

## **ORDINANCE NO. 14-30**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; REPEALING CHAPTER 58; REPLACING CHAPTER 58, ARTICLE II: EUSTIS MEMORIAL PUBLIC LIBRARY OF THE CITY OF EUSTIS CODE OF ORDINANCES IN ITS ENTIRETY; PROVIDING FOR CONFLICT WITH EXISTING ORDINANCES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 58, Article II, of the City of Eustis Code of Ordinances was established in 1959 for establishment of a public library to be known as the Eustis Memorial Public Library in memory of the veterans; and

**WHEREAS**, the City Commission of the City of Eustis finds that Chapter 58, Article II of the City of Eustis Code of Ordinances should be amended to better serve the City's residents; and

**WHEREAS**, the City Commission of the City of Eustis finds that Chapter 58, Article II of the City of Eustis Code of Ordinances should be amended to better reflect current operating standards and procedures;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA AS FOLLOWS:**

**Section 1.** That Chapter 58, Article II is hereby repealed and replaced in its entirety with this Ordinance No. 14-30, to be codified as Chapter 58, Article II: Eustis Memorial Public Library, City of Eustis Code of Ordinances as follows:

### **Article II: EUSTIS MEMORIAL PUBLIC LIBRARY**

#### **Section 58-26. Established**

There shall be established in the city a public library for the use and enjoyment of the citizens and residents of the city, which shall be known as the Eustis Memorial Public Library in memory of the veterans.

(Code 1959, § 14-6)

#### **Sec. 58-27. Trustees, how appointed.**

There shall be appointed by the city commission five persons, citizens of the city, and these persons and their successors shall be officially known as the "Trustees of the Eustis Memorial Public Library" and shall have a right to adopt and use a common seal. The term of office of each trustee shall be five years from date of the appointment. All vacancies shall be filled by appointment by the city commission for the unexpired term or for new terms. The library trustees shall serve without pay.

(Code 1959, § 14-7)

#### **Sec. 58-28. Organization of the board of trustees.**

- (a) The library trustees shall annually, in the month of January, meet in an organizational meeting to select from among themselves a president, vice-president and a secretary, and shall establish and appoint in the manner prescribed by themselves such committees from their own number as they may deem necessary to carry out the objectives and purposes for which they are appointed. The library trustees shall adopt rules of procedure that will govern the conduct of their meetings for the year. The library trustees shall establish their regularly scheduled meeting times and location, and provide for the method of calling special meetings.
- (b) The library trustees shall accept no gift or donation upon any condition that will in any manner tend to impair the public character of the library.
- (c) The director of library, or in the absence of the director a designee of the director of library, shall provide staff support to the library trustees for the performance of their duties.
- (d) All meetings of the library trustees shall have minutes taken, which minutes shall be placed in an official minute book once approved by the trustees, and shall be made available for public inspection.
- (e) The board of library trustees shall be further governed and regulated by applicable state law.

(Code 1959, §§ 14-9, 14-14)

#### **Sec. 58-29. Duties of the trustees.**

- (a) The board of trustees of the library shall be an advisory board to the city commission, making policy suggestions and recommendations to the city concerning the operations of the library.
- (b) The board of trustees of the library shall have the authority to receive and hear complaints concerning the use and operation of the library and to make recommendations to the director of library concerning resolution of legitimate complaints.
- (c) The board of trustees of the library shall have the power to review and make recommendations concerning the acceptability, and incorporation into the holdings of the library, of books, video media, and other materials donated or offered as a gift to the library. The board of trustees of the library shall have the power to accept gifts on behalf of the library, such gifts when accepted to become an asset and the property of the City.
- (d) The board of trustees of the library shall have the power to adopt rules of procedure for the conduct of their board meetings, and form committees for the carrying out of their duties and/or programs.
- (e) The board of trustees of the library shall meet to receive reports on the operations of the library from the director of the library, and to perform the business of the board of trustees. The meetings of the board of trustees of the library shall be open to the public.

(Code 1959, § 14-8)

#### **Sec. 58-30. Library use and operation rules.**

- (a) The library shall maintain, under rules and regulations prescribed by the trustees with concurrence of the city, a library composed of a circulation collection, reading and

study areas, public areas, and magazine, newspaper and periodical reading areas, and such other collections or areas as may be recommended and approved by the city in the future.

(Code 1959, § 14-13)

**Secs. 58-31—58-50. Reserved.**

**Section 2.** All ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section 3.** This Ordinance shall become effective immediately upon passing.

**Section 4.** The provisions of this Ordinance are intended to be incorporated into the Code of Ordinances of the City of Eustis, Florida, and the sections of this Ordinance may be renumbered, relettered, and the word “ordinance” may be changed to “section,” “article,” or such other word or phrase in order to accomplish such intention.

**Section 5.** If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this Ordinance.

**PASSED, ORDAINED AND APPROVED** in Regular Session of the City Commission of the City of Eustis, Florida, this 4th day of December, 2014.

**CITY COMMISSION OF THE  
CITY OF EUSTIS, FLORIDA**

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Linda Durham Bob  
Mayor/Commissioner

**ATTEST:**

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Mary C. Montez, City Clerk

**CITY OF EUSTIS CERTIFICATION**

**STATE OF FLORIDA  
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of 2014 by Linda Durham Bob, Mayor and Mary C. Montez, City Clerk, who are personally known to me.

\_\_\_\_\_  
Notary Public - State of Florida  
My Commission Expires: \_\_\_\_\_  
Notary Serial No: \_\_\_\_\_

**CITY ATTORNEY'S OFFICE**

This document is approved as to form and legal content for use and reliance of the City Commission of the City of Eustis, Florida.

\_\_\_\_\_  
City Attorney's Office

\_\_\_\_\_  
Date

**CERTIFICATE OF POSTING**

The foregoing Ordinance No. 14-30 is hereby approved, and I hereby certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Senior Center, all within the corporate limits of the City of Eustis, Lake County, Florida.

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Mary C. Montez, City Clerk