

CHAPTER XXXX

- 40.01 Authority**
- 40.02 Purpose**
- 40.03 Intent**
- 40.04 Creation**
- 40.05 Public Library Board Composition**
- 40.06 Powers and Duties**

40.01 AUTHORITY. This Chapter is adopted pursuant to authority granted in Chapter 43 of the Wisconsin Statutes.

40.02 PURPOSE. The purpose of this ordinance is to recognize the village library and its contribution to the general welfare of the village for many years and to adopt the structure provided by the Wisconsin Statutes for its legal existence, overall management, operation and financing.

40.03 INTENT. The intent of this ordinance is to affect the intent of Chapter 43 of the Wisconsin Statutes to the extent applicable to the needs of the Village of Elkhart Lake.

40.04 CREATION. A public library is created as defined in Sec. 43.52 of the Wisconsin Statutes, and that section, and such other portions of Chapter 43 of the Wisconsin Statutes, are adopted as applicable, and to the degree applicable where this ordinance may be more specific.

40.05 PUBLIC LIBRARY BOARD COMPOSITION. (1)(a) The Village of Elkhart Lake Public Library shall be administered by a library board composed of seven (7) members. This seven (7) member library board shall consist of one (1) representative from the Board of Trustees of the Village of Elkhart Lake, one (1) representative of the public school district and five (5) members at large. Of the five (5) members at large, three (3) shall be residents of the Village of Elkhart Lake and two (2) may be residents of towns adjacent to the Village. All members shall be appointed by the Village President with the approval of the Village Board.

(b) Upon their first appointment, the seven (7) member board shall be divided into the following four classes: three (3) shall be appointed to serve four (4) year terms, two (2) shall be appointed to serve three (3) year terms, and two (2) shall be appointed to serve for two (2) years beginning May 1st in the year of their appointment, and thereafter, each regular appointment shall be for a term of three (3) years.

(c) One of the members appointed to the library board shall be a representative of the public school district, or his designee. At any one time, there shall not be more than one member of the Board of Trustees of the Village of Elkhart Lake serving as a member of the Library Board.

(d) No compensation shall be paid to the members of a library board for their services, but they may be reimbursed for their actual and necessary expenses incurred in performing duties if so authorized by the library board.

(e) A majority of the membership of a library board constitutes a quorum, but any such board may, by regulation, provide that five (5) or more members thereof shall constitute a quorum.

(2) As soon as practicable after the first appointments, as a date and place fixed by the appointing officer, and annually thereafter within 30 days after the time designated in this section for the beginning of terms, the members of the library board shall organize by the election, from among their number, of a president and such other officers as they deem necessary.

40.06 POWERS AND DUTIES. (1) The library board shall have exclusive control of the expenditure of all moneys collected, donated or appropriated for the library fund, and of the purchase of a site and the erection of the library building whenever authorized. The library board also shall have exclusive charge, control and custody of all lands, buildings, money or other property devised, bequeathed, given or granted to, or otherwise acquired or leased by, the Village for library purposes.

(2) The library board shall audit and approve all vouchers for the expenditures of the public library and forward such vouchers or schedules covering the same, setting forth the names of claimants, the amounts of each claim and the purpose for which expended, to the Village Clerk with a statement thereon, signed by the library board secretary or their designee of the library board, that the expenditure has been incurred and that the library board has audited and approved the bill. The Village Clerk shall thereupon draw his order upon the treasurer, and the same shall be paid as other village orders are paid as provided by Sec 66.042 of the Wisconsin Statutes.

(3) Any person having a claim or demand against the village growing out of any act or omission of the library board shall file with the library board a written statement thereof. If the claim or demand or any part thereof is disallowed, the claimant may bring an action against the village in the same manner that an action may be brought after the disallowance of a claim by the village under its general charter.

(4) The library board may appoint a librarian and such other assistants and employees as it deems necessary, and prescribe their duties and compensation.

(5) The library board may employ competent persons to deliver lectures upon scientific, literary, historical or educational subjects, and may cooperate with the University of Wisconsin, state universities, vocational, technical and adult education schools, the historical society, the department of public instruction, cooperative educational service agencies, school board or other educational institutions to secure such lectures or to foster and encourage by other means the wider use of books and other resource, reference and educational materials upon scientific, historical, economic, literary, educational and other useful subjects.

(6) (a) Within 30 days after the conclusion of the fiscal year of the village in which the public library is located, the library board shall make a report to the division and to its municipal governing body. The report shall state the condition of the library board's trust and the various sums of money received for the use of the public library during the year, specifying separately the amounts received from appropriations, from the income of trust funds, from rentals and other revenues of the public library and from other sources. The report shall state separately the condition of the permanent trust funds in the library board's control, shall state in detail the disbursements on account of the public library during the fiscal year and shall contain an estimate of the needs of the public library for the next succeeding fiscal year.

(b) The report to the division shall include data concerning library materials, facilities, personnel, operations and such other information as the division requires.

