

**Type:** Governance**Authority:** Board**Resolution No.:** BMPL 2018-48 on 3-22-18; POL-BLG.2018.01

**Associated Documents:**

- Public Libraries Act R.S.O., 1990, c.P44
- Amendment: 2002, c. 18, Sched. F, s. 3(4)
- Standards for Ontario Community Museums, 2017
- Not-for-Profit Corporations Act, SO 2010, c.15
- Ontario Employment Standards Act, SO 2000, c.41
- Ontario Health and Safety Act, RSO 1990, c.O.1
- Ontario Heritage Act, RSO 1990, c.O18
- Accessibility for Ontarians with Disabilities Act, SO 2005, c.11
- Municipal Act, SO 2001, c.25
- Municipal Conflict of Interest Act, RSO 1990, c.M.50
- Municipal Freedom of Information and Protection of Privacy Act, RSO. 1990, cM.56
- Town of the Blue Mountains By-Law 2004-47
- Town of the Blue Mountains By-Law-2011-36
- Town of the Blue Mountains By-law No. 2016-35

**Original Approval:** 03-22-2018**Amended On:** 05-16-2019**Reviewed On:** 09-21-2023

### Purpose

By-Laws and Governance Policies define how the Public Libraries Act and other relevant legislation are applied at the Blue Mountains Public Library. They set the framework for the governance and operations of the BMPL, and provide direction to Board, Staff and Community. They advance the mission, vision, values and mandates of the gallery, library, archives, and museum (GLAM). Board Members, CEO and Personnel are responsible for knowing, understanding and complying with the By-Laws and Governance policies.

### Legal Framework

The Board is subject to all legislation and local By-Laws. The Associated Documents list above identifies the primary Acts and external documents which apply to the Board and direct the CEO.

### BLG.2018.1.1 Repeal Former By-Laws

All previous By-Laws governing the Board are hereby repealed and replaced with these By-Laws.

#### **BLG.2018.1.2 Amending By-Laws**

1. These Board By-Laws may be amended or removed by majority vote of the Board, providing:
  - 1.1. Notice is given at the previous meeting of the Board; and
  - 1.2. Proposed wording is distributed no less than one (1) week prior to a board meeting.
2. Motions for amendments may be brought at any time by an individual board member, a Committee of the Board designated for this purpose, or by recommendation of the CEO based on legislative or other changes.

#### **BLG.2018.1.3 Indemnification**

1. The Corporation indemnifies and saves harmless its Board members, officers, and employees, their heirs and legal representatives, from and against all costs, charges and expenses, including all amounts paid to settle an action or satisfy any judgement, reasonably incurred in respect of any civil, criminal or administrative action or proceeding in which the Board member, officer or employee is a party by reason of being or having been a board member, officer or employee if:
  - 1.1. The board member, officer or employee acted honestly and in good faith with a view to the best interests of the Corporation;
  - 1.2. In the case of a criminal or administrative action or proceeding that is enforced by a monetary penalty, board member officer or employee had reasonable grounds for believing his or her conduct was lawful.
2. The Library Board is indemnified via the Town and must adhere to TBM By-law No. 2016-35 *Being a By-Law to provide indemnification for members of Council, Local Boards, Committees, Employees or Former Employees with Respect to Certain Actions or Proceedings Arising from Their Duties.*

#### **BLG.2018.1.4 Review Cycle**

By-Laws and Governance policies shall be reviewed in the first year of the Board's cycle or as required by legislated updates and changes.