

**96.545 Operation and management of system -- Artificial gas commission.**

- (1) Any city acquiring any such artificial gas system under the provisions of KRS 96.541 to 96.546 may by ordinance provide for the operation of the system under the direction of an official of the city as designated by the legislative body, or may delegate the authority to operate the system to a commission created for the operation of some other public works in the city, including a waterworks or electric plant, or may provide for the appointment of a commission of seven (7) members to operate, manage and control the system, which commission shall be known as the "... Artificial Gas Commission." The commission shall provide rules, regulations and bylaws for the artificial gas system and shall, out of the revenue of the system, pay necessary operating expenses, repairs and additions thereto, and provide a sufficient reserve fund to insure that the system is kept in repair and in safe and sanitary condition and to provide against any emergency that may arise. The commission shall from time to time pay to the city the surplus revenue derived from the operation of the system as provided in KRS 96.541 to 96.546.
- (2) In order that the commission may be nonpartisan and nonpolitical, no person shall be appointed a member thereof who has, within the last two (2) years before his appointment, held any city, county, state or federal office, or who is related within the third degree to the mayor or any member of the legislative body of the city. The commission shall not appoint, to any subordinate office created by it, any person who is related to any member of the city legislative body or to the mayor or chief executive of the city, or to any member of the commission. No officer or employee of the city, whether holding a paid or unpaid office, shall be eligible to be a member of the commission. The members of the commission shall be citizens, taxpayers and legal voters of the city and shall not at the time of their appointment be indebted to the city or be surety on the official bond of any officer of the city. No member of the commission shall be interested in any contract for the furnishing of supplies or services of any kind to the system, or to the city. If at any time during his term of office any member of the commission becomes a candidate for or is elected or appointed to any public office, he shall automatically vacate his office on the commission and another person shall be appointed.
- (3) Each commissioner shall execute bond with a surety company in the penal sum of one thousand dollars (\$1,000), conditioned upon the faithful performance of his official duties. The bonds shall be approved by the legislative body of the city and the premiums shall be paid by the city. An action may be maintained upon any commissioner's bond by any person injured by a violation of the covenants therein contained.
- (4) The members of the commission shall serve without compensation.
- (5) The first artificial gas commission appointed in each city under this section shall be appointed for terms as follows: Two (2) members for a term of one (1) year, two (2) for a term of two (2) years, and three (3) for a term of three (3) years. Upon the expiration of the first terms, successors shall be appointed for a term of three (3) years.

**History:** Created 1946 Ky. Acts ch. 68, sec. 5.