

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1959



ENROLLED

HOUSE BILL No. 159

(By Mr. Zabew & Mr. Chilton)



PASSED March 2 1959

In Effect From Passage



Filed in Office of the Secretary of State  
of West Virginia MAR 10 1959  
JOE F. BURDETT  
SECRETARY OF STATE

**ENROLLED**

**House Bill No. 159**

(By MR. ZABEAU and MR. CHILTON)

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[Passed March 2, 1959; in effect from passage.]

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AN ACT to amend and reenact section thirteen-b, article nineteen, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the disposal of litter and certain other material on and near highways and certain enumerated other locations, issuance of notice to the public and providing penalties.

*Be it enacted by the Legislature of West Virginia:*

That section thirteen-b, article nineteen, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 13-b. *Unlawful Disposal of Litter, etc.; Notice*  
2 *Thereof; Penalty.*—It shall be unlawful to place, deposit,  
3 dump or throw, or cause to be placed, deposited, dumped  
4 or thrown, any litter, garbage, refuse, trash, cans, bottles,

5 papers, ashes, cigarette or cigar butts, junk, carcass of any  
6 dead animal, offal, waste, or any other offensive or un-  
7 sightly matter in or upon any public or private highway,  
8 road, street or alley, or upon the surface of any land with-  
9 in one hundred yards thereof without the consent of the  
10 owner, or in or upon any private property into or upon  
11 which the public is admitted by easement or license, or  
12 upon any private property without the consent of the own-  
13 er, or in or upon any public park or other public property  
14 other than in such place as may be set aside for such pur-  
15 pose by the governing body having charge thereof.

16 If any such material is thrown, cast, dumped or dis-  
17 charged from a motor vehicle in violation of this section,  
18 such action shall be deemed prima facie evidence that the  
19 owner and driver of such motor vehicle intended to violate  
20 this section.

21 The state commissioner of motor vehicles, upon register-  
22 ing a motor vehicle or issuing an operator's or chauffeur's  
23 license, shall issue to the owner or licensee, as the case  
24 may be, a copy of this section.

25 The state road commissioner shall cause appropriate

26 signs to be placed at the state boundary on each primary  
27 and secondary road, informing those entering the state  
28 of the maximum penalty herein provided for disposing of  
29 litter in, upon and near highways and roads in violation  
30 of this section.

31 No portion of this section shall be construed to restrict  
32 a private owner or lessee in the use of his own private  
33 property or leased property, or to prohibit the disposal of  
34 materials designated in this section in any manner author-  
35 ized by law.

36 In addition to enforcement by all proper law enforce-  
37 ment agencies, this section shall also be enforced by the  
38 state director of conservation, the United States forestry  
39 service and all other officers vested with powers and  
40 authority of game protectors.

41 Any person violating this section shall be guilty of a  
42 misdemeanor, and, upon conviction thereof, shall be fined  
43 not less than one hundred nor more than five hundred  
44 dollars.

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

*W. Jasper*  
Chairman Senate Committee

*J. F. Teem*  
Chairman House Committee

Originated in the House of Delegates

Takes effect From passage.

*J. Howard Thayer*  
Clerk of the Senate

*C. A. Blankenship*  
Clerk of the House of Delegates

*Ralph Bean*  
President of the Senate

*W. P. Parley*  
Speaker, House of Delegates

The within approved this the 9th

day of March, 1959.

*Lee H. Gudeman*  
Governor

