

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1971



ENROLLED

HOUSE BILL No. 830

(By Mr. JONES OF MONTGALIA -
AND MR. DINGMORE)



PASSED FEBRUARY 27 1971

In Effect NINETY DAYS FROM Passage



FILED IN THE OFFICE
JOHN D. ROSKEFELLER, IV
SECRETARY OF STATE
THIS DATE 3-8-71

830

ENROLLED

House Bill No. 830

(By MR. JONES, of Monongalia, and MR. DINSMORE)

[Passed February 27, 1971; in effect ninety days from passage.]

AN ACT to amend article fourteen, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section five-a, authorizing municipalities to appoint special parking lot or parking building police officers; specifying their duties, power and authority; relating to their uniforms, badges or other signs of authority; specifying that such special police officers shall serve at the will and pleasure of the appointing authority and not come within the civil service provisions of said article fourteen or the policemen's pension and relief fund provisions of article twenty-two of said chapter; authorizing such municipalities to require such special police officers to give bond; and providing a method for the payment of such special police officers.

Be it enacted by the Legislature of West Virginia:

That article fourteen, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section five-a to read as follows:

ARTICLE 14. LAW AND ORDER; POLICE FORCE OR DEPARTMENTS; POWERS, AUTHORITY AND DUTIES OF LAW-ENFORCEMENT OFFICIALS AND POLICEMEN; POLICE MATRONS; SPECIAL SCHOOL ZONE AND PARKING LOT OR PARKING BUILDING POLICE OFFICERS; CIVIL SERVICE FOR CERTAIN POLICE DEPARTMENTS.

PART IV. SPECIAL SCHOOL ZONE AND PARKING LOT OR PARKING BUILDING POLICE OFFICERS.

§8-14-5a. Special parking lot or parking building police officers.

1 Every municipality shall have plenary power and au-
2 thority to provide by ordinance for the appointment of
3 special parking lot or parking building police officers,
4 whose sole duties shall be to patrol, and to enforce muni-
5 cipal ordinances upon or within, designated parking lots
6 and parking buildings either owned by, or leased to, or
7 under the control of, and operated by, the municipality
8 or any board, commission or authority created by the
9 municipality. Notwithstanding the provisions of section
10 twelve, article twelve of this chapter, such special park-
11 ing lot or parking building police officers may be assigned

12 to police a parking facility established, maintained and
13 operated pursuant to the provisions of said section twelve.
14 In the performance of such duties, such special parking
15 lot or parking building police officers shall be vested with
16 the power to make arrests, issue summonses, sign com-
17 plaints and request the issuance of capiases. Such special
18 parking lot or parking building police officers shall be in
19 uniform, shall display a badge or other sign of authority,
20 shall serve at the will and pleasure of the appointing
21 authority, and shall not come within the civil service pro-
22 visions of this article or the policemen's pension and relief
23 fund provisions of article twenty-two of this chapter.
24 The governing body of the municipality may require such
25 special parking lot or parking building police officers to
26 give bond, payable to the municipality, in its corporate
27 name, with such sureties and in such penalty as the gov-
28 erning body may see fit, conditioned for the faithful per-
29 formance of their duties. The cost of providing such
30 special parking lot or parking building police officers may
31 be paid from revenues derived from the parking lot or
32 parking building to which they are assigned.

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

Russell H. Burr
Chairman Senate Committee

Phyllis Rutledge
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Howard Meyer
Clerk of the Senate

V. A. Blankenship
Clerk of the House of Delegates

E. Brockout
President of the Senate

Gov. F. B. Boarsby
Speaker House of Delegates

The within *approved* this the *5th*
day of *March*, 1971.

Archie Shaare, Jr.
Governor



PRESENTED TO THE
GOVERNOR

Date 3/2/71

Time 10:35 a.m.

RECEIVED

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OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA