

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1959



ENROLLED

HOUSE BILL No. 35

(By Mr. WATSON)



PASSED FEB 10, 1959

In Effect FRONT Passage



Filed in Office of the Secretary of State
of West Virginia FEB 19 1959
JOE F. BURDETT
SECRETARY OF STATE

ENROLLED

House Bill No. 35

(By MR. WATSON)

[Passed February 10, 1959; in effect from passage.]

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 twenty-one, acts of the Legislature, regular session, one thousand nine hundred fifty-five, 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 amended by chapter one hundred twenty-one, acts of the Legislature, regular session, one thousand nine hundred fifty-five, be amended and reenacted to read as follows:

Section 1. *Definitions.*—(a) The term “municipality”,
2 as used in this article, shall be construed to mean any
3 city or incorporated town in the state of West Virginia;
4 (b) the term “municipal authorities”, as used in this

5 article, shall be construed to mean the mayor and council,
6 or similar governing body, board or commission of any
7 city or incorporated town; (c) the term "municipal public
8 works", as used in this article, shall be construed to mean
9 and include cemeteries, incinerator plants, land fill or other
10 garbage disposal systems, hospitals, piers, docks, termi-
11 nals, airports, drainage systems, flood control systems, the
12 construction, reconstruction and alteration of intra-city
13 bridges, including approaches, causeways, viaducts, un-
14 derpasses and connecting roadways, public markets, au-
15 tomobile parking facilities (including parking lots, build-
16 ings, ramps, curb-line parking, meters and other facilities
17 deemed necessary or incidental to the regulation, control
18 and parking of automobiles), stadiums, public recreation
19 parks, swimming pools, roller skating rinks, ice skating
20 rinks, tennis courts, golf courses, polo grounds, public
21 buildings, including libraries and museums, common jails,
22 grading and/or paving, and/or repaving streets, avenues
23 and alleys; where such works or projects will be made
24 self-supporting, and the construction and/or acquisition
25 cost thereof, together with interest thereon, will be re-

26 turned within a reasonable period, not exceeding thirty
27 years, by means of tolls, fees, rents, special assessments
28 or charges other than taxation, and shall mean and in-
29 clude such system, building, plant or project in its en-
30 tirety, and all integral parts thereof, including all neces-
31 sary appurtenances and equipment in connection with any
32 one or more of the above: *Provided*, That when such mu-
33 nicipal public works consist of grading and/or paving
34 and/or repaving streets, avenues, and alleys the cost of
35 which is to be paid by special assessment against the abut-
36 ting property, represented by paving certificates which
37 constitute a lien upon such property and said paving cer-
38 tificates are pledged by any municipality to retire revenue
39 bonds issued and sold to pay the cost of such construction,
40 the payor of such paving certificate shall have the right to
41 pay the same at any time before maturity, together with
42 interest thereon to date of payment, and upon the pay-
43 ment of such paving certificate the treasurer of such mu-
44 nicipality shall deliver to the payor a release for such
45 lien, and the funds received therefrom shall by said
46 treasurer be deposited in a special fund to be expended
47 only in the payment of such revenue bonds.

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

7072 [Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originated in the House of Delegates.

Takes effect FRONT 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 19th
day of February, 1959.

[Signature]
Governor