

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 19, “LIBRARIES,” ARTICLE II, “DEPARTMENT OF PUBLIC LIBRARIES,” OF THE CODE OF THE CITY OF FORT WORTH, TEXAS (2015), AS AMENDED, BY REVISING SECTION 19-17, “DUTIES OF LIBRARIAN,” TO CLARIFY THE PROCESS FOR IMPLEMENTING AND ADMINISTERING POLICIES FOR THE DEPARTMENT OF PUBLIC LIBRARIES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Fort Worth City Code currently implies that all policies for the operation of the Department of Public Libraries are established by the City Council; and

**WHEREAS**, the City, for the efficient provision of services to its citizens, allows department heads, under the authority of the City Manager, to implement policies and procedures for the day-to-day operations of their respective departments; and

**WHEREAS**, the City now wishes to amend the City Code to clarify that the department head for the Department of Public Libraries, the librarian, has that same ability; and

**WHEREAS**, the City Council will continue to adopt policies that have broader implications beyond the day-to-day operations of the department, such as master plans and vision statements; and

**WHEREAS**, the City believes that this division in policy-making would offer the most efficient and best method to allow the Department of Public Libraries to quickly adapt to changes in demand and technology and be responsive to City and patron feedback; and

**WHEREAS**, staff recommends that the current City Code provision addressing policy-making for the Department of Public Libraries be amended to reflect this division of authority.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS, AS FOLLOWS:**

**SECTION 1.**

Chapter 19 "Libraries," Article II "Department of Public Libraries," Section 19-17 "Duties of Librarian," of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to revise the final sentence of the provision in order to make clear that the librarian has authority to make policies for the day-to-day operations of the Department of Public Libraries. As amended, Section 19-17 shall read as follows:

§ 19-17 DUTIES OF LIBRARIAN.

The librarian shall have charge of the central library and all branch libraries and shall be responsible for the care, classification and arrangement of all library materials, and keep same catalogued and indexed consistent with approved library techniques and practices. The librarian shall promptly report any delinquencies, keep exact account of all moneys from all fines and other amounts collected by the department, process all moneys received in accordance with established city policies, and perform and discharge such other duties as may be prescribed by the city manager. The librarian shall be responsible to the city manager for the creation, administration, and implementation of policies, practices, rules, and procedures for the operation of the department of public libraries, which shall be consistent with the purposes and goals of the then-current City-Council-approved vision statement, master plan, or similar document for the department of public libraries, if any.

## **SECTION 2.**

This ordinance shall be cumulative of all provisions of ordinances and of the Code of the City of Fort Worth, Texas (2015), as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

## **SECTION 3.**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and, if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

## **SECTION 4.**

All rights and remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of the provisions of the ordinances amended herein, which have accrued at the time of the effective date of this ordinance and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

**SECTION 5.**

This ordinance shall take effect upon adoption and publication as required by law.

**APPROVED AS TO FORM AND LEGALITY:**

**ATTEST:**

\_\_\_\_\_  
Assistant City Attorney

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Mary Kayser, City Secretary

ADOPTED:

EFFECTIVE: