



# **Municipal Councillor's Public Library Handbook**

Please note: This document is not legal advice and should be read together with the official language of the Public Libraries Act (R.S.O. 1990, c. P.44) and regulation (R.R.O. 1990, Reg. 976). If there is any conflict between this document and the Libraries Act and Regulation 976, the Libraries Act and Regulation 976 are the final authorities.

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## Introduction

Municipal councils work in partnership with public library boards to deliver library services that are responsive to community needs.

The provincial government and its agencies play a significant role in providing leadership and training, and facilitate cooperation and coordination within the public library community. Municipal councils are directly responsible for appointing public library boards and provide most of their funding.

It is crucial that municipal councillors have a sound understanding of the library board's governance structure and function, as well as an appreciation of the significant contribution public libraries make to their community's quality of life. Awareness of the challenges and concerns facing public libraries in today's rapidly changing world is also essential.

This booklet has been prepared to encourage a sound working relationship between municipal councils and public library boards, thereby helping to ensure the best possible public library service for communities in Ontario.

## The Purpose of Ontario's Public Libraries

*One Place to Look: The Ontario Public Library Strategic Plan, 1990'* defined the purpose of public libraries as follows:

The public library serves its community based on the belief that every individual has the right to equitable access to information.

The public library is committed to helping people find information appropriate to their needs.

The public library is concerned with the refreshment of people's spirit by providing books and other materials for relaxation and pleasure.

The public library promotes an open and democratic society by providing everyone with access to civilization's thoughts, ideas, actions and the expression of its creative imagination. The public library is the principal means whereby the record of civilization is made freely available to all.

The public library is a practical demonstration of our society's belief in the value of universal education as a continuing and lifelong process.

## Ontario Public Libraries: One of the finest public access information services in the world!

In the year 2012<sup>2</sup>

- 98% of Ontarians had access to public library service
- 95% of organized municipalities were under public library bylaws
- 1,135 public library service points delivered public library service to Ontarians
- 10,507 people were employed by public libraries

### And Growing...

	Year 2000	Year 2012
Population served	10,824,494	11,826,929
Number of public computer workstations	7,048	11,325
Direct circulation of library materials	95,249,619	133,957,766
Items lent via interlibrary loan	183,750	350,085
Library visits made in person	60,967,000	72,529,650
Program attendance	1,900,093	3,493,466

## What Public Libraries Do

Public libraries provide information and advice to all Ontarians. Public libraries play a unique role in providing access to, and assistance and training in using the information highway and digital technologies. Public librarians have specialized skills and resources to help Ontarians access information.

Public library collections consist of books, printed materials, compact discs, DVDs, e-books, downloadable audio books, and online databases. Access to a variety of materials and formats available through the public library benefits all community members, including those who have difficulty making use of traditional print materials.

Learning is a life-long process. Public libraries provide resources and guidance to assist learners of all ages, to encourage reading and discovery, and for the pursuit of personal learning goals.

Public libraries provide recreational resources and activities in a safe and welcoming environment for all community members.

Public libraries are often cultural centres of the community, providing a place for local cultural groups to meet, a venue for cultural events, and local authors and artists to promote their works. Along with museums, public libraries help to preserve and offer access to a community's historical record.

Today's public library provides a wide range of services, including:

- Authoritative resources and knowledgeable staff to meet the information needs of individuals and organizations
- Wireless Internet access
- Computer and Internet training programs
- Online access to electronic information resources, databases, and e-books
- Collections of books, DVDs, audio recordings, and other materials in English, French and other languages
- Reader's advisory service – person-to-person and through the Web
- Collections of newspapers and periodicals for recreation and information, available in print and online
- Local history collections, genealogy resources and special collections of local interest (including digital collections)
- Interlibrary loan service to connect users with materials available from libraries across Ontario and Canada
- Programs, activities and events for people of all ages

In addition to these basic services, many libraries provide:

- Home delivery service for home-bound and institutionalized residents
- Resources for people unable to use print material
- Literacy programs
- Homework help
- Employment resources
- Small business support
- Meeting space for local community groups

Library staff members are trained to help the public access library resources available in print and online and get the maximum benefit from library services.

