NORTH CAROLINA GENERAL ASSEMBLY
1965 SESSION

CHAPTER 710
HOUSE BILL 867

AN ACT TO CONTINUE THE EXISTENCE OF THE PUBLIC LIBRARY OF CHARLOTTE AND MECKLENBURG COUNTY, AND TO CONSOLIDATE AND AMEND THE STATUTES ESTABLISHING IT.

The General Assembly of North Carolina do enact:

Section 1. The Public Library of Charlotte and Mecklenburg County, a body corporate heretofore created by Chapter 16, Private Laws of 1903 and Chapter 366, Public-Local Laws, 1939, is hereby continued as a body corporate. It is the purpose and duty of said corporation to provide free library service, as defined in the General Statutes of North Carolina, and as outlined in standards for public library service approved by the North Carolina State Library. It shall have full control and supervision over what is now known as the Public Library of Charlotte and Mecklenburg County, including any branches which may be now or hereafter operated in Mecklenburg County, or in areas outside of said county.

(a) Said corporate body shall have the power:

(1) To sue and be sued in its corporate name;

(2) To adopt a common seal;

(3) To acquire, receive, or hold real estate by purchase, gift, devise, or otherwise;

(4) To acquire, receive and bold personal property in like manner;

(5) To contract and be contracted with for the purposes provided in this Act, and for the purposes provided in the General Statutes of North Carolina governing public libraries; and

(b) In addition to the powers conferred upon said body corporate by this Act, it shall have and possess all other such powers as shall be conferred upon public libraries by the General Statutes of North Carolina.

Sec. 2. (a) The said Public Library of Charlotte and Mecklenburg County shall be governed by a board of seven trustees. Two shall be appointed by the Mayor of the City of Charlotte. Two shall be appointed by the Chairman of the Board of County Commissioners of Mecklenburg County. The other three trustees shall consist of the Mayor of the City of Charlotte, the Superintendent of the Charlotte-Mecklenburg Board of Education, and the Chairman of the Board of County Commissioners of Mecklenburg County. The terms of office for the two trustees appointed by the Mayor of the City of Charlotte and the two trustees appointed by the chairman of the board of commissioners shall be for four years, and said appointments shall be continued as initiated in Chapter

789 of the Session Laws of 1945. An appointment to fill a vacancy of an unexpired term shall be for the remainder of the unexpired term only. All appointed members shall serve until their successors are appointed and qualified. The trustees shall serve without compensation. Any trustee appointed by the Chairman of the Board of County Commissioners of Mecklenburg County under the terms of this Act may be removed at any time, with or without cause, by a four-fifths vote of the said board of county commissioners, and any trustee appointed by the Mayor of the City of Charlotte under the terms of this Act may be removed at any time, with or without cause, by a five-sevenths vote of the City Council of the City of Charlotte.

(b) The said board shall select a chairman from its membership. It may employ a secretary, a treasurer, and a librarian who shall be designated "Director of Libraries", all of which offices may be held by one and the same person, and such other employees as may be necessary to carry out the purposes of said body corporate.

Sec. 3. The board of trustees of said body corporate shall have the power:

(a) To adopt such rules, regulations and bylaws for the government of the corporation and the exercise of its powers as may be proper.

(b) To fix the duties and the responsibilities of its employees, and the compensation which they shall receive.

(c) To require its officers or employees to furnish bond for the faithful performance of their duties upon such terms as may be deemed proper, and to pay premiums upon such bonds as an expense of the corporation.

(d) To sell, encumber, convey or otherwise dispose of real property, by and with the consent and approval of the Board of County Commissioners of Mecklenburg County and the Council of the City of Charlotte.

(e) To prepare the annual budget for the corporation for submission to the governing bodies of Mecklenburg County, the City of Charlotte and other governing bodies.

(f) To publish and distribute a history of Charlotte and Mecklenburg County, and to hold and use any profit derived therefrom for library purposes.

(g) To extend the privileges and use of the library to non-residents of Charlotte and Mecklenburg County, and to establish branches in counties and municipalities other than Mecklenburg and the City of Charlotte, upon such terms and conditions as said board may prescribe.

Sec. 4. The Treasurer of the Public Library of Charlotte and Mecklenburg County shall keep a correct and detailed statement of all receipts and disbursements, and shall cause funds belonging thereto to be deposited in a depository designated by the board of trustees, and shall from time to time render such statements of the financial condition of the corporation as may be required, and shall assist the members of the board of trustees to prepare annual budget for the said Public Library of Charlotte and Mecklenburg County.

Sec. 5. The governing bodies of the City of Charlotte, Mecklenburg County, and such other municipalities or counties as may agree or contract with the said corporation for provision of library service may make such appropriations to the said corporation for its support and maintenance as are permitted under the General Statutes

of North Carolina, and may levy taxes for the maintenance and support of said corporation in the manner prescribed by the General Statutes of North Carolina.

Sec. 6. All real property now owned by or the title to which has hereto vested in the Public Library of Charlotte and Mecklenburg County shall be henceforth owned by and the title thereto vested in the corporation established by this Act.

Sec. 7. All laws and clauses of laws in conflict herewith are hereby repealed.

Sec. 8. This Act shall be effective from and after its ratification.

In the General Assembly read three times and ratified, this the 26th day of May, 1965.