY BOARD**

**4.1–Regular Meetings.** Regular meetings of the Library Board commence at 7:00 p.m. on the fourth Tuesday of each month other than December. The Library Board may, by majority vote, change the date or time of a regular meeting. A regular meeting with unfinished business may be adjourned to a later date or time, and such adjourned meeting shall not be considered a special meeting, but rather a continuation of the regular meeting.

**4.2–Special Meetings.** Special meetings of the Library Board may occur at the call of the President, or of any four Trustees, or of a majority of Trustees then serving; or by majority vote of the Library Board. The business that may be conducted at a special meeting is restricted to such business as was specified in the meeting notice.

**4.3–Meeting Location.** All meetings of the Library Board shall take place at the main

library building, unless an alternate location is approved by majority vote of the Library Board or is specified in the notice of a special meeting. In no event shall a meeting of the Library Board be held in a private residence, or in a location outside the City of Royal Oak, Michigan.

**4.4–Open Meetings.** All meetings of the Library Board shall be conducted in accordance with the Open Meetings Act (Act 267 of the Public Acts of Michigan, 1976, as amended; MCL 15.261 et seq.). The Library Director shall notify the Royal Oak City Clerk of all meetings subject to the Open Meetings Act reasonably in advance of the meeting.

**4.5–Notice.** Notice of all special Library Board meetings, and of all regular Library Board meetings to be held at other than their customary date, time, or place, must be given to each Trustee and Representative at least three days in advance if mailed, or at least 24 hours in advance if verbal, electronic, or hand-delivered, unless shorter notice or no notice is approved by all Trustees then serving. Notice of a special meeting, unless called pursuant to majority vote of the Library Board, must identify the person or persons calling the meeting.

**4.6–Quorum.** A quorum at any Library Board meeting is a majority of Trustees then serving.

**4.7–Use of Proxies or Communications Equipment.** Trustees participating in a Library Board meeting must do so in person; proxies are not permitted. Participation in a Library Board meeting by a telephone or similar communications equipment by which all persons participating in the meeting may hear each other, if such participation is disclosed to all other

participants, is considered participation in person.

**4.8–Presiding Officer.** The President serves as presiding officer for all Library Board meetings. While the President is not present, the Vice-President serves as presiding officer. While neither the President nor the Vice-President is present, a temporary presiding officer selected by the Library Board serves as presiding officer.

**4.9–Right to Debate.** At meetings of the Library Board, each Trustee and Representative is entitled to at least five minutes of debate on every debatable motion.

**4.10–Order of Business.** Unless the Library Board decides otherwise, the standard order of business for a regular meeting shall be as follows:

- Announcements, Communications
- Public Comment
- Election of Officers (only in January or when a vacancy exists)
- Approval of Agenda
- Approval of Minutes
- Financial Reports
- Library Director’s Report
- Committee Reports
- Special Orders
- Unfinished Business, General Orders
- New Business

## **COMMITTEES**

**5.1–Establishment of Committees.** The President shall create and dissolve all committees, and specify their chairperson and membership. All such actions shall be announced by the President at the Library Board meeting at which the action is taken, or at the next regular Library Board meeting following the action if the action is taken outside of a Library Board meeting.

**5.2–Authority.** Committees shall have no authority other than to advise the Library Board, unless granted other authority by majority vote of the Library Board. Any committee granted such other authority shall conduct its meetings in accordance with the Open Meetings Act pursuant to section 4.4 of these Bylaws.

**5.3–Call, Meetings.** Committee meetings are held at the call of the committee chairperson.

## **RULES OF ORDER**

**6.1–Parliamentary Authority.** The rules contained in the current edition of *Robert's Rules of Order Newly Revised* govern the Royal Oak Public Library in all cases to which they are applicable and in which they are not inconsistent with these Bylaws, any special rules of order properly adopted, or applicable law.

**6.2–Size-Based Rules.** The rules of order covering small boards do not apply to the Library Board, regardless of its size.

**6.3–Bylaw Provisions Not Subject to Suspension.** No provision explicitly included in these Bylaws, except the standard order of business, may be suspended, even if the provision constitutes a rule of order.

## **LIBRARY DIRECTOR; MANAGEMENT OF LIBRARY**

**7.1–Appointment.** The Library Board is responsible for retaining a qualified Library Director, who shall serve at the pleasure of the Library Board.

**7.2–Authority and Responsibility.** The Library Director serves as the chief administrative officer of the Royal Oak

Public Library, and is responsible for the management, care, and maintenance of the library and its assets; for efficient provision of library service to the public; for informing the Library Board of matters significant to the operation of the library; and for such other duties as are assigned by the Library Board.

**7.3–Employees.** The Library Director shall be responsible for the hiring, supervision, and termination of all other library employees, subject to policies adopted by the Library Board. The Library Director may delegate such authority to others as he or she deems appropriate.

**7.4–Materials.** The Library Director shall be responsible for an adequate and proper selection of library materials, subject to policies adopted by the Library Board.

**7.5–Budget.** The Library Director shall provide to the Library Board, or to such committee as is established for that purpose, a proposed budget for review and approval. The budget, once approved by the Library Board, shall be forwarded by the Library Director to the Royal Oak City Commission for its approval. The Library Director is responsible for ensuring that all expenditures are made pursuant to the approved budget, as amended by the Library Board and the Royal Oak City Commission.

**7.6–Freedom of Information.** The Library Director shall facilitate compliance with the Freedom of Information Act (Act 422 of the Public Acts of Michigan, 1976, as amended; MCL 15.231 et seq.) by making available all public records pursuant to the terms of that act, subject to other applicable law and Library Board policy with respect to confidentiality of records disclosing an identifiable patron's use of library materials. The Library Director shall provide a copy of

all freedom of information requests concerning library records to the Library Board.

### **AMENDMENT**

**8.1–Amendment.** These Bylaws may be amended upon approval of two thirds of the Trustees then serving.