## Who Uses Public Libraries?

Public libraries welcome all members of the community - children, young adults, students of all ages, retirees, people in the workforce, people looking for work, and parents.

Public libraries are a vital resource for ...

- Unemployed persons who use public library resources (newspapers, directories, reference and self-help books, access to electronic resources, computers) to assist in the job search and for self-improvement
- People with limited means who use library resources for recreation and to access online resources including government services
- Families with young children who access resources and programs to explore language, develop literacy skills, and learn socialization skills
- New residents and immigrants seeking resources and opportunities to learn about the community, to practise language skills, and to develop social connections
- Self-employed persons using the library for business information needs and to access software, the Internet, and equipment (e.g., photocopiers, fax machines, scanners)
- Adults accessing library resources to support retraining and upgrading
- Home-school families using the library's educational resources, computers, and programs
- A growing seniors population accessing resources and services tailored to their needs

- Schools relying on public library collections and facilities to supplement their resources
- People of all ages participating in training on computer hardware and software, Internet use, social media, or access library resources

## The Public Library Role in an Information Economy

A dynamic, adequately-funded public library operating as part of a progressive provincial library system is critical in today's information-rich society. Many public libraries enable their residents to remain competitive in today's information economy.

Public libraries are continually exploring ways in which new technology can be used to enhance the lives of people in the community.

Public libraries have key roles to play in:

- Providing equal access to information, print and online, for all Ontarians
- Teaching community members to navigate the information highway, to use online resources, and to learn the required computer skills
- Developing and providing access to library-created electronic information resources and locally produced Internet content

Public library boards and staff are in a continuous cycle of training and development to remain ahead of the technological curve and to meet the ever-changing information needs of the public.

## The Public Library and the Community

Library boards and municipal councils are partners in the business of building stronger communities.

Public libraries help build strong, sustainable and safe communities by:

- Facilitating a community's social connections by providing a safe community space with programs that encourage community members to meet and socialize
- Building community capacity by providing access to resources and programs that build the knowledge and skills of community members
- Employing people and purchasing local goods and services
- Providing volunteer opportunities for community members
- Encouraging citizen participation in the democratic process by providing access to the knowledge and perspectives of people past and present



- Supporting local cultural and linguistic needs
- Participating as a partner in cultural planning

Public librarians and board members have much to contribute to the development of strong communities.

## How Public Library Service is Organized

### The Public Libraries Act

The first public library legislation in Ontario dates back to 1851.<sup>3</sup> The current Public Libraries Act (R.S.O. 1990, CHAPTER P.44) was adopted in 1984 and, along with Regulation 976, and with amendments provides the legislative cornerstone for public library service in Ontario today.

### The Municipal Role

Local libraries are the cornerstone of Ontario's public library system. Each municipal or county public library is governed by a public library board. The local municipal or county council establishes the public library board, appoints qualified and effective board members, and ensures the board receives the appropriate resources to provide quality public library service.

### The Provincial Role

The Ministry of Tourism, Culture and Sport plays a central role in building the province's pride and economic prosperity. The Ministry administers the *Public Libraries Act*, and provides funding, support, and advice to libraries.

For information about programs and services offered, please visit the [Ontario Ministry of Tourism, Culture and Sport](#) website.

# How Public Library Service is Funded

## Municipal Government

Municipal governments provide the majority of operating funds for most public libraries in Ontario. In 2012, the municipal share of public library operating funding in Ontario was \$568,289,830, or 87%.<sup>4</sup>

## Ontario Government

The Ministry of Tourism, Culture and Sport issues an annual public library operating grant to legally-constituted public library boards. Since 1998, the ‘urban’ rate for the public library operating grant has been \$4.08 per household, while the ‘smaller rural’ rate has been \$4.80 per household.

To be eligible to receive the annual public library operating grant, a library board must complete and submit an application for funding, meet financial reporting requirements and submit an Annual Survey of Public Libraries questionnaire issued by the Ministry.

In addition, the Ministry of Tourism, Culture and Sport provides special funding to public libraries from time to time through strategic funding programs and other special purpose funding.

