

ENROLLED
House Bill No. 53
(By MRS. WALKER)

[Passed February 25, 1955; in effect ninety days from passage.]

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

4 duties now conferred by law upon county courts, such
5 courts are hereby empowered to acquire, by purchase,
6 right of eminent domain, lease, gift, or otherwise, land
7 for the establishment of public refuse dumps and sanitary
8 land fills, and to operate and maintain such dumps and
9 fills, and to pay for such land, and the operation and main-
10 tenance of such dumps and fills, in whole or part, either
11 out of general funds in the county treasury, or out of spe-
12 cial funds to be derived from fees paid by users of such
13 facilities.

Sec. 3-f. *Powers with Respect to Establishment and*
2 *Operation of Garbage and Refuse Collection and Disposal*
3 *Service.*—In addition to all other powers and duties now
4 conferred by law upon county courts, such courts are
5 hereby empowered to establish, operate, and maintain,
6 either directly or by contract, garbage and refuse collec-
7 tion and disposal service, and to pay for the establishment,
8 operation, and maintenance thereof out of a special fund
9 to be derived from fees paid by the users of such collec-
10 tion and disposal service: *Provided, however,* That the
11 power and authority hereby conferred upon county courts

12 shall not be exercised in territory included within the
13 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
2 conferred by law upon county courts, such courts are
3 hereby empowered to acquire, by purchase, right of eminent domain, lease, gift, or otherwise, and to operate and
4 maintain, sewerage systems and sewage treatment plants,
5 and to pay the cost of operation and maintenance thereof
6 out of a special fund to be derived from sewerage service
7 fees paid by the users of such sewerage system or sewage
8 treatment plant: *Provided, however,* That the power and
9 authority hereby conferred on county courts shall not
10 extend into territory within the boundaries of any municipal corporation, sanitary district or public service
11 district.

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

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originated in the House of Delegates

Takes effect 90 days from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker House of Delegates

The within approved this the 7
day of March, 1955.

[Signature]
Governor



Filed in the Office of the Secretary of State
of West Virginia **MAR 8 1955**
D. PITT O'BRIEN
SECRETARY OF STATE