

ORDINANCE NO. 2013-04 (AMENDED MAY 2017)

AN ORDINANCE ESTABLISHING REGULATIONS AND GUIDELINES FOR THE CITY OF ANTHONY, NEW MEXICO LIBRARY AND ITS ADVISORY BOARD.

WHEREAS, staff for the GOVERNING BODY did duly publish notice of this Ordinance in accordance with law; and

WHEREAS, the GOVERNING BODY did hold a duly noticed Public Meeting; and

WHEREAS, the GOVERNING BODY did consider testimony from staff and the public before reaching its decision; and

WHEREAS, pursuant to NMSA 1978, Sections §3-18-14 (1999), the City of Anthony, New Mexico enacts this Ordinance for the purpose of:

1. Establishing a free City of Anthony Library for the use of Anthony resident and the general public;
2. Establishing a City of Anthony Library Advisory Board;
3. Establishing regulations and guidelines for the Library Advisory Board; and

WHEREAS, the GOVERNING BODY does make the following findings:

It is in the best interest of the City to enact a Library Ordinance in order to provide the residents of Anthony and the general public the opportunity for access to books, internet, educational programs, and informational resources and a quiet place for study.

NOW THEREFORE, LET IT BE ORDAINED BY THE GOVERNING BODY OF THE CITY OF ANTHONY, DOÑA ANA COUNTY, NEW MEXICO, that the Board of Trustees for the City of Anthony, hereby adopts the following Library Ordinance enacted to read as follows:

LIBRARY ORDINANCE

Sections:

- SECTION I. Short title.
- SECTION II. Authority, purpose and goals.
- SECTION III. Advisory Board Established.
- SECTION IV. Membership, Appointment and Term, Vacancies.
- SECTION V. Residency Requirements, Term Limits.
- SECTION VI. Organization.
- SECTION VII. Power and Duties.
- SECTION VIII. Return of Borrowed Materials to City of Anthony Library.
- SECTION IX. Violation – Penalty.

SECTION I. Short title.

This chapter may be cited as the Library Ordinance of the City of Anthony.

SECTION II. Authority, purpose and goals.

A. Authority. This chapter is adopted pursuant to the enabling provisions of NMSA 1978, Sections §3-18-14 (1999).

B. Purpose. The purpose of this chapter is to establish a free City of Anthony Library for the residents of the City of Anthony, New Mexico and the general public and shall be known as the City of Anthony Library.

C. Goals. The goals of this chapter are to provide the residents of the City of Anthony and the general public with;

1. Access to books, magazines and periodicals;
2. Access to computers and internet service;
3. Access to educational programs for all age groups;
4. Access to informational resources for personal development;
5. Access to a quiet place to read and study.

SECTION III. Advisory Board Established.

The City of Anthony Library Advisory Board is hereby established for the purpose of advising and making recommendations to the City's Board of Trustees concerning the affairs of the City

of Anthony Library. Such recommendations shall be made through the Mayor who shall then refer the same promptly to the Board of Trustees.

SECTION IV. Membership, Appointment and Term, Vacancies, and Stipends.

- A. The City of Anthony Library Advisory Board (hereinafter "the board") shall consist of (5) members appointed, by the Mayor with the approval of the Board of Trustees.
- B. Members of the board shall serve a (4) four-year term from the date of appointment.
- C. Vacancies occurring in the membership of the board shall be filled by appointment as provided by law by the Mayor for the unexpired term. Members of the board shall serve until their successors are appointed.
- D. The Chair of the Board will be elected by the appointed (4) members on an annual basis.
- E. Members of the Board who accumulate three (3) unexcused absences may be automatically removed from their position.
- F. Members of the Board will be paid a stipend of \$50 per quarterly meeting, not to exceed \$200 per fiscal year.

SECTION V. Residency Requirements, Term Limits.

Members of the Board shall reside within a 20 mile radius of the territorial limits of the City of Anthony and live in the State of New Mexico.

SECTION VI. Organization.

- A. Officers: The Board shall annually elect from its membership a Chairman-Secretary and Treasurer. Officers of the board shall hold office for a term of four years.
- B. Meetings: The Board shall meet once a calendar quarter at the City of Anthony Library and at the time set by the Board and at other times upon the call of the Chair or a majority of the members of the Board. Each meeting shall be open to the public and advertised as provided by state open meetings law, pursuant to Title 4, Chapter 5, Part 2 of the New Mexico Administrative Code. The Board may delegate the preparation of agendas, minutes and reports of its activities to the Library Director who shall submit said material, reports and any recommendations for consideration

by the Advisory Board to the Mayor or City Clerk for presentation to the municipal governing body. The Library Director may, on behalf of the Advisory Board, make presentations to the Board of Trustees.

C. Quorum: A majority of the members of the board constitutes a quorum for the transaction of business. The act of a majority of the Board present shall be the act of the Board.

SECTION VII. Powers and Duties.

