



## **CITY OF PLEASANT VALLEY - ORDINANCE #42**

### **AN ORDINANCE FORMING, CREATING AND ESTABLISHING A MUNICIPAL BUILDING COMMISSION**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLEASANT VALLEY:

#### **SECTION ONE. Creation**

There is hereby formed, created and established a municipal building commission to be known as the Pleasant Valley Building Commission. In accordance with Chapter 8, Article 33, Section 1 et seq. of the West Virginia Code, the commission shall be a public corporation and have perpetual existence, shall have all powers granted by Chapter 8, Article 33, Section 4 of the West Virginia Code; and any other powers granted to it by applicable law.

#### **SECTION TWO. Board of Directors**

The board of the commission shall consist of three (3) members; One shall be appointed as a member of the board of the Pleasant Valley Building Commission to serve a term of one (1) year from the passage date hereof; one shall be appointed as a member of the board of the Pleasant Valley Building Commission to serve a term of two (2) years from the passage date hereof; and one shall be appointed as a member of the board of the Pleasant Valley Building Commission to serve a term of three (3) years from the passage date hereof.

At the conclusion of the term of the appointment of each member of the commission, the Mayor shall appoint a successor with the approval of the Council for a term of five (5) years. Note more than two (2) of the three (3) members of the board shall be from the same political party and no member may hold any office (other than the office of notary public) or employment under the United States of America, the State of West Virginia, any county or political subdivision thereof, or any political party. All members shall be residents of the City of Pleasant Valley.

#### **SECTION THREE. Compensation**

No member of any committee shall receive any compensation for their services as such, but each member shall be reimbursed by the commission for any reasonable and necessary expenses actually incurred in the discharge of their duties as a member of that board.

#### **SECTION FOUR. Property**

The commission shall not acquire, encumber or dispose of any real property without the prior written consent of the Pleasant Valley City Council.

**SECTION FIVE. Indebtedness**

No Constitutional or statutory limitation with respect to the nature or amount of or rate of interest on indebtedness which may be incurred by the City of Pleasant Valley shall apply to the indebtedness of the commission. No indebtedness of any nature of a commission shall constitute an indebtedness of the City of Pleasant Valley, the County of Marion, or any agency thereof except the commission. No indebtedness or obligations incurred by the commission shall give any right against any member of the Pleasant Valley City Council or any member of the commission.

**SECTION SIX. Powers and Authority**

In addition to the powers allowed by statute, the commission shall make and adopt all necessary, appropriate and lawful bylaws and rules and regulations pertaining to its affairs; elect such officers and appoint such committees as may be necessary for the conduct of its affairs; and do all things reasonable and necessary to carry out its functions.

**SECTION SEVEN. Insurance**

All members of the commission shall be afforded the insurance coverage as specified in the code for the City of Pleasant Valley for any act or acts of the commissioner while within the purview of their duties as a commissioner.

**SECTION EIGHT.** This ordinance shall become effective thirty days after passage.

Passed by the City Council this 18th day of February, 2020.

*Signed by Barbara Metcalf*

\_\_\_\_\_  
Mayor

ATTEST:

*Signed by Pamela Foster*

\_\_\_\_\_  
City Clerk