

FILED

2001 APR 23 P 4: 14

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2001



ENROLLED

House Bill No. 2271

(By Mr. Speaker, Mr. Kiss, and Delegates Varner,
Kominar, Douglas and Pethtel)



Passed April 11, 2001

In Effect Ninety Days from Passage

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H. B. 2271

(BY MR. SPEAKER, MR. KISS, AND DELEGATES VARNER,
KOMINAR, DOUGLAS AND PETHTEL)

[Passed April 11, 2001; in effect ninety days from passage.]

AN ACT to amend and reenact section three, article thirteen, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to increasing the maximum expenditure made by a sanitary board from five thousand dollars to ten thousand dollars before requiring advertising for competitive bids.

Be it enacted by the Legislature of West Virginia:

That section three, 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.**

§16-13-3. Powers of sanitary board; contracts; employees; compensation thereof; extensions and improvements; replacement of damaged public works.

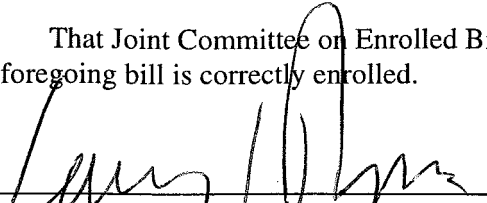
1 The board shall have power to take all steps and proceed-
2 ings and to make and enter into all contracts or agreements
3 necessary or incidental to the performance of its duties and the
4 execution of its powers under this article: *Provided*, That any

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5 contract relating to the financing of the acquisition or construc-
6 tion of any such works, or any trust indenture as hereinafter
7 provided for, shall be approved by the governing body of such
8 municipality before the same shall be effective. The board may
9 employ engineers, architects, inspectors, superintendents,
10 managers, collectors, attorneys, and such other employees as in
11 its judgment may be necessary in the execution of its powers
12 and duties, and may fix their compensation, all of whom shall
13 do such work as the board shall direct. All such compensation
14 and all expenses incurred in carrying out the provisions of this
15 article shall be paid solely from funds provided under the
16 authority of this article, and the board shall not exercise or carry
17 out any authority or power herein given it so as to bind said
18 board of said municipality beyond the extent to which money
19 shall have been or may be provided under the authority of this
20 article. No contract or agreement with any contractor or
21 contractors for labor and/or material, exceeding in amount the
22 sum of ten thousand dollars, shall be made without advertising
23 for bids, which bids shall be publicly opened and award made
24 to the best bidder, with power in the board to reject any or all
25 bids. After the construction, installation, and completion of the
26 works, or the acquisition thereof, the board shall operate,
27 manage and control the same and may order and complete any
28 extensions, betterments and improvements of and to the works
29 that the board may deem expedient, if funds therefor be
30 available or are made available as provided in this article, and
31 shall establish rules and regulations for the use and operation of
32 the works, and of other sewers and drains connected therewith
33 so far as they may affect the operation of such works, and do all
34 things necessary or expedient for the successful operation
35 thereof. The sanitary board may declare an emergency situation
36 in the event of collector line breaks or vital treatment plant
37 equipment failure and shall be exempted from competitive
38 bidding requirements and enter into direct purchase agreements
39 or contracts for such expenses. All public ways or public works
40 damaged or destroyed by the board in carrying out its authority
41 under this article shall be restored or repaired by the board and
42 placed in their original condition, as nearly as practicable, if
43 requested so to do by proper authority, out of the funds pro-
44 vided by this article.

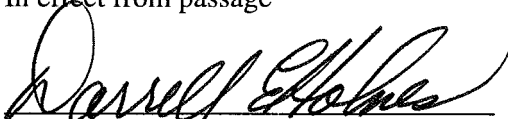
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

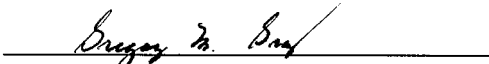

Chairman Senate Committee



Chairman House Committee

Originating in the House.

In effect from passage

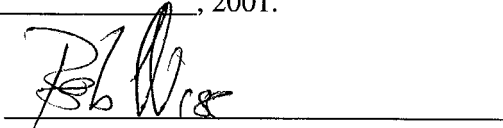

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within is approved this the 23rd
day of April, 2001.


Governor

PRESENTED TO
THE GOVERNOR
DATE 4/18/01
TIME 3:50 pm