WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1955

ENROLLED

HOUSE BILL No. 53

(By Mr. )

PASSED __________________________

1955

In Effect 90 Days from Passage

Filed in the Office of the Secretary of State
MAR 8 1955
of West Virginia
AN ACT to amend article one, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto three new sections, to be designated sections three-e, three-f, and three-g, relating to the power of county courts with respect to the acquisition, operation, and maintenance of trash and garbage disposal facilities and sewerage systems and sewage plants.

Be it enacted by the Legislature of West Virginia:

That article one, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto three new sections, to be designated sections three-e, three-f, and three-g, all to read as follows:

Section 3-e. Powers with Respect to Acquisition of

2 Land for, and Operation of, Public Refuse Dumps and

3 Sanitary Land Fills.—In addition to all other powers and
duties now conferred by law upon county courts, such courts are hereby empowered to acquire, by purchase, right of eminent domain, lease, gift, or otherwise, land for the establishment of public refuse dumps and sanitary land fills, and to operate and maintain such dumps and fills, and to pay for such land, and the operation and maintenance of such dumps and fills, in whole or part, either out of general funds in the county treasury, or out of special funds to be derived from fees paid by users of such facilities.

Sec. 3-f. Powers with Respect to Establishment and Operation of Garbage and Refuse Collection and Disposal Service.—In addition to all other powers and duties now conferred by law upon county courts, such courts are hereby empowered to establish, operate, and maintain, either directly or by contract, garbage and refuse collection and disposal service, and to pay for the establishment, operation, and maintenance thereof out of a special fund to be derived from fees paid by the users of such collection and disposal service: Provided, however, That the power and authority hereby conferred upon county courts
shall not be exercised in territory included within the boundaries of any municipal corporation.

Sec. 3-g. Powers with Respect to Acquisition, Operation, and Maintenance of Sewerage Systems and Sewage Plants.—In addition to all other powers and duties now conferred by law upon county courts, such courts are hereby empowered to acquire, by purchase, right of eminent domain, lease, gift, or otherwise, and to operate and maintain, sewerage systems and sewage treatment plants, and to pay the cost of operation and maintenance thereof out of a special fund to be derived from sewerage service fees paid by the users of such sewerage system or sewage treatment plant: Provided, however, That the power and authority hereby conferred on county courts shall not extend into territory within the boundaries of any municipal corporation, sanitary district or public service district.
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 90 days 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 7th day of March, 1955.

Governor