

# DELTA CITY, UTAH

## MUNICIPAL CODE

(1981 EDITION)

*CURRENT THROUGH ORDINANCE 15-264 ADOPTED 15 JAN 2015*



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## **TITLE 15-000.**

### **PUBLIC FACILITIES AND PROGRAMS**

#### **15-100. RESERVED.**

#### **15-200. LIBRARY.**

- 15-210. LIBRARY DEPARTMENT CREATED. There is hereby created within the City of Delta a library department.
- 15-211. PURPOSE OF THE LIBRARY DEPARTMENT. The library department shall administer and operate the Delta Municipal Library and related programs as provided by the City Council.
- 15-212. LIBRARIAN. There is hereby created the position of librarian. This position shall be filled by a competent person appointed by the Mayor, with the advice and consent of the City Council. The librarian shall be compensated as provided in the Delta City personnel policies, or as otherwise provided by the City Council.
- 15-213. DUTIES AND RESPONSIBILITIES OF LIBRARIAN. The librarian shall serve as the head of the library department and shall administer and operate the City Library program and facilities and any related programs, as directed by the City Council, under the supervision of the Mayor. The librarian shall have immediate charge of City employees within the library department. The librarian shall have such further duties as may be established by resolution of the City Council.
- 15-214. RULES FOR USE OF LIBRARY. The City Council shall make and adopt such rules and regulations, not inconsistent with law, as may be necessary for operation of the library. The City Council may provide by resolution for establishment of fees for use of the library and such fines as may be appropriate in the administration of the library.
- 15-215. COUNCIL MEMBER IN CHARGE OF LIBRARY. The City Council shall assign a member of the Council to serve as the Council Member in charge of the library. The Council Member so assigned shall not have supervisory authority over the library, but shall have oversight responsibility and shall be generally familiar with the operations and programs of the library. The librarian shall provide to the City Council and Mayor a report on the operation of the library at least once each calendar quarter. The quarterly report shall include an itemized list of expenditures for the library, a report on use of the library, and such other information as may be relevant to the operation of the library.
- 15-220. LIBRARY ADVISORY BOARD.
- 15-221. CREATION OF BOARD. There is hereby created a library advisory board to be composed of seven (7) members. Members of the library board shall serve without compensation, except for reasonable expenses incurred in performing their duties as members.
- 15-222. PURPOSE OF LIBRARY BOARD. The library advisory board shall act as a citizens' advisory board to the operation and administration of the library facilities and programs. They shall make recommendations on the use of funds available to the library to purchase books and other materials that are consistent with the wishes of the community and to operate such programs as will promote better use of and operation of the library. They shall encourage participation by the public in library programs and in volunteer work at the library.
- 15-223. APPOINTMENTS AND TERM OF OFFICE. Each of the members of the library advisory board shall be appointed by the Mayor, with the advice and consent of the City Council. The City Council member in charge of the library shall be appointed as one of the seven (7) members of the library advisory board. The other six members of the board shall be selected from among the residents of the City. Each member of the library board shall serve for a term of three (3) years, or until their successors are appointed. The initial

appointments shall be made for one-, two- and three-year terms. Annually thereafter, the City Council shall before the first day of July each year, appoint for three-year terms members to take the place of the retiring members. Members of the board shall not serve for more than two full terms in succession, with the exception of the City Council member of the board. Vacancies in the board membership occasioned by removals, resignations or otherwise, shall be filled for the unexpired term in the same manner as the original appointments. The City Council may remove any board member for misconduct or neglect of duty.

15-224. ORGANIZATION. Following their appointment, members of the library board shall meet and elect a chairman and such other officers as they deem necessary, for one year terms. They may adopt such rules as they deem necessary for the conduct of business.

15-225. LIBRARIAN AS ADVISOR. The librarian shall serve as an advisor to the library board and shall attend the library board meetings. The librarian shall provide to the library board such reports, materials and information from or about the library department as the board may request.

**15-300. HISTORIC PRESERVATION COMMISSION.**

15-310. CREATION OF HISTORIC PRESERVATION COMMISSION. There is hereby created within the City of Delta a board which is hereby designated as the "Historic Preservation Commission."

