WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1961

ENROLLED

SENATE BILL NO. 111

(By Mr. Riley)

PASSED
February 20th, 1961

In Effect from Passage

Filed in Office of the Secretary of State
of West Virginia
March 1, 1961

JOE F. BURDETT
SECRETARY OF STATE
ENROLLED

Senate Bill No. 111
(By Mr. Riley)

[Passed February 20, 1961; effective ninety days from passage.]

AN ACT to amend and reenact sections one and three, article four-a, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to municipal public works and control thereof.

Be it enacted by the Legislature of West Virginia:

That sections one and three, article four-a, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, 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, gymnasiums, sports arenas, public recreation centers, public recreation parks, swimming pools, roller skating rinks, ice skating rinks, 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 ac-
quission cost thereof, together with interest thereon, will
be returned within a reasonable period, not exceeding
thirty years, by means of tolls, fees, rents, special assess-
ments or charges other than taxation, and shall mean and
include such system, building, plant or project in its ent-
tirety, and all integral parts thereof, including all neces-
sary 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 and 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 pav-
ing 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 ma-
turity, together with interest thereon to date of payment,
and upon the payment of such paving certificate the treas-
urer of such municipality shall deliver to the payor a re-
lease for such lien, and the funds received therefrom shall
by said treasurer be deposited in a special fund to be expended only in the payment of such revenue bonds.

Sec. 3. Construction, etc., to Be Under Control of Municipal Authorities or Appointed Board.—The construction, acquisition, improvement, extension, equipment, custody, operation and maintenance of any such works, and the collection of revenues therefrom for the service rendered thereby, shall be under the supervision and control of the municipal authorities, or of a committee or commission of all or a portion of the council or similar governing body of such municipality, or of a board, commission or committee appointed by such municipal authorities as may be determined by general orders. The term "board" when hereafter used in this article, shall be construed to mean the municipal authorities, or such board, commission or committee, as the case may be.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect ninety 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 _______ day of ________, 1961.

Governor