

BY-LAW NO. 2019 - 205

A by-law of the City of Ottawa to establish the Ottawa Library Reserve Fund for The Ottawa Public Library.

WHEREAS subsection 417(1) of the *Municipal Act, 2001* allows for every municipality to provide in its budget for the establishment or maintenance of a reserve fund for any purposes of which it has authority to spend money;

AND WHEREAS subsection 417(4) of the *Municipal Act, 2001* provides that a municipality may by by-law provide the money raised for a reserve, be spent, pledged or applied to a purpose other than that for which the fund was established;

AND WHEREAS section 418 of the *Municipal Act, 2001* provides that a municipality may invest in prescribed securities in accordance with the prescribed rules;

AND WHEREAS it is desired to establish and maintain a Library Reserve on behalf of all present and future libraries in the City of Ottawa;

THEREFORE, the Council of the City of Ottawa enacts as follows:

LIBRARY RESERVE FUND ESTABLISHED

1. A reserve fund to be known as the Library Reserve Fund is hereby established.

PURPOSE

2. The Ottawa Library Reserve Fund to provide funding support for The Ottawa Public Library which is governed by the Board of Trustees appointed by Council for the City of Ottawa pursuant to the Public Libraries Act (hereinafter called the "Board") and to assist the Board's long-term planning and resource requirements.

INVESTMENT

3. The funds in the Ottawa Library Reserve Fund shall be held in a special account and may be invested in accordance with the prescribed securities in accordance with the prescribed rules pursuant to provisions of the *Municipal Act, 2001*, and its regulations, as may be amended from time to time.

OPERATION OF THE RESERVE

4. The Ottawa Library Reserve shall be operated, managed and maintained by the City Treasurer from:

- (a) contributions from the library operating budget;

- (b) the operating surpluses related to the library operating budget of the City of Ottawa;
- (c) funds returned from the capital close process for capital projects previously funded from this reserve;
- (d) the earnings derived from the investment of moneys held in the Library Reserve; and
- (e) any allocation from such other sources or revenue as may be determined by the Board and Council for the City of Ottawa.

#### EXPENDITURES

5. The Ottawa Library Reserve shall be used for the following purposes:
- (a) to reduce or eliminate any library services operating deficits or financing one-time operating expenditures, as recommended by the Board and approved by the Council of the City of Ottawa;
  - (b) for financing capital projects supporting the operational needs related to library services as may be recommended by the Board and approved by Council for the City of Ottawa; and
  - (c) for any other purpose recommended by the Board and approved by the Council of the City of Ottawa.

#### ACCOUNTING REPORTS

6. The City Treasurer shall report annually on the position of the Ottawa Library Reserve to the Finance and Economic Development Committee and Council.

#### REPEALS

7. The following by-law is hereby repealed:
- (a) By-law No. 2003-142 "A by-law of the City of Ottawa to establish the Ottawa Library Reserve Fund."

ENACTED AND PASSED this 12th day of June, 2019.

CITY CLERK

MAYOR

