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**ORDINANCE NO: 2011 - 6**

**AN ORDINANCE OF HERNANDO COUNTY PROVIDING FOR LEGISLATIVE INTENT; PROVIDING FOR REPEAL OF PART 1, ARTICLE V, DIVISION 1, SECTION 1-11, HERNANDO COUNTY CODE OF ORDINANCES; PROVIDING FOR CREATION OF COUNTY PUBLIC LIBRARY SYSTEM; PROVIDING FOR COUNTY LIBRARY SERVICES DIRECTOR MANAGER; PROVIDING FOR CREATION OF THE LIBRARY ADVISORY COMMITTEE; PROVIDING FOR CONTRIBUTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**BE IT ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA:**

**SECTION I DECLARATION OF LEGISLATIVE INTENT**

Pursuant to the authority granted by Section 125.01 (f), Florida Statutes, Hernando County currently is providing a system of public libraries; and it is the purpose and intent of the Board of County Commissioners of Hernando County in enacting this to re-create and establish a County Public Library System and a Library ~~System~~ Advisory Committee.

**SECTION II CREATION OF COUNTY LIBRARY SYSTEM**

There is hereby re-created and established in Hernando County, Florida, a County Public Library System, which system shall be composed of all libraries and related facilities which may, from time to time, be incorporated into the system by the Board of County Commissioners. The Board of County Commissioners is hereby designated as the single library administrative unit and governing body responsible for providing public library service to Hernando County residents. As such, the Commission retains the authority to adopt plans and budgets, hire the Library Services ~~Director~~ Manager, and enter into contracts on behalf of the library. The head of the County Public Library System shall be the Library Services ~~Director~~ Manager, who shall report to and

34 be under the direct supervision of the Division Director, County Administrator, or  
35 designee.

36

37 **SECTION III COUNTY LIBRARY SERVICES DIRECTOR MANAGER**

38 Responsibility for operating and maintaining the Hernando County Public Library  
39 System shall be delegated to a County Library Services ~~Director~~ Manager, qualified  
40 according to the standards established by the Board of County Commissioners of  
41 Hernando County, Florida, and Chapter 257, Florida Statutes. The County Library  
42 Services ~~Director~~ Manager shall have charge of the administration of the public libraries,  
43 subject to the review of the Division Director, County Administrator, or designee. The  
44 County Library Services ~~Director~~ Manager shall be considered a nonvoting, ex-officio  
45 member of the Library Advisory Committee. The Library Services ~~Director~~ Manager will,  
46 as necessary, formulate policies and procedures to provide a safe and conducive  
47 environment for the public enjoyment and use of the County library facilities. The Library  
48 Services ~~Director~~ Manager may, as appropriate, submit individual policies to the Board  
49 of County Commissioners for their consideration and adoption.

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51 **SECTION IV CREATION OF THE LIBRARY ADVISORY COMMITTEE**

52 There is hereby created and established in Hernando County, Florida, a board to  
53 be known as the "Hernando County ~~Public Library System~~ Advisory Committee."

54 1. The Hernando County ~~Public Library System~~ Advisory Committee shall  
55 consist of five (5) members and two (2) alternate members who are registered voters of  
56 Hernando County and appointed by the Board of County Commissioners. All members  
57 are to be chosen for their interest in public library service. Library ~~System~~ Advisory  
58 Committee members shall serve for four (4) year staggered terms. Members will attend  
59 meetings regularly; and unless such absence has first been authorized by a majority of

60 the advisory board, members who are absent for three (3) consecutive regular meetings  
61 or who fail to attend two-thirds of the regular meetings in any twelve-month period shall  
62 be automatically dropped from membership. At this time, the President of the Library  
63 Advisory Committee will forthwith request Board of County Commissioners to appoint  
64 another member to fill the term of the member leaving the advisory board. Members may  
65 not serve consecutively more than two (2) full terms.

66 2. The Library Advisory Committee shall select a President and such other  
67 officers as may be deemed necessary or desirable, and they shall serve at the pleasure  
68 of the committee. A majority of the members of the committee shall constitute a quorum  
69 sufficient to the holding of a meeting or taking of any action. A majority vote of the  
70 members present at any meeting shall be sufficient to enable the taking of any action.  
71 Special meetings of the Board may be called by the President by written notice signed  
72 by three (3) members of the committee, or by action of the committee at any meeting,  
73 general or special, upon twenty-four (24) hours notice. Minutes shall be kept of all  
74 meetings of the committee, and all meetings shall be public.