15-311. PURPOSE OF HISTORIC PRESERVATION COMMISSION. It is the intent of the City Council in establishing the Historic Preservation Commission that the Commission act to compile and preserve historical information relating to the City of Delta and to preserve, protect and enhance such historical documents, areas, sites and artifacts as may be present in or available to Delta City, to educate the public of Delta City with respect to the history and heritage of Delta City, to advise the City Council on actions which may affect or enhance historical preservation and to aid in enforcement of local and state historic preservation laws.

15-312. HISTORIC PRESERVATION COMMISSION APPOINTMENTS. The Historic Preservation Commission created by this chapter shall consist of five (5) members with a demonstrated interest, competence, knowledge or qualifications in historic preservation. Each member of the Historic Preservation Commission shall be appointed by the Mayor with the advice and consent of the City Council.

15-313. TERMS OF OFFICE OF COMMISSION MEMBERS. The terms of office of the original five (5) members of the Historic Preservation Commission shall commence upon appointment. Of the original five (5) members, three (3) shall serve an initial term which shall end on June 30, 1987, or as soon thereafter as their successors are appointed and qualified. The remaining two (2) of the original five (5) members shall serve for an initial term ending June 30, 1989, or as soon thereafter as their successors are appointed and qualified. Thereafter, each person appointed to the Historic Preservation Commission shall serve a term of four (4) years.

15-314. COMPENSATION. Members of the Historic Preservation Commission shall serve without compensation, except for reasonable expenses incurred in performing their duties.

15-315. VACANCIES. Any vacancies in the Commission membership occasioned by removals, resignations or other causes shall be filled for the unexpired term of the Commission position so vacated in the same manner as the original appointments. The City Council may remove any Commission member for misconduct or neglect of duty.

15-316. DUTIES OF COMMISSION. The Commission shall meet at least twice each year and shall conduct its business in accordance with the Utah Open and Public Meetings Act, as amended from time to time. Consistent with the provisions of the Utah Open and Public Meetings Act, minutes of each meeting of the Commission shall be prepared and made available for public inspection within a reasonable time.

- 15-317. **DUTIES AND RESPONSIBILITIES OF COMMISSION.** The Historic Preservation Commission shall have the following duties and responsibilities:
- A. The Historic Preservation Commission shall conduct or cause to be conducted a survey of the historical, architectural and archaeological resources within Delta City. The survey so conducted shall be compatible with the Utah Inventory of Historic and Archeological Sites.
  - B. The survey of historical, architectural and archaeological resources shall be maintained and shall be open to the public for reasonable use and inspection.
  - C. The survey of historical, architectural and archaeological resources shall be reviewed and revised as necessary, but at least once every ten years.
  - D. The Commission shall review and comment to the State Historical Preservation Officer on all proposed National Register nominations for properties within the boundaries of Delta City. When the Commission considers a National Register which is normally evaluated by professionals in a specific discipline and that discipline is not represented on the Commission, the Commission shall seek expertise in that discipline before rendering its decision.
- 15-318. **ADVISORY COMMISSION.** The Historic Preservation Commission shall act as an advisory commission to the City Council and to the departments of Delta City regarding identification and protection of local historical and archaeological resources. The Commission shall further work toward the continuing education of citizens of the City of Delta regarding historic preservation and the historical and archeological heritage of Delta City.
- 15-319. **ENFORCEMENT OF STATE HISTORIC PRESERVATION LAWS.** The Commission shall support the enforcement of all laws of the State of Utah relating to historic preservation. These include, but are not limited to, the historic preservation provisions found in Chapter 18 of Title 11 and Chapter 18 of Title 63, Utah Code Annotated (1953), as amended.
- 15-320. **ORGANIZATION OF COMMISSION.** Following their appointment, members of the Historic Preservation Commission shall meet and elect a chairman and such other officers as they deem necessary, for one year terms. The officers shall be entitled to serve consecutive years in the same position if so elected by the Commission members. The Commission shall adopt such rules as are necessary for the conduct of business, including provision that a majority of the Historic Preservation Commission members shall constitute a quorum for transaction of business before the Commission.