WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1955

ENROLLED

SENATE BILL NO. 297

(By Mr. )

PASSED 1955

In Effect Passage

Filed in the Office of the Secretary of State of West Virginia MAR 17 1955

D. PITT O'BRIEN
SECRETARY OF STATE
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 one hundred thirty-six, acts of the Legislature, regular session, one thousand nine hundred fifty-one, 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 nine hundred thirty-six, acts of the Legislature, regular session, one thousand nine hundred fifty-one, be amended and reenacted to read as follows:
Section 1. Definitions.—(a) The term "municipality," as used in this article, shall be construed to mean any city or incorporated town in the state of West Virginia; (b) the term "municipal authorities," as used in this article shall be construed to mean the mayor and council, or similar governing body, board or commission of any city or incorporated town; (c) the term "municipal public works", as used in this article, shall be construed to mean and include cemeteries, incinerator plants, land fill or other garbage disposal systems, hospitals, piers, docks, terminals, airports, drainage systems, flood control systems, the construction, reconstruction and alteration of intracity bridges, including approaches, causeways, viaducts, underpasses and connecting roadways, public markets, automobile parking facilities (including parking lots, buildings, ramps, curb-line parking, meters and other facilities deemed necessary or incidental to the regulation, control and parking of automobiles), stadiums, public recreation parks, swimming pools, tennis courts, golf courses, polo grounds, public buildings, including libraries and museums, common jails, grading and/or paving,
and/or repaving streets, avenues and alleys; where such works or projects will be made self-supporting, and the construction and/or acquisition cost thereof, together with interest thereon, will be returned within a reasonable period, not exceeding thirty years, by means of tolls, fees, rents, special assessments or charges other than taxation, and shall mean and include such system, building, plant or project in its entirety, and all integral parts thereof, including all necessary appurtenances and equipment in connection with any one or more of the above: Provided, That when such municipal public works consist of grading and/or paving and/or repaving streets, avenues, and alleys the cost of which is to be paid by special assessment against the abutting property, represented by paving certificates which constitute a lien upon such property and said paving certificates are pledged by any municipality to retire revenue bonds issued and sold to pay the cost of such construction, the payor of such paving certificate shall have the right to pay the same at any time before maturity, together with interest thereon to date of payment, and upon the payment of such paving
certificate the treasurer of such municipality shall deliver
to the payor a release for such lien, and the funds re-
ceived therefrom shall by said treasurer be deposited in
a special fund to be expended only in the payment of
such revenue bonds.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

W.T. Bratcher

Chairman House Committee

Originated in the Senate.

Takes effect upon passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 16 day of March, 1955.

William D. Marland
Governor.