

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1957



ENROLLED

HOUSE BILL No. 258

(By Mr. Clark)



PASSED March 8 1957

In Effect 90 days from Passage



ENROLLED

# House Bill No. 258

(By MR. CLARK)

---

[Passed March 3, 1957; in effect ninety days from passage.]

---

AN ACT to amend and reenact section eighteen, article thirteen, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to members of sanitary boards.

*Be it enacted by the Legislature of West Virginia:*

That section eighteen, article thirteen, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 18. *Supervision of Sanitary Board; Qualifications, etc., of Members; Organization and Compensation.*---

2    *tions, etc., of Members; Organization and Compensation.*---

3    The governing body shall provide by ordinance that the

4    custody, administration, operation and maintenance of

5    such works shall be under the supervision and control of

6    a sanitary board, created as herein provided. Such sani-

7    tary board shall be composed of either the mayor of the

8 municipality, or the city manager thereof, if said municipi-  
9 pality shall have a city manager form of government, and  
10 two persons appointed by the governing body, one of  
11 whom, during the construction period, must be a registered  
12 professional engineer. The engineer member of the board  
13 need not be a resident of said municipality. After the con-  
14 struction of the plant has been completed, the engineer  
15 member may be succeeded by a person not an engineer.  
16 No officer or employee of the municipality, whether hold-  
17 ing a paid or unpaid office, shall be eligible to appointment  
18 on said sanitary board until at least one year after the ex-  
19 piration of the term of his public office. Said appointees  
20 shall originally be appointed for terms of two and three  
21 years respectively, and upon the expiration of each such  
22 term and each succeeding term, an appointment of a suc-  
23 cessor shall be made in like manner for a term of three  
24 years. Vacancies shall be filled for an unexpired term in  
25 the same manner as the original appointment. Each mem-  
26 ber shall give such bond, if any, as may be required by  
27 ordinance. Such mayor or city manager shall act as chair-  
28 man of the sanitary board, which shall elect a vice chair-

29 man from its members and shall designate a secretary and  
30 treasurer (but the secretary and the treasurer may be one  
31 and the same), who need not be a member or members of  
32 the sanitary board. The vice chairman, secretary and  
33 treasurer shall hold office as such at the will of the sani-  
34 tary board. The members of the sanitary board shall  
35 receive such compensation for their services, either as a  
36 salary or as payments for meetings attended, as the gov-  
37 erning body may determine, and shall be entitled to pay-  
38 ment for their reasonable expenses incurred in the per-  
39 formance of their duties. The governing body shall fix the  
40 reasonable compensation of the secretary and treasurer in  
41 its discretion, and shall fix the amounts of bond to be  
42 given by the treasurer. All compensation, together with  
43 the expenses in this section referred to, shall be paid solely  
44 from funds provided under the authority of this article.  
45 The sanitary board shall have power to establish by-laws,  
46 rules and regulations for its own government.

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

*E. H. McCourt*  
Chairman Senate Committee

*Whitchell*  
Chairman House Committee

Originated in the House of Delegates

Takes effect *90 days from* passage.

*J. Howard Keyser*  
Clerk of the Senate

*C. A. Blankenship*  
Clerk of the House of Delegates

*Ralph J. Beane*  
President of the Senate

*W. E. Flannery*  
Speaker, House of Delegates

The within *approved* this the *15th* day of *March*, 1957.

*Geoff Huderwood*  
Governor



Filed in the Office of the Secretary of State  
of West Virginia. **MAR 15 1957**  
D. PITT O'BRIEN  
SECRETARY OF STATE