Rec., - 3 **ENROLLED BI** (EXTRAORDINARY SESSION, 1933) House Bill No. (By Mr. Joke ___) Passed_fune_3,_1933 Effect_from_Passage In Effect

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ENROLLED BILL

(H. B. No. 189)

[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 thirtyone, 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



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same is hereby repealed; and that there be enacted in lieu thereof section twenty, article four of said chapter of said code as follows: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 au-2 thority of any municipal corporation organized under special 3 charter in this state the public health, safety, comfort and/or 4 well being demands the continuance, maintenance, installation 5 or improvement of any essential or special service, including 6 police and fire protection, street lighting, sewerage and sewage 7 disposal, garbage collection and disposal, street cleaning, and 8 the public revenues of such municipality are not sufficient for 9 the purpose, the municipal authority may by proper ordinance 10 provide for the continuance, maintenance, installation and/or 11 improvement of such special service, together with suitable regu-12 lations governing such service, and may impose upon the users 13 of such special service such rates, fees and rentals as are neces-14 sary to pay the cost of such special service, and may provide for 15 the collection of such rates, fees and rentals in the same manner 16 as municipal taxes are collected, or otherwise, as the municipal 17 authority shall elect, and may provide penalties for any viola-18 tion of such ordinance.



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19 Provided, however, That any ordinance enacted under the 20 provisions of this act shall be published at least once a week 21 for two successive weeks in two newspapers published in such 22 municipality, or if there be only one newspaper published there-23 in then in that newspaper, or if there be no such newspaper pub-24 lished then by posting copies of such ordinance for a like period 25 in at least ten conspicuous places in such municipality, and in the 26 event ten per cent of the registered voters by written petition 27 duly signed by them and filed with the municipal authority 28 within fifteen days after the expiration of such publishing or 29 posting protest against such ordinance, the ordinance shall not 30 become effective until it shall be ratified by a majority of the 31 votes cast by the duly qualified voters of such municipality at an 32 election duly and regularly held as provided by the laws and 33 ordinances of the municipality and the result of such election 34 ascertained and declared. Such election shall be held after 35 notice of such submission shall be given by publication or posting 36 of the same for two successive weeks next prior to the date of 37 such election as above provided for the publication of the ordi-1. 1. 1. 1. 38 nance when adopted.

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39 The powers hereby given to such municipalities and to the



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40 authorities thereof are in addition to and supplemental of the

41 powers named in the respective charters thereof.

Enrolled H. B. No. 189] 5 Speaker of the House of Delegates. uce Clerk of the House of Delegates. President of the Senate. Clerk of the Senate. Chairman House The within is..... this...... day of 1933. Governor. Filed in the office of the Scoretary of State of West Virginia. 2 1933 Wm. S. O'BRIEN, Scoretary of State

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