## Contracts for Service

A municipality may enter into a contract for library service with a public library board, union board or county library board, instead of establishing its own library. (*Public Libraries Act, R.S.O. 1990, c. P.44, s. 29(1)*)

Municipalities that contract for library service may receive annual operating funding from the province. To be eligible for this funding, a contracting body must complete and submit to the Ministry an annual survey issued by the Ministry along with a completed application for funding, financial information as requested and a copy of the contract.

## Other Sources of Funding

Other sources of library funding include: project grants from the provincial government, grants from the Ontario Trillium Foundation, special funding from municipal and other levels of government, funding from private foundations and funds generated internally by public libraries through rental charges for meeting rooms and equipment, copying fees, late charges, fund-raising, donations and bequests.

## Fees

Admission to the library and use in the library of library materials must be free of charge. (*Public Libraries Act, R.S.O. 1990, c. P.44, s. 23(1)*)

The following services must be provided to the public free-of-charge (*Public Libraries Act, R.S.O. 1990, c. P.44, s. 23(2)*):

- Using reference and information services as the board considers practicable
- Reserving and borrowing circulating materials specified in Regulation 976: (*R.R.O. 1990, Reg. 976, s. 2.*)
  - o Books with hard, soft and paper covers
  - o Periodicals
  - o Newspapers
  - o Audio materials designed for people with disabilities
  - o Sound recordings
  - o Audio and video cassettes
  - o Tape recordings
  - o Video discs
  - o Motion pictures
  - o Film strips
  - o Film loops
  - o Micro materials in all formats
  - o Computer software, and
  - o Multi-media kits

Public libraries are precluded from charging users for materials borrowed through interlibrary loan if the materials borrowed fall within the classes of materials prescribed in Regulation 976. Libraries are not permitted to pass on to their users any administrative or other fees that the lending library might charge.<sup>5</sup>

A public library may charge people who do not reside in the area of the board's jurisdiction for services, providing their municipality, local service board or band council has not contracted for service with the library.<sup>6</sup>

## How Public Libraries are Established and Composed

Library boards are corporations established under the Public Libraries Act. (*Public Libraries Act, R.S.O. 1990, c. P.44, s. 3(3)*).<sup>7</sup>

### Public libraries

A municipal public library board is established by the passing of a municipal bylaw. The municipal clerk is required to promptly mail or deliver a copy of the bylaw to the Minister. (*Public Libraries Act, R.S.O. 1990, c. P.44, s. 3(1) and 3 (2)*)

A public library board is composed of at least five members, appointed by the municipal council. (*Public Libraries Act, R.S.O. 1990, c. P.44, s. 9 (1)*)

## Union Libraries

Union libraries are established by the councils of two or more municipalities that agree to establish a public library board. An agreement specifies the proportion of the cost of the establishment, operation and maintenance of the union public library, including the cost of existing libraries that will be paid by each municipality. When the agreement is made, any existing public library boards established in the municipalities for which the union board is established are dissolved, and the assets and liabilities of those boards are vested in and assumed by the union board, unless the agreement provides otherwise. (*Public Libraries Act, R.S.O. 1990, c. P.44, s. 5*)

A union board is composed of at least five members appointed by the councils of the affected municipalities in the proportions and in the manner specified in the agreement establishing the union public library. The number of council members on a union public library board is limited to one less than a majority of the board. (*Public Libraries Act, R.S.O. 1990, c. P.44, s. 9(2)*)

## County Libraries

A county library is established by county bylaw. Resolutions of at least two thirds of the municipalities forming part of a county are required for the establishment of a county library. When a county library is established, the municipalities which do not wish to take part are not required to do so. (*Public Libraries Act, R.S.O. 1990, c. P.44, s. 7*)

A county library board is composed of at least five members appointed by the county council. The number of council members on a county library board is limited to a bare majority of the board. (*Public Libraries Act, R.S.O. 1990, c. P.44, s. 9(5)*)

For more information about public library boards in Ontario, please visit the [Ontario Library Boards Association](#) website.