The Advisory Board shall:

- A. Establish policies for the administration of the City of Anthony Library;
- B. Review and approve a proposed budget, in conjunction with the Library director, for any monetary donations made in the name of the City of Anthony Library prior to submission to the Board of Trustees;
- C. Notify the Mayor of any vacancies on the Board;
- D. Recommend to the Board of Trustees any action to maintain or administer the City of Anthony Library. Such recommendations shall be made through the Mayor or City Clerk.
- E. Keep a record of its proceedings;
- F. Oversee the administration of funds granted or appropriated to the City of Anthony Library other than those administered by the Board of Trustees;
- G. Not be authorized or empowered to expend any funds of the City or create any indebtedness on behalf of the City.
- H. Serve with compensation.
- I. Exercise all other powers granted by the Board of Trustees and all powers necessary to perform its duties under this chapter;
- J. Have the authority to establish fees for delinquent, damaged or lost materials as well as for library cards and to adjust such fees periodically as needed.
- K. Perform ~~all~~ other duties required by the Board of Trustees for the administration and oversight of the Library.

SECTION VIII. Return of Borrowed Materials to City of Anthony Library.

- A. It shall be unlawful for any person to detain, or fail to return to the City of Anthony Library, any book, magazine, newspaper, audio or video record, microform, equipment, or any other Library property in the custody of or belonging to the City of Anthony Library, or borrowed from any other Library through inter-library loan services, after the date on which such person should have returned the property.
- B. It shall be unlawful to give a fictitious or incorrect name or address at the City of Anthony Library, in order to obtain possession or use of any property in the custody of or belonging to the City of Anthony Library, including, if applicable, attorney fees and costs.
- C. It shall be unlawful for any person to cut, write upon, injure, deface damage, or destroy any book, magazine, newspaper, audio or video record, microform, equipment, or other property in the custody of or belonging to the City of Anthony Library, without the consent of the Library.
- D. It shall be unlawful for any person to remove any book, magazine, newspaper, audio or video record, microform, equipment, or other property in the custody of or belonging to the City of Anthony Library without the consent of the Library.
- E. It shall be unlawful for any person to pay for any Library fines, fees, or services with a check drawn on a closed account or one with insufficient funds. Persons so doing shall be liable for any and all collection fees incurred by the Library.
- F. A parent or guardian shall be responsible for Library material borrowed by their children under 18 years of age.
- G. The Librarian, or a duly authorized representative, shall promptly notify by mail any person who is believed to have violated the rules and regulations of the Library, as appropriate, the parent or guardian of a minor, (“the responsible party”), setting forth the violation complained of. The responsible party shall correct the violation or make appropriate restitution within 15 Library business days. Should such correction not be made on time, the Librarian shall send by mail a standard notice of violation specifying the violation, and setting a final date for compliance, which shall be no more than 15 Library business days from the date of the letter. A monthly report shall be filed with the Municipal Court Clerk of

the violations and notices.

H. Any person convicted of violating any of the provisions of this section shall be punished in accordance with Section IX of this chapter.

SECTION IX. Violation-Penalty.

Any person who violates any provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be ordered to pay the outstanding library fine and shall be subject to a fine of not more than \$500.00 or imprisonment for not more than 90 days or both, in the discretion of the judge.

PASSED, ADOPTED AND APPROVED THIS 19th DAY OF JUNE 2019.


Mayor – Diana Murillo-Trujillo

ATTEST:



Acting City Clerk – Gloria K. Ramirez

ROLL CALL VOTE:

Trustee Fernie Herrera	YES	NO
MPT Gloria Gameros	YES	NO
Trustee Elva Flores	YES	NO
Trustee Javier Silva	YES	NO

Published:

Adopted:

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Notice of Publication date: May 24th, 2019

Public Comments: June 5th, 2019 and June 19th, 2019

Consideration and Action to pass: June 19th, 2019

RESOLUTION NO. 2015-020 (AMENDED)

**A RESOLUTION OF THE CITY OF ANTHONY, NEW MEXICO
TO SET SERVICE FEES FOR THE CITY OF ANTHONY LIBRARY**

WHEREAS, the GOVERNING BODY did hold a duly noticed Public Meeting; and

WHEREAS, on September 14, 2013 the BOARD OF TRUSTEES passed, adopted, and approved a resolution establishing regulations and guidelines for the City of Anthony Library (Ordinance No. 2013-04); and

WHEREAS, the said ordinance provides for the establishment of certain fees for services rendered by the City of Anthony Library; and

WHEREAS, Section VII. item J states that the Library Board has the authority to establish fees for delinquent, damaged or lost materials as well as for library card and to adjust fees periodically as needed; and

NOW THEREFORE BE IT RESOLVED, by the Board of Trustees of the City of Anthony that in accordance with the ordinance allowing fees to be set, Ordinance No. 2013-04, it hereby establishes the following fees:

Copies	.25¢ per page
Color Copies	.20¢ per page
Fax	.60¢ per page
Fax Confirmation	.15¢
Scan	.75¢ per page
Notary Public	\$3.00 - \$10.00
Translation of forms	\$15.00
Late Book Charges	.10¢ per day per book
DVD Movie	\$1.00 late fee per day (\$25.00 maximum)
DVD Movie	\$25.00 never returned
DVD Movie	\$25.00 damaged