

## **AN ORDINANCE TO ESTABLISH A SANITARY BOARD**

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE TOWN OF LUMBERPORT as follows:**

### **Section 1. SANITARY BOARD CREATED; COMPOSITION.**

There is hereby created in and for the Town of Lumberport a Sanitary Board for the custody, supervision, control, administration, operation, management and maintenance of the sewer system to be acquired by the Town from the Lumberport Area Public Sewer Service District and for the construction, acquisition, improvement, equipment, custody, operation, management and maintenance of any system of works for the collection and control of storm water, and for the collection of revenues therefrom, all as permitted and provided by West Virginia Code §16-13-1 to §16-18-24, and such Sanitary Board shall be composed of the Mayor and two other persons. Members shall be nominated by the Mayor and the nomination shall be confirmed by the Council. Members may or may not be residents of the Town of Lumberport.

### **Section 2. OFFICERS; COMPENSATION AND BONDS OF MEMBERS.**

No officer or employee of the Town of Lumberport , except the Mayor, 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 or her public office. The appointees shall originally be appointed for terms of two and three years respectively, and upon the expiration of each 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 the Council. The Mayor 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.

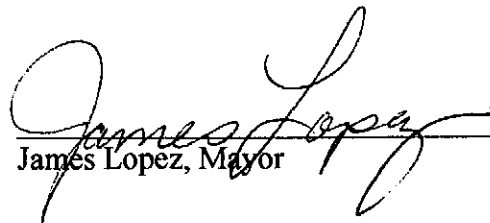
Council hereby reserves the right and privilege from time to time by ordinance to fix compensation of the members of such Board and the secretary and treasurer thereof, and also to require and fix the amount of bonds which any or all of such officials may be required to furnish. All compensation, together with any expenses incurred in the performance of their duties, shall be paid solely from funds derived from the operation of the sewer system or the stormwater system. The Sanitary Board shall have power to establish bylaws, rules and regulations for its own government.

**CROSS REFERENCE: W. Va. Code 16-13-18.**

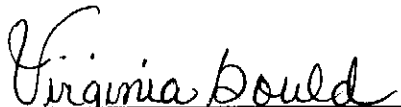
First Reading passed by the Common Council of the Town of Lumberport,  
Harrison County, West Virginia, on the 7<sup>th</sup> day of February, 2011.

Public Hearing held on the 7<sup>th</sup> day of March, 2011.

Second Reading passed by the Common Council of the Town of Lumberport,  
Harrison County, West Virginia, on the 7<sup>th</sup> day of March, 2011.

  
James Lopez, Mayor

Attest:

  
Virginia Gould, Recorder