## Making Appointments to the Library Board

The clerk of the appointing municipality is required to advertise vacancies on the library board “by publishing a notice of them, inviting applications in a newspaper of general circulation in the municipality”. (*Public Libraries Act, R.S.O. 1990, c. P.44, s. 11*)

This notice provides interested citizens with the opportunity to apply for the available position(s) and for council to carefully select the best possible candidate(s). The library board and CEO may also contribute to this process by providing information to assist council in its deliberations. The selection process may include an information session for prospective board members conducted by the library CEO and/or the library board.

The term of the board is the same as that of the appointing body. (*Public Libraries Act, R.S.O. 1990, c. P.44, s. 10 (3)*)

Board appointments are made at the first meeting of council in each term. If the council fails to make the appointments at its first meeting, it must do so at any regular or special meeting held within sixty days of its first meeting. The existing library board continues until new appointments are made.<sup>8</sup> (*Public Libraries Act, R.S.O. 1990, c. P.44, s. 10 (4)*)

The following persons are qualified for appointment to a public library board: (*Public Libraries Act, R.S.O. 1990, c. P.44, s. 10 (1)*)

- A person who is a member of the appointing council, or
- A person who is at least eighteen years old, is a Canadian citizen, and:
  - o resides in the municipality for which the board is established or the area served by the board in the case of a county library board;
  - o resides in a municipality, local service board or Indian band that contracts with the library board for service;
  - o is a member of a second board that has entered into a contract with the board to purchase from it library services for the residents of the second board; and
  - o is not employed by the board or by the municipality or county or, in the case of a union board, by any of the affected municipalities.

It is important to remember that a library board represents the community it serves and its members should reflect the diverse populations residing in the municipality. Other factors to keep in mind are:

- Interest in public library service
- Experience on other boards
- Knowledge of the community
- Aptitude for planning and advocacy
- Readiness to devote time and effort
- Ability to work in a political environment

## Library Boards and Finances

### Treasurer

A library board must appoint a treasurer, who receives and accounts for all the board's money; opens an account or accounts in the name of the board in a chartered bank, trust company or credit union approved by the board; deposits all money received on the board's behalf to the credit of that account or accounts; and disburses the money as the board directs. (*Public Libraries Act, R.S.O. 1990, c. P.44, s. 15 (4)*)

## Budget Estimates

Library boards submit estimates to their appointing council or councils annually. The estimates are submitted in the form requested by the council(s) and must include all amounts required during the year for the purposes of the board. If there is more than one appointing council the estimates must include a statement on the proportion of the estimates to be charged to each municipality. Council may, in the approval of the board's estimates or at any time at the board's request, authorize the board to apply a specified amount of percentage of the money paid to it otherwise than in accordance with the estimates as approved. (*Public Libraries Act, R.S.O. 1990, c. P.44, s. 24*)

## Real Property

The board may, with the consent of the appointing council, or, where there is a union board, the consent of a majority of the councils involved: (*Public Libraries Act, R.S.O. 1990, c. P.44, s. 19 (1)*)

- Acquire land required for its purpose by purchase, lease, expropriation or otherwise
- Erect, add to or alter buildings
- Acquire or erect a building larger than is required for library purposes, and lease any surplus part of the building
- Sell, lease or otherwise dispose of any land or building that is no longer required for the board's purposes

## Debentures

The sums required by a public or union library board required for the purposes of acquiring land, for building, erecting or altering a building or for acquiring books or other things required for a newly established library may, on the application of the board, be raised by the issue of municipal debentures. (*Public Libraries Act, R.S.O. 1990, c. P.44, s. 25 (1)*)

## Administrative Arrangements with Municipality

A library board may enter into an agreement with its municipality for provision of administrative functions. However, where such administrative agreements exist, directions regarding the disbursement of library funds remain the prerogative of the library board.<sup>9</sup>

## Re-imbusement of Expenses

A library board may reimburse its members for proper travelling and other expenses incurred in carrying out their duties as members. (*Public Libraries Act, R.S.O. 1990, c. P.44, s. 18*)

