WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1974

ENROLLED

SENATE BILL NO. 367

(By Mr. Palooza)

PASSED February 22, 1974

In Effect

367

FILED IN THE OFFICE
EDGAR F. HEISKELL III
SECRETARY OF STATE
THIS DATE 3-2-74
ENROLLED

Senate Bill No. 367
(By Mr. Galperin)

[Passed February 23, 1974; in effect ninety days from passage.]

AN ACT to amend and reenact section three-f, article one, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to permitting county courts to expend general revenue funds for the establishment and operation of garbage and refuse collection and disposal services.

Be it enacted by the Legislature of West Virginia:

That section three-f, article one, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 1. COUNTY COURTS GENERALLY.

§7-1-3f. Establishment and operation of garbage and refuse collection and disposal service.

1 In addition to all other powers and duties now conferred 2 by law upon county courts, such courts are hereby em- 3 powered to establish, operate and maintain, either direct- 4 ly or by contract, garbage and refuse collection and 5 disposal services, and to pay for the establishment, opera- 6 tion and maintenance of such collection and disposal 7 services, in whole or in part, either out of general funds 8 in the county treasury, or out of special funds to be 9 derived from fees charged to and paid by the users of 10 such services or a combination of both such general rev- 11 enue or special fund: Provided, That the power and au- 12 thority hereby conferred upon county courts shall not be
exercised in territory included within the boundaries of
any municipal corporation, except as provided herein.

Any county court for the purpose of implementing this
section is hereby authorized to enter into such contract
or contracts with any municipality or county within this
state for the purposes of carrying out the powers vested
in such county courts by this section, and all said county
courts may, pursuant to such contract, exercise the author-
ity herein granted within such contracting municipality:

Provided, however, That where an area is furnished gar-
bage and refuse collection service by an existing carrier
under authority issued by the public service commission
of West Virginia, the county court may enter into con-
tracts or agreements with such carrier to supplement such
existing service, but shall not enter into any competing
service without authority being granted by the public
service commission.

The term “users” as used herein shall mean and include
any person to whom such services are made available
under the provision of this section.
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.

In 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 2nd day of March, 1974.

Governor