

77.105 Hearing board -- Membership, qualifications, term, removal.

- (1) The air pollution control board of an air pollution control district shall appoint a hearing board to consist of three (3) members, none of whom is a member of the air pollution control board, and only two (2) of whom may be of the same political party affiliation. Two (2) members of the hearing board shall have been admitted to practice law in this Commonwealth. Both shall be residents and freeholders of the district. Neither shall be otherwise employed by the air pollution control district or by any other municipal corporation or political subdivision of the Commonwealth. The third member of the hearing board shall be an engineer by profession, and shall be a graduate of a recognized university or college and shall be thoroughly familiar with the theory and practice of the construction and operation of furnaces and combustion devices, or in the theory of the prevention and control of air pollution. The latter member shall not be otherwise employed by the air pollution control district or the air pollution control board appointing the hearing board, but may be an employee of some other political subdivision or municipal corporation of the Commonwealth. He need not reside nor own property within the district.
- (2) The air pollution control board shall appoint one (1) member of the hearing board for a term of one (1) year, one (1) member for a term of two (2) years, and one (1) member for a term of three (3) years. Thereafter the terms of members of the hearing board shall be three (3) years. A member of the hearing board shall be eligible to succeed himself. A vacancy in the membership shall be filled by an appointee of the air pollution control board for the unexpired portion of the term. Such an appointee shall have the same qualifications as a regularly appointed member.
- (3) Any member of the hearing board may be removed by the air pollution control board, for cause, after a hearing by the air pollution control board, and after at least ten (10) days notice in writing shall have been given to the member, which notice shall embrace the charges preferred against him. At the hearing he may be represented by counsel. The finding of the air pollution control board shall be final, and removal results in vacancy in such office.

Effective: March 14, 1952

History: Created 1952 Ky. Acts ch. 53, sec. 23, effective March 14, 1952.