WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 1992

ENROLLED

HOUSE BILL No. 4129

(By Delegates Roop & Kiss)

Passed Feb. 18, 1992

In Effect 90 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 sewage works of municipal corporations and sanitary districts; providing that the governing body of a sanitary board shall establish the organization of such a board; and authorizing the governing body to appoint up to four persons to serve on such a board, in addition to the mayor or city manager of the municipality served by the board, in the event of an acquisition or merger of an existing system.

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:

ARTICLE 13. SEWAGE WORKS OF MUNICIPAL CORPORATIONS AND SANITARY DISTRICTS.

§16-13-18. Supervision of works by sanitary board; organization of board; qualifications, terms and compensation of members.

1 The governing body shall provide by ordinance the organization of the board, and that the custody, administration, operation and maintenance of such works shall be under the supervision and control of a sanitary board, created as herein provided. Such
sanitary board shall be composed of either the mayor of
the municipality, or the city manager thereof, if said
municipality shall have a city manager form of govern-
ment, and two persons appointed by the governing body:
Provided, That, in the event of an acquisition or merger
of an existing sewage works, the governing body may
increase the membership to a maximum of four
members in addition to the mayor or city manager of
the municipality served by the board. During the
construction period one of the members must be a
registered professional engineer. The engineer member
of the board need not be a resident of said municipality.
After the construction of the plant has been completed,
the engineer member may be succeeded by a person not
an engineer. No officer or employee of the municipality,
whether holding a paid or unpaid office, shall be eligible
to appointment on said sanitary board until at least one
year after the expiration of the term of his public office.
Said appointees shall originally be appointed for terms
of two and three years respectively, and upon the
expiration of each such term and each succeeding term,
an appointment of a successor shall be made in like
manner for a term of three years. Vacancies shall be
filled for an unexpired term in the same manner as the
original appointment. Each member shall give such
bond, if any, as may be required by ordinance. Such
mayor or city manager shall act as chairman of the
sanitary board, which shall elect a vice chairman from
its members and shall designate a secretary and
treasurer (but the secretary and the treasurer may be
one and the same), who need not be a member or
members of the sanitary board. The vice chairman,
secretary and treasurer shall hold office as such at the
will of the sanitary board. The members of the sanitary
board shall receive such compensation for their services,
either as a salary or as payments for meetings attended,
as the governing body may determine, and shall be
entitled to payment for their reasonable expenses
incurred in the performance of their duties. The
governing body shall fix the reasonable compensation of
the secretary and treasurer in its discretion, and shall
fix the amounts of bond to be given by the treasurer.
All compensation, together with the expenses in this section referred to, shall be paid solely from funds provided under the authority of this article. The sanitary board shall have power to establish bylaws, rules and regulations for its own government.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 27th day of February, 1992.

Governor