

Part 5 County Libraries

9-7-501 Tax for establishment and maintenance of public library -- Library fund.

- (1) A county legislative body may establish and maintain a public library.
- (2) For this purpose, counties may levy annually a tax not to exceed .001 of taxable value of taxable property in the county, outside of cities which maintain their own city libraries as authorized by Part 4, City Libraries. The tax is in addition to all taxes levied by counties and is not limited by the levy limitation imposed on counties by law. However, if bonds are issued for purchasing a site, or constructing or furnishing a building, then taxes sufficient for the payment of the bonds and any interest may be levied.
- (3) The taxes shall be levied and collected in the same manner as other general taxes of the county and shall constitute a fund to be known as the county library fund.

Amended by Chapter 189, 2014 General Session

9-7-502 Library board of directors -- Expenses.

- (1)
 - (a) When the county legislative body decides to establish and maintain a county public library under the provisions of this part, the county executive shall, with the advice and consent of the county legislative body, appoint a library board of not less than five and not more than nine directors chosen from the citizens of the county and based upon their fitness for the office.
 - (b) When increasing membership on an existing library board, the county legislative body:
 - (i) may not add more than two positions in any year; and
 - (ii) when adding members, shall ensure that the terms of library board members are staggered so that approximately 1/4 of the board is selected each year.
- (2) Only one member of the county legislative body may be, at any one time, a member of the board.
- (3) Each director shall serve without compensation, but the actual and necessary expenses incurred in the performance of the director's official duties may be paid from library funds.

Amended by Chapter 45, 1994 General Session

9-7-503 Library board terms -- Officers -- Removal -- Vacancies.

- (1) Each director shall be appointed for a four-year term, or until the director's successor is appointed. Initially, appointments shall be made for one-, two-, three-, and four-year terms, and one member of the county legislative body for the term of his elected office. Annually thereafter, the county executive body shall, before the first day of July of each year, appoint, with the advice and consent of the county legislative body, for a four-year term, one director to take the place of the retiring director.
- (2) Directors shall serve not more than two consecutive full terms.
- (3) The directors shall annually select a chairman and other officers.
- (4) The county executive body may remove any director for misconduct or neglect of duty.
- (5) Vacancies in the board of directors shall be filled for the unexpired terms in the same manner as original appointments.

Amended by Chapter 4, 1993 General Session
Amended by Chapter 78, 1993 General Session
Amended by Chapter 227, 1993 General Session

9-7-504 Library board duties -- Library fund deposits.

- (1) The library board of directors shall, with the approval of the county executive and in accordance with county ordinances, policies, and procedures:
 - (a) be responsible for:
 - (i) the expenditure of the library fund;
 - (ii) the construction, lease, or sale of library buildings and land; and
 - (iii) the operation and care of the library; and
 - (b) purchase, lease, or sell land, and purchase, lease, construct, or sell buildings, for the benefit of the library.
- (2) The board has those powers and duties as prescribed by county ordinance, including establishing policies for collections and information resources that are consistent with state and federal law.
- (3)
 - (a) All tax money received for the library shall be deposited in the county treasury to the credit of the library fund, and may not be used for any purpose except that of the county library.
 - (b) All money collected by the library shall be deposited to the credit of the library fund.

Amended by Chapter 378, 2010 General Session

9-7-505 Rules -- Use of library.

- (1) The board shall make library rules in a manner consistent with county ordinances, policies, and procedures for the governing of the library.
- (2) Each library established under this part shall be free to the use of the inhabitants of the area taxed for the support of the library, subject to the rules made as prescribed by county ordinance.

Amended by Chapter 47, 2003 General Session

9-7-506 Annual reports.

The library board of directors shall:

- (1) make an annual report to the county executive and county legislative body on the condition and operation of the library, including a financial statement; and
- (2) provide for the keeping of records required by the State Library Board in its request for an annual report from the public libraries, and submit that annual report to the State Library Board.

Amended by Chapter 227, 1993 General Session

9-7-507 Librarian and other personnel.

- (1)
 - (a) The library board of directors shall recommend to the county executive for appointment a competent person to serve as librarian.
 - (b) The county executive shall, within 30 days of the recommendation, either make the appointment or request that the board submit another recommendation.

- (c) The librarian shall be an employee of the county subject to the personnel policies, procedures, and compensation plans approved by the county executive and county legislative body.
 - (d) The librarian shall act as the executive officer for the library board.
- (2)
- (a) All library personnel are employees of the county.
 - (b) The librarian or the librarian's designee shall hire library personnel in accordance with the county merit system, personnel policies and procedures, and compensation plans approved by the county executive and county legislative body.
- (3) As used in this section "librarian" means the county library director.

Amended by Chapter 47, 2003 General Session

9-7-508 Donations of money or property.

- (1) A person desiring to make a donation of money, personal property, or real estate for the benefit of a library has the right to vest the title to the money, personal property, or real estate in the county, designated for the benefit and purposes of the library.
- (2) The county shall hold donated personal property and real estate as prescribed by county ordinance according to the terms of the deed, gift, devise, or bequest of the property, and the county shall be the trustee of the property.

Amended by Chapter 47, 2003 General Session

9-7-509 Entities may cooperate, merge, or consolidate in providing library services.

Boards of directors of city libraries, boards of directors of county libraries, boards of education, governing boards of other educational institutions, library agencies, and local political subdivisions may cooperate in providing library services or merge or consolidate under an interlocal agreement approved and implemented in accordance with Title 11, Chapter 13, Interlocal Cooperation Act.

Amended by Chapter 47, 2003 General Session

9-7-510 Estimate of money.

- (1) The library board of directors shall furnish to the county executive and county legislative body, in writing, and prior to the time required by law to levy county taxes, an estimate of the amount of money necessary to establish, equip, and maintain the library, and to provide library services during the next ensuing fiscal year and shall certify the amount.
- (2) The county legislative body may, at the time and in the manner of levying other taxes, impose the levy, but the levy may not exceed in any one year .001 per dollar of taxable value of taxable property in the county.

Amended by Chapter 305, 1995 General Session

9-7-511 Library bonds -- Issuance of previously voted bonds.

- (1) When an election has been held in any county to authorize bonds of the county for the purpose of acquiring, improving, and extending a public library for the county, including the acquisition of equipment, furnishings, and books, and it was specified in the proposition that the bonds are to be payable from ad valorem taxes to be levied on all taxable property in the county, and when the election has carried, but none of the bonds authorized have been issued, the

bonds authorized to be issued at election may be issued and shall be payable from taxes to be levied without limitation as to rate or amount on all taxable property in the county, despite any provision of law to the contrary in effect at the time of the election.

- (2) All county library bonds that have been authorized but not yet issued, all county library bond elections previously held and carried, and all proceedings in connection with them that were adopted for the authorization of the bonds are hereby validated, ratified, approved, and confirmed, and the bonds, when issued in accordance with the election and proceedings, shall be binding, legal, valid, and enforceable obligations of the county issuing them in accordance with their terms.

Renumbered and Amended by Chapter 241, 1992 General Session