## Officers of the Board

A library board must elect a chair. (Public Libraries Act, R.S.O. 1990, c. P.44, s. 14(3)) It must also appoint a chief executive officer (CEO), secretary and treasurer. The offices of CEO, secretary and treasurer may be held by a single person. (*Public Libraries Act, R.S.O. 1990, c. P.44, s. 15(2)-(5)*)

## Employees

A public library board may appoint and remove such employees as it considers necessary, determine the terms of their employment, fix their remuneration and prescribe their duties. (*Public Libraries Act, R.S.O. 1990, c. P.44, s. 15 (1)*)

## Chief Executive Officer

The library board appoints a CEO to have general supervision over and direction of the operations of the public library and its staff, to attend all board meetings, and to have other powers and duties as assigned by the board. (*Public Libraries Act, R.S.O. 1990, c. P.44, s. 15 (2)*)

## Pensions

A board may also provide pensions for employees. (*Public Libraries Act, R.S.O. 1990, c. P.44, s. 22 (1)*)

## Powers and Duties of the Library Board

Section 20 of the *Public Libraries Act* outlines certain powers and duties of a library board.

A board shall:

- Seek to provide, in cooperation with other boards, a comprehensive and efficient public library service that reflects the community's unique needs
- Seek to provide library services in the French language, where appropriate
- Operate one or more libraries and ensure that they are conducted in accordance with the Act and its regulations
- 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
- Make an annual report to the Minister and make any other reports or provide any information required by the Act and regulations or requested by the Minister from time to time
- Make provision for insuring the board's real and personal property
- Take proper security for the treasurer

A board may:

- Operate special services in connection with a library as it considers necessary
- Appoint such committees as it considers expedient

In addition, a board may:

- Make rules (Public Libraries Act, R.S.O. 1990, c. P.44, s. 23 (4))
  - o For the use of library services
  - o For the admission of the public to the library
  - o For the exclusion from the library of persons who behave in a disruptive manner or cause damage to library property
  - o Imposing fines for breaches of the rules
  - o Suspending library privileges for breaches of the rules
  - o Regulating all other matters connected with the management of the library and library property
- Impose fees for services not defined in the Public Libraries Act as free, for use of library services by persons who do not reside in the area of the board's jurisdiction, and for the use of parts of a library building not being used for public library purposes. (C R.S.O. 1990, c. P.44, s. 23 (3))

For more information about public library legislation and to read General Questions and Answers for Public Libraries, please visit the Ministry of Tourism, Culture and Sports website: [Public Library Legislation](#).

## Key Activities of Public Library Boards

### Set Policy

Policy is a board tool for ensuring continuity of governance, a consistent framework for the efficient operation of the library and effective delivery of library services. Policies assist the library board in fulfilling its mission and provide a foundation upon which library staff can develop procedures and make day-to-day decisions.

### Plan

Planning ensures the board is making the best use of public resources, and that library service is positioned to respond to community needs and changing circumstances. It is the board's responsibility to implement an effective planning process along with appropriate up-to-date policies.

### Hire, Supervise and Evaluate the CEO

The Public Libraries Act gives the board sole responsibility for hiring the library's CEO (*Public Libraries Act, R.S.O. 1990, c. P.44, s. 15 (2)*), preferably someone who has the knowledge, skills and experience to participate in library planning, to manage the library, and to work effectively with staff and the community.



## Advocate for the Library and Develop Strategic Partnerships

The library board's role is to ensure adequate resources are available for the library to meet community needs. It does this by nurturing a strong and cooperative relationship with council (its main partner and funding body), developing strategic partnerships within the community, and communicating the value of the library to the community.

## Ensure Accountability

The library board monitors the financial affairs of the library. It ensures that library funds are spent in accordance with the approved budget and in such a way as to meet community needs.

