

AN ORDINANCE REPEALING A MAY 8, 1973
ORDINANCE OF THE TOWN OF SHEPHERDSTOWN
AND ENACTING A SUBSTITUTE ORDINANCE,
SECTION 11-202a OF THE SHEPHERDSTOWN CODE,
CREATING A SANITARY BOARD

The Shepherdstown Town Council ordains:

The ordinance of the Corporation of Shepherdstown, entitled "Ordinance Creating a Sanitary Board for the Town of Shepherdstown, in Jefferson County, West Virginia, Describing the Qualifications and Fixing the Compensation of its Members, Defining its Powers and Duties," enacted on May 8, 1973, by the Town Council is hereby repealed, and in substitution, there is enacted Section 202a, Chapter 2, Title 11 of the Shepherdstown Code to as as follows:

TITLE 11: PUBLIC WORKS AND REFUSE COLLECTION
Chapter 2 - Administration and Management of Public Works
Projects .

Section 202a: Creation of a Sanitary Board;
Qualifications; Term; Powers and Duties

(a) There be and is created a Sanitary Board for the Town of Shepherdstown in Jefferson County, West Virginia.

(b) The Sanitary Board of the Town of Shepherdstown shall be appointed by the Mayor and the Town Council, and the members of said Board, upon their appointment, shall qualify by taking the oath of office required by other public officials of the Town.

(c) The Sanitary Board, as herein created, shall be composed of the Mayor of the Town of Shepherdstown and two persons appointed by the Mayor and the Town Council, who shall be

bona fide residents of the Town. No officer or employee of the Town of Shepherdstown shall be eligible for appointment on said Sanitary Board until at least one year after the expiration of the term of his or her public office.

(d) The appointed members of said Board shall serve for a term of three years. Vacancies shall be filled for any unexpired term in the same manner as the original appointment. The Mayor's term shall coincide with his or her tenure of office. (Note: The current appointed members of the Sanitary Board shall be deemed members of the Board created by this Ordinance and shall continue to serve until the expiration of their original appointed terms.)

(e) The Sanitary Board shall have the control over and supervision of construction, acquisition, improvement, equipment, custody, operation and maintenance of any sewage collection system and sewage treatment plant or plants; intercepting sewers; outfall sewers; force mains; pump stations and ejector stations as hereafter may be constructed within and for the benefit of the residents of the Town of Shepherdstown as well as the collection, treatment, purification and disposal, in a sanitary manner of liquid and solid waste, night soil and industrial waste of the Town of Shepherdstown; and in addition thereto, said Board shall be vested with and shall exercise all of the rights and perform all of the duties conferred upon it by Article 13 of Chapter 16

of the Code of West Virginia, and all acts amendatory and supplementary thereto.

(f) The Mayor of said Town shall act as chairman of the Sanitary Board, which shall select from its members a vice chairman and shall designate a secretary and treasurer (but the secretary and 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 at the will of the Sanitary Board.

(g) This ordinance shall be effective from passage.

(h) The provisions of this ordinance are several, and if any section, provision, sentence, clause or word of this ordinance be declared invalid, such decision shall not affect or impair any of the remaining provisions of this ordinance. It is hereby declared to be the intent of the Council of said Town that this ordinance would have been adopted had the invalid portion not be included herein.

Tudrey S. Egle
MAYOR

ATTEST:

TOWN RECORDER

INTRODUCED: _____

ADOPTED: _____

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