

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1951



ENROLLED

HOUSE BILL No. 92

(By Mr. Speaker, Mr. Flannery)



PASSED March 10, 1951

In Effect From Passage



92

ENROLLED

House Bill No. 92

(By MR. SPEAKER, MR. FLANNERY)

[Passed March 10, 1951; in effect from passage.]

AN ACT to amend and reenact section twenty, article four, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, granting to municipalities the power and authority to provide by ordinance for the imposition and collection of special charges for municipal services, and to provide penalties for the violation of such ordinance.

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, as amended, be amended and reenacted to read as follows:

Section 20. *Special Charges for Municipal Services.*—

2 The governing authority of every municipal corporation
3 that furnishes any essential or special municipal service,
4 including police and fire protection, parking facilities on
5 the streets or otherwise, recreational facilities, street

6 cleaning, sewerage and sewage disposal, and the collection
7 and disposal of garbage, ashes or other waste materials,
8 may by ordinance provide for the continuance, maintenance,
9 nance, installation or improvement of such service, may
10 make reasonable regulations with respect thereto, may
11 impose upon the users of such service reasonable rates,
12 fees and charges to be collected in the same manner as
13 municipal taxes are collected or in some other manner
14 specified in the ordinance, and may provide penalties for
15 any violation of such ordinance. The municipal corporation
16 shall not, however, have a lien on any property as
17 security for payments due under such ordinance: *Provided,*
18 *however,* That any ordinance enacted under the
19 provisions of this section shall be published at least once
20 a week for two successive weeks in two newspapers published
21 in such municipality, or if there be only one newspaper
22 published therein then in that newspaper, or if
23 there be no such newspaper published then by posting
24 copies of such ordinance for a like period in at least ten
25 conspicuous places in such municipality, and in the event
26 ten per cent of the registered voters by written petition

27 duly signed by them and filed with the municipal author-
28 ity within fifteen days after the expiration of such pub-
29 lishing or posting protest against such ordinance, the
30 ordinance shall not become effective until it shall be rati-
31 fied by a majority of the votes cast by the duly qualified
32 voters of such municipality at an election duly and reg-
33 ularly held as provided by the laws and ordinances of the
34 municipality and the result of such election ascertained
35 and declared. Such election shall be held after notice of
36 such submission shall be given by publication or posting
37 of the same for two successive weeks next prior to the
38 date of such election as above provided for the publica-
39 tion of the ordinance when adopted. The powers hereby
40 given to such municipalities and to the authorities thereof
41 are in addition to and supplemental of the powers named
42 in the respective charters thereof.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Robert C. Byrd
Chairman Senate Committee

James W. Loop
Chairman House Committee

Originated in the House of Delegates

Takes effect

from passage.

Harmon Decker
Clerk of the Senate

J. R. Aliff
Clerk of the House of Delegates

H. Langston Hunter
President of the Senate

W. E. Flamm
Speaker House of Delegates

The within

approved

this the

16th

day of

March

, 1951.

Okuy L. Pillsen
Governor



of West Virginia

MAR 16 1951

D. PITT O'BRIEN,

SECRETARY OF STATE