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## PART NINE — STREETS, UTILITIES AND PUBLIC SERVICES CODE

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### ARTICLE 901 Water Commission

- 901.01 **Creation; objective.**
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#### CROSS REFERENCES

General powers of municipality—See WV Code 8-12-5(32)  
Operation of municipal waterworks—See WV Code 8-19-1  
Schedule of rates & charges—See Ord. 905

#### 901.01 **Creation; objective.**

There is hereby created in the Corporation of Harpers Ferry, the Harpers Ferry Water Commission, whose purpose is to serve in an advisory capacity to assist the Town Council in carrying out its responsibilities in administering, operating and maintaining the Harpers Ferry Water Works in a professional, efficient and financially sound manner. (Ord. 97-01, passed 7-14-1997.)

#### 901.02 **Membership; term of office.**

The Commission shall have at least three and no more than six members, all of whom shall be qualified by knowledge and experience in matters pertaining to the operation of the Corporation of Harpers Ferry and the Harpers Ferry Water Works, and all of whom shall be nominated and confirmed by the Town Council. All members of the Commission must be residents of the Harpers Ferry Water Works service area. The Town Council may appoint up to two members to the Water Commission who are not residents of Harpers Ferry: one from the Corporation of Bolivar and one from the unincorporated area of Jefferson County. Upon creation of the Commission, its members shall be appointed for the following terms: Up to two for a term of one year; up to two for a term of two years; up to two for a term of three years, respectively, following their appointment. Thereafter, as their terms expire, each new appointment shall be for a term of three years. In the event that a vacancy shall occur during the term of any member, the Town Council shall appoint his or her successor for the unexpired portion of the term. <sup>[901.02]</sup>

#### 901.03 **Election of officers.**

At its first meeting, and annually thereafter, the Commission shall elect from its members a Chairman, Vice-Chairman and Secretary. The Vice-Chairman shall have the power and authority to act as the Chairman of the Commission during the absence or disability of the Chairman. (Ord. 97-01, passed 7-14-1997.)

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#### FOOTNOTE:

901.02 Revised 14 November 2011 to include a voting member from outside the Corporation of Harpers Ferry, superseding Ordinance 03-01 (passed 11 August 2003). Ordinance 2021-06 (passed 11 October 2021) expanded this to two voting members: one from the Corporation of Bolivar and one from unincorporated Jefferson County.

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### **901.04 Office; expenses.**

The Town Council shall provide the Commission with suitable office space for the holding of meetings and the storage of records and documents. Members shall serve without compensation but shall be reimbursed for all responsible, and necessary expenses actually incurred in the performance of their official duties. (Ord. 97-01, passed 7-14-1997.)

### **901.05 Regular and special meetings; quorum.**

- (a) The Commission shall fix the time for holding regular meetings, but it shall meet at least quarterly.
- (b) Special meetings of the Commission may be called by the Chairman, by one
- (c) member or the Town Council upon written request to the Secretary. Whether called by the Chairman, by a member, or the Town Council the Secretary shall send to each member, at least two days in advance of a special meeting, a written notice fixing the date, time and place of the meeting, but written notice of a special meeting is not required if the date, time and place of a special meeting have been fixed in a regular meeting, or if all of the members are present at the special meeting.
- (d) A majority of the members of the Commission shall constitute a quorum. No action of the Commission shall be official, however, unless authorized by a quorum of the members of the Commission at a regular or properly called special meeting. (Ord. 97-01, passed 7-14-1997.)

### **901.06 Reporting.**

The Chairman, or a duly assigned member of the Commission, shall be present at each regular meeting or special meeting (if deemed necessary) of the Town Council to report on the activities of the Commission and to make recommendations, when appropriate. The commission also shall submit the Town Council an annual report, signed by the members, concerning the functions of the Commission. (Ord. 97-01, passed 7-14-1997.)

### **901.07 Duties and responsibilities.**

The Harpers Ferry Water Commission shall:

- (a) Make rules and regulations for the administration of the affairs of the Commission, subject to approval of the Town Council.
- (b) Keep abreast of the new technologies and equipment and the various aspects of operating a water system by attending relevant seminars, and through technical publications.
- (c) Assist the Harpers Ferry Water Works Superintendent and the Town Treasurer in the formulation of the annual budget for the Harpers Ferry Water Works.
- (d) Review periodically the financial status of the Harpers Ferry Water Works with the Harpers Ferry Water Works Superintendent and Mayor and recommend to the Town Council changes as may be indicated in the Schedule of Rates and Changes.
- (e) Review the Harpers Ferry Water Works Superintendent's request for major purchases of equipment and recommend to the Town Council action to take.
- (f) Research and report to the Town Council sources for grant funds designated for water systems.
- (g) Research and report to the Town Council sources for services of consulting engineers specializing in water systems.
- (h) Serve as liaison with the State of Maryland on matters pertaining to withdrawals of water from the Potomac River into the Harpers Ferry Water Works, keeping the Town Council informed of any discussions.
- (i) Perform such other duties involving the Harpers Ferry Water Works, as may be

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requested by the Town Council. (Ord. 97-01, passed 7-14-1997.)

### **901.08 Effective Date.**

This Ordinance shall take effect and be in force from and after July 14, 1997.