## Province-wide Organizations and Programs Providing Resources and Support for Public Libraries

### Ontario Library Service Agencies

The provincial government funds two public library support agencies: the Northern Ontario Library Service (OLS - North) and the Southern Ontario Library Service (SOLS). These agencies:

- Coordinate provincial training programs for public library workers (e.g., Excel, COMPASS) and board members and provide access to various types of training (e.g., library skills development, community development, board development, technology).
- Provide professional library consulting to public library staff and boards.
- Provide infrastructure for a provincial database of all materials in Ontario public libraries (Information Network for Ontario - INFO) and support resource sharing between libraries.
- Provide infrastructure and support for a cooperative automated library system (Joint Automation Server Initiative - JASI).
- Provide opportunities for library staff and trustees to network and share ideas (Networking Groups, Library Committees, Trustee Councils, First Nations Gathering).
- Encourage and facilitate the sharing of resources among libraries by coordinating the selection, purchase and exchange of goods and services among libraries.
- Administer consortium purchasing initiatives on behalf of public libraries.

For more information please visit the [Ontario Library Service](#) website.

## Ontario Public Library Guidelines

The *Ontario Public Library Guideline* is a province-wide library accreditation program, developed and monitored by representatives of the Ontario public library community. Participation in the program is voluntary.

This program is administered through the Ontario Public Library Guidelines Monitoring and Accreditation Council, which reports to Ontario Library Service – North.

The purpose of the program is two-fold:

- To raise the level of public library service in a consistent way across the province; and
- To recognize, through a system of peer accreditation, the achievement of libraries which have achieved standards defined in the Guidelines.

For more information visit the [Ontario Public Library Guidelines](#) website.

## Federation of Ontario Public Libraries

The Federation of Ontario Public Libraries is a membership-based organization committed to advancing the interests of Ontario public libraries across the province and with all levels of government. For more information visit the [Federation of Ontario Public Libraries](#) website.

## Ontario Library Boards' Association

The Ontario Library Boards' Association (OLBA) is a division of the Ontario Library Association (OLA) and represents public library board members (trustees) on issues relating to their areas of responsibility. For more information visit the [Ontario Library Boards' Association](#) website.

## Endnotes

<sup>1</sup>*One place to look: The Ontario public library strategic plan*. Prepared by the Ontario Public Library Strategic Planning Group. Co-sponsored by: The Ontario Ministry of Culture and Communications and the Ontario Library Association, 1990.

<sup>2</sup>Ontario Ministry of Tourism, Culture and Sport. <http://www.mtc.gov.on.ca/en/libraries/statistics.shtml>

<sup>3</sup>Library Board Development Kit, 2014. Section Two. Public Libraries in Ontario, pg. 15 [http://www.sols.org/files/docs/develop/publications/boarddevkit/Kit2014-full\\_document-Final.pdf](http://www.sols.org/files/docs/develop/publications/boarddevkit/Kit2014-full_document-Final.pdf). Accessed on November 25, 2014

<sup>4</sup>Ontario Ministry of Tourism, Culture and Sport. <http://www.mtc.gov.on.ca/en/libraries/statistics.shtml>

<sup>5</sup>Ontario Ministry of Tourism, Culture and Sport. *Public Libraries Act - Questions and Answers for Public Libraries*. [http://www.mtc.gov.on.ca/en/libraries/act\\_q\\_a.shtml](http://www.mtc.gov.on.ca/en/libraries/act_q_a.shtml) No. 40. Accessed on July 31, 2014

<sup>6</sup>Op. cit., No. 37.

<sup>7</sup>Public Libraries Act R.S.O. 1990, CHAPTER P.44. Accessed on November 25, 2014. [http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90p44\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90p44_e.htm)

<sup>8</sup>Ontario Ministry of Tourism, Culture and Sport. *Public Libraries Act - Questions and Answers for Public Libraries*, No. 19. [http://www.mtc.gov.on.ca/en/libraries/act\\_q\\_a.shtml#LibraryGovernance](http://www.mtc.gov.on.ca/en/libraries/act_q_a.shtml#LibraryGovernance). Accessed on July 31, 2014

<sup>9</sup>Ontario Ministry of Tourism, Culture and Sport. *Public Libraries Act - Questions and Answers for Public Libraries*, No. 30. Accessed on July 31, 2014 [http://www.mtc.gov.on.ca/en/libraries/act\\_q\\_a.shtml#LibraryFinance](http://www.mtc.gov.on.ca/en/libraries/act_q_a.shtml#LibraryFinance). Accessed on July 31, 2014