

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1951



ENROLLED

HOUSE BILL No. 298

(By Mr. Bowles)



PASSED March 10, 1951

In Effect 90 days from Passage



298

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AN ACT to amend and reenact section one, article four-a, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as last amended by chapter ninety, acts of the Legislature, regular session, one thousand nine hundred forty-five, relating to definitions, including the definition of municipal public works.

Be it enacted by the Legislature of West Virginia:

That section one, article four-a, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as last amended by chapter ninety, acts of the Legislature, regular session, one thousand nine hundred forty-five, be amended and reenacted to read as follows:

Section 1. *Definitions.*—(a) The term “municipality,”
2 as used in this article, shall be construed to mean any
3 city or incorporated town in the state of West Virginia;
4 (b) the term “municipal authorities,” as used in this

5 article, shall be construed to mean the mayor and council,
6 or similar governing body, board or commission of any
7 city or incorporated town; (c) the term "municipal pub-
8 lic works," as used in this article, shall be construed to
9 mean and include cemeteries, incinerator plants, land
10 fill or other garbage disposal systems, hospitals, piers,
11 docks, terminals, airports, drainage systems, flood con-
12 trol systems, public markets, automobile parking facilities
13 (including parking lots, buildings, ramps, curb-line park-
14 ing, meters and other facilities deemed necessary or in-
15 cidental to the regulation, control and parking of auto-
16 mobiles), stadiums, public recreation parks, swimming
17 pools, tennis courts, golf courses, polo grounds, public
18 buildings, including libraries and museums, common
19 jails, grading and/or paving, and/or repaving streets, av-
20 enues and alleys; where such works or projects will be
21 made selfsupporting, and the construction and/or acquisi-
22 tion cost thereof, together with interest thereon, will be
23 returned within a reasonable period, not exceeding thirty
24 years, by means of tolls, fees, rents, special assessments or
25 charges other than taxation, and shall mean and include

26 such system, building, plant or project in its entirety, and
27 all integral parts thereof, including all necessary appur-
28 tenances and equipment in connection with any one or
29 more of the above: *Provided*, That when such municipal
30 public works consist of grading and/or paving and/or re-
31 paving streets, avenues, and alleys the cost of which is to
32 be paid by special assessment against the abutting prop-
33 erty, represented by paving certificates which constitute a
34 lien upon such property and said paving certificates are
35 pledged by any municipality to retire revenue bonds
36 issued and sold to pay the cost of such construction, the
37 payor of such paving certificate shall have the right to
38 pay the same at any time before maturity, together with
39 interest thereon to date of payment, and upon the pay-
40 ment of such paving certificate the treasurer of such
41 municipality shall deliver to the payor a release for such
42 lien, and the funds received therefrom shall by said
43 treasurer be deposited in a special fund to be expended
44 only in the payment of such revenue bonds."

