

Rec., March 6, 1933

541

# ENROLLED BILL

(REGULAR SESSION, 1933)

House Bill No. 548

(By Mr. Neuman)

Passed March 3 1933

In Effect from Passage

Originated in the *House* Takes effect *from* passage  
*Pro State* Clerk. *Good State* Clerk of the House of Delegates.

CORRECTLY ENROLLED

*James L. Smith* Chairman House Committee.  
*Amos B. Hoge* Chairman Senate Committee.

## ENROLLED BILL

(H. B. No. 548)

[Passed March 3, 1933; in effect from passage.]

AN ACT to amend and reenact section sixteen, chapter two of the acts of the legislature of West Virginia (municipal charters), one thousand nine hundred twenty-nine, conferring certain powers on the city of Moundsville.

*Be it enacted by the Legislature of West Virginia:*

That section sixteen, chapter two of the acts of the legislature of West Virginia (municipal charters), one thousand nine hundred twenty-nine, be, and the same is hereby amended and reenacted to read as follows:

Section 16. The council of said city shall have power to lay  
2 off, vacate, close, open, alter, grade and keep in good repair  
3 the roads, streets, alleys, pavements, sidewalks, crosswalks,  
4 drains and gutters therein for the use of the citizens or of the  
5 public, and to improve and light the same, and to keep the

CORRECTLY ENROLLED

James L. Smith  
Chairman House Committee.  
Henry A. Rogers  
Chairman Senate Committee.

2

[Enrolled H. B. No. 548]

6 same free from obstructions of every kind; to regulate the  
7 width of pavements and sidewalks on the streets and alleys,  
8 and to order the pavements, sidewalks, footways, drains and  
9 gutters to be kept in good order, free and clean, by the owners  
10 or occupants of the real property next adjacent thereto; to  
11 establish and regulate markets, prescribe the times of holding  
12 the same, provide suitable and convenient buildings therefor,  
13 and prevent the forestalling or regulating of such markets; to  
14 prevent injury or annoyance to the public or to individuals  
15 from anything dangerous, offensive or unwholesome; to pro-  
16 hibit or regulate slaughter houses and soap factories within  
17 the city limits; or the exercise of any unhealthy or offensive  
18 business, trade or employment; to abate all nuisances within  
19 the city limits, or to require and compel the abatement or re-  
20 moval thereof, by or at the expense of the person causing the  
21 same, or at the expense of the owner or occupant of the ground  
22 on which they are placed or found; to cause to be filled up,  
23 raised or drained by or at the expense of the owner, any city  
24 lot or tract of land covered or subjected to be covered by stag-  
25 nant water; to prevent horses, hogs, dogs, cattle, sheep, or  
26 other animals and fowls of all kinds from going or being at

CORRECTLY ENROLLED

James L. Smith

James L. Smith

James L. Smith

Chairman House Committee.

Chairman Senate Committee.

Enrolled H. B. No. 548]

3

27 large in such city, and as one means of prevention, to provide  
28 for impounding and confining such animals and fowls, and  
29 upon failure to reclaim, for the sale thereof; to protect places  
30 of divine worship and to preserve order in and about the  
31 premises where and when such worship is held; to regulate  
32 the keeping of gunpowder and other inflammable or danger-  
33 ous substances; to provide and regulate the building of houses  
34 or other structures, and for the making and maintaining of  
35 division fences by the owners of adjoining premises, and for  
36 the proper drainage of city lots or other parcels of land, by  
37 or at the expense of the owner or occupant thereof; to provide  
38 against damage or danger by fire; to punish for assaults and  
39 batteries; to arrest, convict and punish any person for gam-  
40 bling or keeping gaming tables, commonly called a, b, c, or e, o,  
41 table or faro bank or keno table, or table of like kind, under  
42 any denomination, whether the game or table be played with  
43 cards, dice or otherwise, or shall be a partner, or concerned  
44 in interest, in the keeping or exhibiting such table or bank,  
45 or keeping or maintaining any gaming house or place, or  
46 betting or gambling for money or anything of value; to sup-  
47 press houses of ill fame and to arrest and punish persons

CORRECTLY ENROLLED

James L. Smith  
Henry A. Rogers

Chairman House Committee.

Chairman Senate Committee.

