

6725

ENROLLED BILL

(REGULAR SESSION, 1933)

House Bill No. 549

(By Mr. Newman)

Passed March 3 1933

In Effect from Passage

Originated in the

Take effect

Passage

Geo. S. Slat
Clerk of the House of Delegates.

Geo. S. Slat
Clerk.

CORRECTLY ENROLLED

James L. Smith
Chairman Senate Committee.

James L. Smith
Chairman House Committee.

ENROLLED BILL

(H. B. No. 549)

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

AN ACT to amend and reenact section forty-eight, chapter eighty-two of the acts of the legislature of West Virginia, regular session, one thousand nine hundred eleven, relating to the charter for the city of Moundsville.

Be it enacted by the Legislature of West Virginia:

That section forty-eight of chapter eighty-two of the acts of the legislature of West Virginia, regular session, one thousand nine hundred eleven, be amended and reenacted so as to read as follows:

Section 48. The council shall have the authority to provide

2 that any street, avenue or alley or any portion thereof between

3 the curbstones, shall be macadamized, or paved with bricks,

4 cobblestones, or other suitable material, upon the lowest and best

5 terms obtainable, after advertisement for four weeks in one or

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James L. Smith

Henry A. Rogers

Chairman Senate Committee.

Chairman House Committee.

Chairman Senate Committee.

6 more newspapers in the city, for bids and proposals for the
7 work; and two-thirds of the cost of such macadamizing or pav-
8 ing, from curb to curb of such street, avenue, or alley, shall be
9 assessed to the owners of lots, or fractional parts of lots, front-
10 ing or abutting on such street, avenue or alley, that is to say:
11 The property owners on each side of said street, avenue or alley
12 to be assessed one-third of the cost of said improvements, to each
13 property owner a sum proportionate to the distance, or extent
14 in feet by him owned, and one-third of the sum so assessed shall
15 be paid by each property owner to the city within thirty days
16 after the completion of the work, and the remainder in two equal
17 installments in six and twelve months thereafter, with interest
18 thereon at the rate of six percentum per annum, or at such other
19 times as the council may prescribe. The remaining one-third
20 of such expense, as well as the expense of macadamizing or
21 paving at the intersections of streets, avenues and alleys, shall
22 be defrayed by the city. The council shall cause a notice to be
23 published for one week in a newspaper of said city, showing the
24 owners of the property and the number of feet fronting on said
25 improvements, as well as the time and the place where the said
26 council will proceed to fix said assessments as above provided,

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James E. Smith

Chairman House Committee.

Chairman Senate Committee.

Enrolled H. B. No. 549]

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27 and giving notice to any person having an interest in said prop-
28 erty to appear and show cause, if any they can, why such assess-
29 ment should not be made; and the council may, in making said
30 assessments, consider the petition of any person or corporation
31 relative to the inequality of said assessment, and may equalize
32 and adjust the same. The assessment to be made to any owner
33 of real estate shall constitute a lien on such estate; and like
34 proceedings may be had and taken to enforce such lien, or
35 to recover from such owner the amount of such assessment, or of
36 any installment thereof, as those provided for in the preceding
37 section providing for the laying of pavements. The council of
38 said city may cause an additional annual levy of fifteen cents
39 on the hundred dollars of the ascertained value of all the real
40 and personal property within said city, or subject to taxation,
41 for the purpose of defraying the expenses of paving the streets,
42 avenues and alleys of said city as herein provided; or for the
43 purpose of paying for rights-of-way and not to exceed one-half
44 the cost of construction of state road through the city of
45 Moundville. Any balance in the fund created by this section
46 may be used as aforesaid.

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James A. Hare
Chairman Senate Committee.

B. M. Hiner
Speaker of the House of Delegates.

Geo. Steele
Clerk of the House of Delegates.

C. S. M. [unclear]
President of the Senate.

John [unclear]
Clerk of the Senate.

James L. Smith
Chairman House Committee.

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

this *11th* day of *March* 1933.

H. S. [unclear]
Governor.

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

Wm. O.'Brien Secretary of State.