

ORDINANCE NO. O24-06

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE GLENDALE CITY CODE, CHAPTER 20, AND SETTING FORTH AN EFFECTIVE DATE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That the Glendale City Code Chapter 20 (Library), Section 20-1 Library director, Section 20-2 Mutilation of books and library property, Section 20-3 Failure to return library property; fines and penalties, Section 20-4 Nonresident usage; fee, Section 20-5 Usage fees, Sections 20-6 – 20-15 Reserved, Section 20-16 Library Advisory Board, and Sections 20-17 – 20-21 Reserved is amended by adding and deleting the following language and shall read as follows:

CITY CODE CHAPTER 20 LIBRARY

ARTICLE 1. IN GENERAL

Sec. 20-1. Library ~~director~~ facilities and programs; statement of purpose.

~~The public library shall be administered by the library director, who shall be appointed by the city manager. The library director shall administer the library, its staff, reading rooms, branches and stations and for the purpose may make such rules or regulations as may be necessary and expedient and not inconsistent with the laws of the city and the general laws of the state, together with a schedule of fines and penalties for the violation thereof, for the operation of the library.~~

~~(Code 1963, § 26-3.7; Ord. No. 1097, § 2, 11-13-79)~~

- (a) The city has established library facilities and programs for the use and enjoyment of its residents, believing that the provision of such facilities and programs is necessary to meet significant social, physical, and mental health needs of the community.
- (b) To the extent possible, the city has provided library facilities and programs without directly imposing fees for such facilities and programs.
- (c) To continue to provide library facilities and programs for the use and enjoyment of the community at a high level of quality, it may be necessary to charge fees to recover the cost of materials consumed by patrons of library programs or services or to recover the cost of damaged, lost, or unreturned items.

Sec. 20-2. Mutilation of books and library property.

~~It shall be unlawful for any person to mar, deface, mutilate or in any way injure any book, paper, periodical, or newspaper, the property of or contained in any public library, or to mar, deface, mutilate or in any way injure any property, real or personal, or any furniture or fixtures contained in any public library of the city.~~

~~(Code 1963, § 21-44)~~

State law reference(s) — Malicious mischief, A.R.S. § 13-1602.

Sec. 20-2, 3. Failure to return library property; ~~fines and penalties.~~

- (a) It shall be unlawful for any person to willfully fail to return any material or other property of the City of Glendale Public Library within five (5) days after the issuance of notice from the library demanding return of such property. ~~Any person, who retains, or fails to return, any property belonging in or to, or on deposit with, the Glendale City Library or any branch operated in connection therewith, for a period exceeding the grace period, as established by resolution of the city council, after the date such item was due shall be subject to a daily fine established by resolution of the city council.~~
- (b) A borrower in violation of ~~It is a violation of this chapter for any person to retain, or fail to return, any item described in subsection (a) above for a period exceeding fourteen (14) days after final notification shall be notified of delinquency ~~is sent~~ by U.S. mail to the borrower's address on file with the library. A violation of this subsection shall be a civil infraction and is subject to collection action. ~~a penalty established by resolution of the city council.~~~~
- (c) For the purpose of enforcing the provisions of this section, the person accepting responsibility for the library card which was used to check out the item or items, shall be prima facie responsible for the violation of any provision of this section and shall be responsible for any fines or penalties therefor.

(Code 1963, § 21-45; Ord. No. 1571, § 1, 11-22-88; Ord. No. 2070, § 1, 3-9-99)

Sec. 20-4. Nonresident usage; fee.

~~Nonresidents of the City of Glendale shall be permitted to utilize the services of the Glendale Public Library after paying a quarterly fee established by resolution of the city council, to cover the additional costs to the city of providing library services to nonresidents. The library director may establish written guidelines, subject to the approval of the library advisory board, setting forth the circumstances when such fee may be waived.~~

(Ord. No. 1571, § 2, 11-22-88; Ord. No. 2070, § 1, 3-9-99)

Sec. 20-3, 5. Usage fees.

Library usage fees ~~Fees for the usage of certain materials and services of the library shall be defined and established by resolution of the city council.~~

(Ord. No. 2070, § 1, 3-9-99)

Secs. 20-6 — 20-15. Reserved.

ARTICLE II. ADVISORY BOARD

Sec. 20-4.16. Library advisory board.

- (a) *Mission.* Pursuant to the City Charter of the City of Glendale, Article V, Section 1, the city council does hereby create a library advisory board.
- (b) *Bylaws.* Unless otherwise delineated with this section, the bylaws contained in Chapter 2, Article VIII shall apply.
- (c) *Composition.*
 - (1) The library advisory board shall have nine (9) members. Two (2) of the nine (9) members of the library advisory board shall be students attending high school at the time of their appointment by the city council. The student members of the board shall be full voting members of the board. The calculation of a quorum of the commission shall be based on the seven (7) non-student members.
 - (2) The student members of the board shall be appointed for one-year terms and may be re-appointed for a second one-year term. The non-student members of the board shall be appointed for a two-year term. All members shall serve without compensation.
- (d) *Powers, duties and responsibilities.* The library advisory board shall advise, counsel, and aid the city on the following matters:
 - (1) Recommend or evaluate library programs and services;
 - (2) Recommend or evaluate rules, regulations and policies governing the use of library facilities;
 - (3) Assess and evaluate community needs related to library programs, services, and facilities and make associated recommendations; and,
 - (4) Recommend, evaluate, or propose initiatives designed to advance the core mission of the modern library and information services which are to enhance learning and to ensure the inclusion of diverse perspectives and equitable access to library services for all.
 - ~~(1) Advise and consult, through the chairman of the board with the library director as to the times to be included on the agenda of meetings of the board prior to preparation and distribution of the agenda by the library director. The library director if requested by any board member, shall include on the agenda any item requested by such board member;~~
 - ~~(2) Review and approve the official minutes of all board meetings prior to transmittal of such minutes to the city council;~~
 - ~~(3) Monitor and evaluate progress toward established goals;~~
 - ~~(4) Recommend changes required to strengthen programs or reduce service levels;~~
 - ~~(5) Identify desirable contacts and relationships with other governmental entities and cultivate cooperative or joint programs for agencies' mutual benefit;~~

- ~~(6) Recommend, assist and advise the city manager and the library director in establishing priorities at budget time for those items, other than administrative functions, relating to library policy.~~
- ~~(7) Submit, at least annually, to the city council through the city manager, a report which shall inform the council on matters of public interest and need in relation to the resources and services of the library system. This report shall include an overall evaluation of the library system.~~

~~(Ord. No. O22-32, § 7, 4-26-22)~~

Secs. 20-17—20-21. Reserved.

(Signatures on the following page)

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 26th day of March, 2024.

Mayor Jerry P. Weiers

ATTEST:

Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

Michael D. Bailey, City Attorney

REVIEWED BY:

Kevin R. Phelps, City Manager