

Chapter 90, “Free Public Libraries”, §11-90-1 to §11-90-4 of the Code of Alabama, 1975

TITLE 11 – COUNTIES AND MUNICIPAL CORPORATIONS CHAPTER 90 – FREE PUBLIC LIBRARIES

§11-90-1. Powers of counties and municipalities as to establishment and maintenance of free public libraries generally.

The county commissions of the counties of this state and municipalities, through their governing bodies, may establish and maintain or aid in establishing and maintaining free public libraries for the use of the citizens of the respective counties or municipalities, either separately or in connection with public schools, and to that end may accept gifts, donations, and bequests of land, buildings or money therefore and may make appropriations from the county or municipal treasury in support thereof in such sums as they may deem proper.

(Acts 1920, Ex. Sess., No. 93, p. 146; Code 1923, §1545, Acts 1939, No. 198, p. 350; Code 1940, T. 55, §285.)

§11-90-2. Library boards – Composition; appointment and terms of members; vacancies in office.

The government and supervision of such libraries shall be vested in a library board consisting of five members who shall be appointed by the county commission or the governing body of the municipality. The terms of membership on the library board, as first appointed, for one member shall be for one year, for the second member shall be for two years, for the third member shall be for three years, and for the remaining two members the terms shall be for four years. After the first term, all appointments shall be for four years. The county commission or governing body shall fill all vacancies including expired and unexpired terms. Members of the library board shall serve without compensation.

(Acts 1919, No. 763, p. 1124; Code 1923, §1546, Acts 1939, No. 199, p. 351; Code 1940, T. 55, §286.)

§11-90-3. Library boards – Powers and duties.

(a) The library board shall have full power and authority to:

- (1) Control the expenditure of all funds received or appropriated for such libraries;
- (2) Erect or rent buildings to cost not in excess of the funds available to it;
- (3) Purchase books and equipment;
- (4) Provide a system of library service to be made easily available to all citizens of the county or municipality through central library, branches, stations, book truck service, or other appropriate means;
- (5) Elect a librarian and other employees; and
- (6) Manage and control the said library in order to carry out the full intent and purpose of this chapter.

- (b) A careful and complete record and set of books shall be kept by the library board, showing the proceedings of their several meetings and the receipts and disbursements in detail of all funds.
- (c) In counties where a city having a population of not less than 65,000 already maintains a free public library, a separate county library board need not be appointed, and the county libraries and the appropriations authorized shall be administered by the governing board of such free public library on such terms as may be agreed upon between the county commission and the said governing board.

(Acts 1919, No. 763, p. 1124; Code 1923, §1547, Acts 1939, No. 200, p. 351; Code 1940, T. 55, §287.)

§11-90-4. Establishment and maintenance of joint library service.

In lieu of establishing or maintaining free public libraries exclusively for a single county or municipality in the manner provided in this chapter, the library board of any county or municipality free public library may contract, in behalf of the political unit represented by such local library board, to and with the library board of another political unit or governmental agency or instrumentality with respect to the establishment or maintenance of joint library service upon such terms as may be agreed upon by the several contracting parties. Where there is no existing public library, the power thus to contract shall vest in the county commission of the county or the governing body of the municipality. Included in the power conferred is the determination of the basis and personnel of representation of the local political units on the joint library board administering the joint library service established under this section. Such board, when appointed, shall have the powers and duties granted by this chapter to county or municipal library boards. County and municipal library boards or joint library boards shall have the power to cooperate with all state and federal agencies and institutions in furtherance of the purpose of this chapter, and all municipal, county and joint library boards shall from time to time submit such records and reports as may be required by the public library service; provided, that nothing in this section shall be so construed as to infringe upon any municipal charter provisions governing the administration of existing free public libraries.

(Acts 1919, No. 763, p. 1124; Code 1923, §1548, Acts 1939, No. 201, p. 352; Code 1940, T. 55, §288.)