75 3. Members of the Library ~~System~~ Advisory Committee shall serve without  
76 compensation, salary or ~~remuneration~~ remuneration of any nature; but the commission  
77 may provide, in the annual county budget, sufficient funds for the reasonable and  
78 necessary expenses incurred by the Board of its members in performance of the duties  
79 and functions prescribed by the provisions of this article. All such expenses shall be  
80 subject to approval by the Board of County Commissioners.

81 4. The Board shall be composed of citizens who are dedicated to the purpose of  
82 providing a feasible, adequate public library system for Hernando County in cooperation  
83 with all other governmental entities, who will be in a position to furnish information,  
84 advice, counsel and recommendations to the Board of County Commissioners in respect  
85 to the appropriate means and methods by which adequate public library facilities and

86 services may be provided, all of which shall be done within the framework of the County  
87 government in a sound financial basis for the use and benefit of all residents of  
88 Hernando County. The Library ~~System~~ Advisory Committee shall work towards the  
89 development and implementation of sound programs for the County's public libraries  
90 through the mutual cooperation between the State, County and City governments and  
91 agencies, and shall coordinate efforts with non-governmental organizations interested in  
92 library facilities and service. This shall not be construed as delegating to such Library  
93 ~~System~~ Advisory Committee or its members any power or authority of a governmental,  
94 legislative or administrative nature, but as the establishment of an official instrumentality  
95 by which the Board of County Commissioners may claim the benefit of accurate,  
96 comprehensive information, advice, counsel, and recommendations concerning all  
97 matters relating to the public libraries and related cultural facilities and programs which  
98 may be necessary for appropriate action by the Board of County Commissioners.

99

100 **SECTION V QUALIFICATIONS, REGULATIONS AND CONTRIBUTIONS**

101 The Hernando County Board of County Commissioners will diligently work to  
102 meet the qualifications and regulations enumerated under Chapter 257, Florida Statutes,  
103 and Chapter 1B-2, Florida Administrative Code, in order to be eligible for the benefits  
104 described therein. To further this effort, the Board may receive contributions restricted to  
105 use by the Library System in a manner as may be designated by the contributor and not  
106 otherwise in conflict with the rules and regulations of the Library ~~System~~, the Board of  
107 County Commissioners, or the rules or laws of the State of Florida. Such contributions  
108 shall be made to the Hernando County Board of County Commissioners/County Public  
109 Library System, of Hernando County, Florida.

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112 **SECTION VI REPEAL**

113 Part 1, Article V, Division 1, Section 1-11, Hernando County Code of Ordinances  
114 is hereby repealed and declared null and void and of no effect.

115

116 **SECTION VII SEVERABILITY**

117 It is declared to be the intent of the Board of County Commissioners that if any  
118 section, subsection, clause, sentence phrase or provision of this Ordinance is for any  
119 reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of  
120 the remaining portions of this Ordinance.

121

122 **SECTION VIII INCLUSION IN THE CODE**

123 The provisions of this ordinance shall be included and incorporated in the Code  
124 of Ordinances of Hernando County as an addition or amendment thereto and shall be  
125 appropriately renumbered to conform to the uniform numbering system of the Code.

126

127 **SECTION IX EFFECTIVE DATE**

128 This Ordinance shall become effective upon receipt of official acknowledgement  
129 from the Secretary of State that said Ordinance has been filed.

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132 **ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS** in Regular Session this  
133 26th day of April 2011, A.D.

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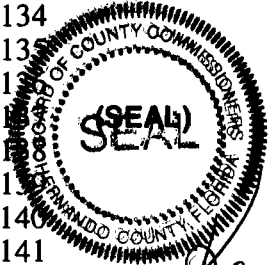
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Attest: *Karen Nicolai*  
KAREN NICOLAI  
Clerk



**BOARD OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA**

By: *James E. Adkins*  
JAMES E. ADKINS  
Chairman

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY  
BY *[Signature]*  
County Attorney's Office