

## TITLE 2

BOARDS AND COMMISSIONS, ETC.

## CHAPTER

1. WATER SYSTEM BOARD.
2. BOARD OF HEALTH.

## CHAPTER 1

WATER SYSTEM BOARD<sup>1</sup>

## SECTION

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- 2-102. Election, term of office, and vacancies of board members.
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2-101. Creation and composition of the board. There is hereby created and established for the Town of Ardmore, Ala. and the City of Ardmore, Tenn., a Water System Board, known as The Ardmore Water System Board, to be composed of three members and for the purpose of this chapter to be known as the water board. (1969 Code, § 13-101)

2-102. Election, term of office, and vacancies of board members. Members of the board shall be elected by the town and city councils to serve as follows: One member to serve until the first day of July 1962, and until his successor is elected and qualified, one member to serve until the first day of July 1963, and until his successor is elected and qualified, and one member to serve until the first day of July 1964 and until his successor is elected and qualified.

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<sup>1</sup>Charter reference  
Water department: art. XV.

At the first regular meeting of the town and city council in the month of June of each year, the councils shall elect a successor of the member of the board whose term expires on the first day of July following, and the person so elected shall become a member of the board on the first day of July following and shall hold such a position for three years, and until his successor is elected and qualified. Should the council fail to elect a member at its first meeting in the month of June, it shall do so at any succeeding regular meeting of the governing body. A member of the board may succeed himself provided the council sees fit to reelect him. Should a vacancy occur on the water board, the council shall immediately fill the vacancy by electing another member to membership on the board, who shall serve out the remainder of the vacant member term and until a successor may be elected and qualified. (1969 Code, § 13-102)

2-103. Qualifications of board members. No person shall be eligible to membership on the board who is not a qualified voter of the town or city. (1969 Code, § 13-103)

2-104. Oath of office of board members. Before entering upon the duties of his office, each member of the board shall take and subscribe to the following oath: "I DO SOLEMNLY SWEAR THAT I WILL SUPPORT THE CONSTITUTION OF THE STATE OF ALABAMA, AND THE CONSTITUTION OF THE UNITED STATES, AND THAT I WILL FAITHFULLY, ZEALOUSLY AND IMPARTIALLY DISCHARGE THE DUTIES OF THE OFFICE WHICH I AM ABOUT TO ENTER WITHOUT FEAR OR FAVOR FOR THE PUBLIC WELFARE; SO HELP ME GOD." The successors to the members of the board shall take the same oath. (1969 Code, § 13-104)

2-105. Organization of board. At the first meeting of the board the members shall elect one of their number as chairman and one of their number as secretary. Thereafter the board shall annually elect from among their number a chairman and secretary. Vacancies in the office of chairman and secretary shall be filled by the board, if and when the same may occur. (1969 Code, § 13-105)

2-106. Compensation of board members. The members of the board shall serve without compensation. The members of the board shall be reimbursed for any actual expense incurred by them in the transactions of any business of, or for and on behalf of the board. (1969 Code, § 13-106)

2-107. Meetings, quorum, and record of proceedings of the board. The board shall hold regular monthly meetings and such other meetings at other times and places as its members may elect, and the chairman of the board or any two members may call a meeting at any time he or they may consider that the business demands a meeting be held. The chairman and any one (1)

member, or any two (2) members of the board shall constitute a quorum. A true record of proceedings of all meetings of the board shall be kept by the secretary. At the call of any member, the vote on any pending question shall be taken as ayes and naves, and the same shall be entered on the record.

The record of the proceedings of the board shall be open to any member of the town and city council and to the public at all times, and a copy from the record, certified by the secretary, shall be competent evidence in all courts. (1969 Code, § 13-107)

2-108. Authority and duties of the board. The board shall have complete control of the water works plant and the water system of the Town of Ardmore, Ala., and the City of Ardmore, Tenn., and shall have authority to employ, upon terms fixed by the board, but in no event for a term exceeding one (1) year and to discharge with or without cause, managers, cashiers, clerks, stenographers, attorneys, repairmen, plumbers, laborers and such other employees as are necessary for the operation of such water works plant and water works system, of the town and city heretofore mentioned.

