

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1953



ENROLLED

HOUSE BILL No. 228

(By Mr. Robert E. Benike)



PASSED February 27 1953

In Effect ninety days from Passage



FILED IN THE OFFICE OF THE SECRETARY OF STATE
of West Virginia MAR 5 1953

D. PITT O'BRIEN,
SECRETARY OF STATE

ENROLLED

House Bill No. 228

(By MR. SEIBERT and MR. BENEKE)

[Passed February 27, 1953; in effect ninety days from passage]

AN ACT to amend and reenact section eighteen, chapter twenty-five, acts of the Legislature, first extraordinary session, one thousand nine hundred thirty-three, as amended by chapter ninety-six, acts of the Legislature, regular session, one thousand nine hundred thirty-nine, relating to municipal revenue bonds for sewage works.

Be it enacted by the Legislature of West Virginia:

That section eighteen, chapter twenty-five, acts of the Legislature, first extraordinary session, one thousand nine hundred thirty-three, as amended by chapter ninety-six, acts of the Legislature, regular session, one thousand nine hundred thirty-nine, be amended and reenacted to read as follows:

Section 18. *Supervision of Sanitary Board; Qualification,*

2 *Etc., of Members; Organization and Compensation.— The*

3 governing body shall provide by ordinance that the cus-

4 today, administration, operation and maintenance of such
5 works shall be under the supervision and control of a
6 sanitary board, created as herein provided. Such sanitary
7 board shall be composed of the mayor of the municipality
8 and two persons appointed by the governing body, one
9 of whom, during the construction period, must be a regist-
10 ered professional engineer. The engineer member of the
11 board need not be a resident of said municipality. After
12 the construction of the plant has been completed, the
13 engineer member may be succeeded by a person not an
14 engineer. No officer or employee of the municipality,
15 whether holding a paid or unpaid office, shall be eligible
16 to appointment on said sanitary board until at least one
17 year after the expiration of the term of his public office.
18 Said appointees shall originally be appointed for terms
19 of two and three years respectively, and upon the ex-
20 piration of each such term and each succeeding term,
21 an appointment of a successor shall be made in like man-
22 ner for a term of three years. Vacancies shall be filled
23 for an unexpired term in the same manner as the original
24 appointment. Each member shall give such bond, if any,

25 as may be required by ordinance. Such mayor shall act
26 as chairman of the sanitary board, which shall elect a
27 vice chairman from its members and shall designate a
28 secretary and treasurer (but the secretary and the treas-
29 urer may be one and the same), who need not be a mem-
30 ber or members of the sanitary board. The vice chairman,
31 secretary and treasurer shall hold office as such at the
32 will of the sanitary board. The members of the sanitary
33 board shall receive such compensation for their services,
34 either as a salary or as payments for meetings attended,
35 as the governing body may determine, and shall be en-
36 titled to payment for their reasonable expenses incurred
37 in the performance of their duties. The governing body
38 shall fix the reasonable compensation of the secretary
39 and treasurer in its discretion, and shall fix the amounts
40 of bond to be given by the treasurer. All compensation,
41 together with the expenses in this section referred to,
42 shall be paid solely from funds provided under the author-
43 ity of this act. The sanitary board shall have power to
44 establish by-laws, rules and regulations for its own govern-
45 ment.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

H. M. Kiley
Chairman Senate Committee

C. H. Reubler
Chairman House Committee

Originated in the House of Delegates

Takes effect ninety days from passage.

J. Howard Meyer
Clerk of the Senate

J. A. Shiff
Clerk of the House of Delegates

Ralph G. Beaman
President of the Senate

W. E. Lawrence
Speaker House of Delegates

The within approved this the 5th
day of March, 1953.

William C. Marland
Governor

