WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1951

ENROLLED

HOUSE BILL No. 92

(By Mr. Speaker, Mr. Ishamery)

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 that furnishes any essential or special municipal service, including police and fire protection, parking facilities on the streets or otherwise, recreational facilities, street
cleaning, sewerage and sewage disposal, and the collection
and disposal of garbage, ashes or other waste materials,
may by ordinance provide for the continuance, mainte-
nance, installation or improvement of such service, may
make reasonable regulations with respect thereto, may
impose upon the users of such service reasonable rates,
fees and charges to be collected in the same manner as
municipal taxes are collected or in some other manner
specified in the ordinance, and may provide penalties for
any violation of such ordinance. The municipal corpora-
tion shall not, however, have a lien on any property as
security for payments due under such ordinance: Pro-
vided, however, That any ordinance enacted under the
provisions of this section shall be published at least once
a week for two successive weeks in two newspapers pub-
lished in such municipality, or if there be only one news-
paper published therein then in that newspaper, or if
there be no such newspaper published then by posting
copies of such ordinance for a like period in at least ten
conspicuous places in such municipality, and in the event
ten per cent of the registered voters by written petition
duly signed by them and filed with the municipal authority within fifteen days after the expiration of such publishing or posting protest against such ordinance, the ordinance shall not become effective until it shall be ratified by a majority of the votes cast by the duly qualified voters of such municipality at an election duly and regularly held as provided by the laws and ordinances of the municipality and the result of such election ascertained and declared. Such election shall be held after notice of such submission shall be given by publication or posting of the same for two successive weeks next prior to the date of such election as above provided for the publication of the ordinance when adopted. The powers hereby given to such municipalities and to the authorities thereof are in addition to and supplemental of the powers named in the respective charters thereof.
Enr. H. B. No. 92]

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

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the day of March, 1951.

Governor

of West Virginia MAR 16 1951

D. Pitt O'Brien, Secretary of State