48 loitering in, or visiting them, or loitering in saloons, or upon  
49 the streets; to prevent lewd and lascivious conduct; the sale  
50 or exhibition of indecent pictures or other representations;  
51 to license, prohibit, and regulate dances and dance halls; the  
52 desecration of the Sabbath day; profane swearing; to prohibit  
53 the manufacture, sale, keeping or storing for sale, or offering  
54 or exposing for sale, or transportation of liquors or absinthe,  
55 or any drink compounded with absinthe, or the possession of  
56 "moonshine liquor;" to protect the persons of those resid-  
57 ing or being within said city; to appoint when necessary or  
58 advisable a police force, permanent or temporary, to assist the  
59 chief of police in the discharge of his duties; to build or pur-  
60 chase, or lease and to use, a suitable place within or near said  
61 city for safekeeping or punishment of persons charged with  
62 or convicted of the violation of ordinances; to provide for the  
63 employment of persons convicted of the violation of ordinances  
64 or who may be committed in default of the payment of fines,  
65 penalties or costs, who are otherwise unable to discharge the  
66 same, by putting them to work for the benefit of the city,  
67 and to use such means to prevent their escape while at work,  
68 as they may deem expedient; to erect, or authorize or prohibit

CORRECTLY ENROLLED

*Henry D. Polya*

*James L. Smith*

*Chairman Senate Committee.*

*Chairman House Committee.*

Enrolled H. B. No. 548]

5

69 the erection of gas works, electric light works or water works  
70 within the city limits; to prevent injury to such works, or  
71 the pollution of any gas or water used or intended to be used  
72 by the public or by individuals, and to do all things necessary  
73 to adequately supply said city and the inhabitants thereof with  
74 pure, healthful and wholesome water; to use, generate, dis-  
75 tribute, sell and control electricity and gas for heat, light and  
76 power and to furnish light for the streets, houses, buildings,  
77 stores, and other places in and about said city; to provide a  
78 sewerage system for said city; to provide for and regulate  
79 the weighing and measuring of hay, coal, lumber and other  
80 articles sold or kept or offered for sale, within said  
81 city; to establish and construct wharves and docks, and to re-  
82 pair, alter or remove any landing, wharf or dock which has  
83 been or shall be so constructed, and to establish and collect  
84 rates and charges for the use thereof; to regulate the running  
85 and speed of engines and cars within the said city, except that  
86 the council of said city shall not interfere with the speed of  
87 trains and engines beyond the corporation lines of the city  
88 of Moundville as heretofore existing, until the said new ter-  
89 ritory shall be laid out in lots, streets and alleys, and opened

CORRECTLY ENROLLED

James L. Smith  
H. B. No. 548

Chairman Senate Committee.

Chairman House Committee.

90 and used by the public; to organize one or more fire companies  
91 and provide necessary apparatus, tools, implements, engines  
92 or any of them for their use, and in their discretion to organ-  
93 ize a paid fire department; to make regulations with respect  
94 to the erection and location of all pipes, conduits, and tele-  
95 phone, telegraph, electric light or other poles within said city,  
96 and the extension of any wires, lines and poles by any individ-  
97 uals or corporation; to create by ordinances such committees  
98 or boards, and delegate such authority thereto as may be  
99 deemed necessary or advisable; to provide for the annual as-  
100 sessment of the taxable property therein, including dogs kept  
101 in said city, and to provide a revenue for the city for municipal  
102 purposes, and to appropriate such revenue to its expenses,  
103 and generally to take such measures as may be deemed neces-  
104 sary or advisable to protect the property, public and private,  
105 within the city; to preserve and promote the health, safety,  
106 comfort and well being of the inhabitants thereof.

107 The council of said city shall have power and authority to  
108 control and regulate the construction and repairs of all houses  
109 and other buildings within the said city; to provide for the  
110 granting of building permits; to cause the removal of unsafe

CORRECTLY ENROLLED

James L. Smith

*Chairman House Committee.*

Henry

D. Rogers

*Chairman Senate Committee.*

Enrolled H. B. No. 548]

7

111 walls or buildings; and may prohibit the erection on any such  
112 street, or in such square, of any building, or of any addition  
113 to any building unless the outer walls thereof be made of brick  
114 and mortar or other fireproof material; and to provide for the  
115 removal of any building or addition which shall have been  
116 erected contrary to such prohibition, at the expense of the  
117 owner or owners thereof.

118 The said council of said city shall have any and all addi-  
119 tional power and authority granted to cities, towns and villages  
120 by section ten, article four, chapter eight of the code of West  
121 Virginia, one thousand nine hundred thirty-one.

122 All acts or parts of acts inconsistent herewith are hereby  
123 repealed.



CORRECTLY ENROLLED

*James O. Smith*  
Chairman Senate Committee.

*W. M. Stiner*  
Speaker of the House of Delegates.

*Geo. Stall*  
Clerk of the House of Delegates.

*H. S. Maines*  
President of the Senate.

*Ans. Smith*  
Clerk of the Senate.

The within is.....*approved*.....

this.. *11<sup>th</sup>* day of.....*March*..... 1933.

*H. S. Kump*  
Governor.

*James O. Smith*  
Chairman House Committee.

Filed in the office of the Secretary of State  
of West Virginia **MAR 11 1933**

*Mrs. O. W. Brinn* Secretary of State.