It shall have the power and authority and it shall be its duty to charge for and collect all accounts due for any service which the water works plant and water works system of the above mentioned town and city may furnish to its customers, upon rates provided and approved by the water board and the town and city councils. The board shall have the right to delegate to any manager which it may employ, the authority to employ and discharge employees which may be needed, to direct their work and to manage and control and operate the water system, and to account to the board for his acts in so doing, but his authority shall be restricted as the authority of the board is restricted in this chapter. (1969 Code, § 13-108)

2-109. Bond requirements. Each officer or employee of the board handling money or exercising authority over property of the water system shall, before entering upon the discharge of his duties, give bond with some surety company authorized to do business in the state, as surety and payable to the town and city referred to in § 2-108, to be approved by the board in such penalty as the board may prescribe conditioned for the faithful discharge of his duties of his office or employment and faithfully to account for all moneys received or property coming into possession in the capacity of his employment. (1969 Code, § 13-109)

2-110. Impeachment and removal of board members. Members of the board may be removed from office in the manner and on the same grounds provided by the general law of the state for the impeachment and removal of officers as set out in section 175 of the Constitution of Alabama. (1969 Code, § 13-110)

2-111. Accountant for the board. The board shall at least once a year appoint an expert accountant or firm of accountants who shall make an examination in detail of all books and accounts of the board to cover the period since the preceding examination, and make a full report in writing, under oath to the board, of its findings at the first board's meeting after completion of such report; a copy shall also be furnished the town and city councils and the same shall be spread on the minutes of the board, but the same person or firm shall not be authorized to make such examination twice in succession without the full approval of the board and the town and city councils. For this service the accountant shall be paid such reasonable and proper sum as may be agreed upon. (1969 Code, § 13-111)

2-112. Board reports. The board shall make an annual report to the town and city councils showing in detail the receipts and expenditures of the preceding fiscal year, the physical condition of the property under the care of the board, and any other matters of public interest connected with the board. (1969 Code, § 13-112)

2-113. Expenditures for the construction of additions to the water system. (1) Expenditures for any new construction, addition, or replacement to the water system in the City of Ardmore, Tennessee, and Town of Ardmore, Alabama, and all maintenance and repairs to the water system shall be made by the Ardmore Water Board.

(2) Any new construction, addition, or replacement to the sewer system in the City of Ardmore, Tennessee, and Town of Ardmore, Alabama and all maintenance and repairs to the sewer system shall be made by the Ardmore Water Board.

(3) The Ardmore Water Board is given the full authority to act on all matters relating to the water and sewer system in the City of Ardmore, Tennessee. However, the Ardmore Water Board shall have no authority to in any way obligate the City of Ardmore and Town of Ardmore or any of its assets for any of the purposes contained herein.

(4) Full responsibility for any liabilities incurred in connection with the water and sewer system shall be taken by the Ardmore Water Board. (Ord. #94-02-03, March 1994, as amended by Ord. #95-01-12, Jan. 1995)

2-114. Disposition of funds of the water system. All funds of the Ardmore Water System shall be separate and apart from any other funds of the Town of Ardmore, Ala., and the City of Ardmore, Tenn., and in the city depository or Bank of Ardmore, Tenn., and the same shall be withdrawn only in such sums and at such times as the same shall be required for the expenditures authorized by law, in payment of all the obligations of the Ardmore Water System, together with interest on said obligations, also the expense of operating said system, including salaries for the maintenance of

water pumps, reading of meters, installing meters, and other general operating expense and supplies, also the expense of billing, auditors and accountant fees, and other necessary expense for the operating and maintenance of the water system. (1969 Code, § 13-114)

## CHAPTER 2

BOARD OF HEALTH

## SECTION

2-201. Creation of board of health.

2-202. General power of the board.

2-203. Rules and regulations of the board.

2-201. Creation of board of health. The board of health for the City of Ardmore is hereby created and established and shall be composed of the mayor, one alderman to be named by the mayor, and a physician to be elected by the board. The physician shall be the health officer. No member of said board of health shall be entitled to compensation for any services rendered to the said board. (1969 Code, § 1-201)

2-202. General power of the board. The board of health is vested with general authority to inspect premises and any property within the corporate limits, to enter upon or into and examine any place or property, and to remove or abate any condition prejudicial to health or tending to become a nuisance. Notification shall be given by the mayor to the owner or occupant of any such premises to remove or abate the same, and if he fails to do so, such nuisance or unsanitary condition shall be removed or abated at the cost of the owner, to be recovered by suit at law. (1969 Code, § 1-202)

2-203. Rules and regulations of the board. The board of health is fully empowered to establish and enforce the observance of such sanitary regulations as it deems best calculated to guard against epidemics, infectious, contagious, or malignant disease and prevent or check their extension. (1969 Code, § 1-203)