

**96.351 Waterworks or waterworks and sewerage commissions in cities of third class in counties of more than 50,000 other than counties with a city of first class or urban-county government.**

- (1) The city council of cities of the third class in a county containing a population of more than fifty thousand (50,000) other than a county containing a city of the first class or urban-county government which have acquired a waterworks or a waterworks and sewerage system pursuant to KRS 96.350, and which are operating under the council form of government, may, by ordinance, establish either a waterworks commission or a waterworks and sewerage commission. The ordinance shall require the appointment of the commission in one (1) month from the passage of the ordinance. No two (2) members of the commission shall be selected from the same ward. The commission shall be appointed by the mayor, and shall consist of the mayor, who shall be a non-voting ex-officio member and either three (3) or five (5) freehold electors of the city who have been bona fide residents of the city for two (2) years next before their appointment. One (1) member shall be a member of the city legislative body. No appointed member shall be related to the mayor or a member of the city council within the third degree of consanguinity or affinity under the civil law.
- (2) The members of the commission shall enter upon the discharge of their duties as soon as appointed, and shall hold office four (4) years and until their successors are appointed and qualified, except that the member of the commission who is a member of the city legislative body shall hold office for one (1) year and until his successor is appointed and qualified. Any vacancy shall be filled in the same way the original appointments were made. The compensation of members shall be fixed by the city council prior to their appointment. The commission shall hold at least one (1) meeting each month, or more if required. Meetings shall be held at stated times, except special meetings.
- (3) The commission may designate a member to act as chairman in the absence of the mayor, with the same powers the mayor would have if presiding. If the commission consists of five (5) members, three (3) members shall constitute a quorum. If the commission consists of three (3) members, two (2) members shall constitute a quorum. The mayor or any two (2) members may call a special meeting. The city auditor shall be ex-officio clerk of the commission and custodian of its records. Copies of its records attested by him as clerk shall be competent evidence in all courts.

**Effective:** June 17, 1978

**History:** Created 1978 Ky. Acts ch. 192, sec. 1, effective June 17, 1978.