ENROLLED BILL
(EXTRAORDINARY SESSION. 1933)

House Bill No. 189

(By Mr. John)

Passed June 3, 1933

In Effect from Passage
AN ACT repealing section twenty, article four, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, and enacting a new section twenty, article four, chapter eight in lieu thereof, authorizing and empowering municipal corporations organized under special charters to provide special services to the inhabitants thereof, in the interest of public health, safety, comfort and well being; by ordinance duly and regularly adopted to regulate such services; to levy and collect rates, fees and rentals for such services; and providing for a referendum on such ordinance, when demanded, before the provisions thereof are made effective.

Be it enacted by the Legislature of West Virginia:

That section twenty, article four, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, be and the
same is hereby repealed; and that there be enacted in lieu thereof section twenty, article four of said chapter of said code as follows:

Section 20. Whenever in the judgment of the municipal authority of any municipal corporation organized under special charter in this state the public health, safety, comfort and/or well being demands the continuance, maintenance, installation or improvement of any essential or special service, including police and fire protection, street lighting, sewerage and sewage disposal, garbage collection and disposal, street cleaning, and the public revenues of such municipality are not sufficient for the purpose, the municipal authority may by proper ordinance provide for the continuance, maintenance, installation and/or improvement of such special service, together with suitable regulations governing such service, and may impose upon the users of such special service such rates, fees and rentals as are necessary to pay the cost of such special service, and may provide for the collection of such rates, fees and rentals in the same manner as municipal taxes are collected, or otherwise, as the municipal authority shall elect, and may provide penalties for any violation of such ordinance.
Provided, however, That any ordinance enacted under the provisions of this act shall be published at least once a week for two successive weeks in two newspapers published in such municipality, or if there be only one newspaper published there in then in that newspaper, or if there be no such newspaper published then by posting copies of such ordinance for a like period in at least ten conspicuous places in such municipality, and in the event ten per cent of the registered voters by written petition duly signed by them and filed with the municipal authority within fifteen days after the expiration of such publishing or posting protest against such ordinance, the ordinance shall not become effective until it shall be ratified by a majority of the votes cast by the duly qualified voters of such municipality at an election duly and regularly held as provided by the laws and ordinances of the municipality and the result of such election ascertained and declared. Such election shall be held after notice of such submission shall be given by publication or posting of the same for two successive weeks next prior to the date of such election as above provided for the publication of the ordinance when adopted.

The powers hereby given to such municipalities and to the
40 authorities thereof are in addition to and supplemental of the 41 powers named in the respective charters thereof.