WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1975

ENROLLED
SENATE BILL NO. 326

(By Mr. [Signatures] and Mr. [Signatures])

PASSED April 12, 1975

In Effect ninety days from Passage

FILED IN THE OFFICE
JAMES R. McCArTHY
SECRETARY OF STATE
THIS DATE 4-19-75
ENROLLED
Senate Bill No. 326
(By Mr. Brotherton, Mr. President, and Mr. Rogerson)

[Passed April 12, 1975; in effect ninety days from passage.]

AN ACT to amend article eighteen, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section eight-a, relating to the readjustment, removal, relocation, change in or alteration of a public utility line or facility to accommodate an urban redevelopment or slum clearance project; providing that the cost thereof shall be borne by the urban renewal authority or other public body causing the same; specifying the elements of cost thereof to be included in determining the cost to be borne by such urban renewal authority or other public body; providing that such cost shall be considered to be a cost of a federal-aid urban redevelopment or slum clearance project; and specifying that the provisions of such section shall not be applicable to any project for which an application for federal funding shall have been made prior to the effective date of such section.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 18. SLUM CLEARANCE.

§16-18-8a. Relocation of public utility lines or facilities to accommodate urban redevelopment or slum clearance projects.

1 In the event any urban renewal authority or other public body shall determine that any public utility line
or facility located upon, across or under any portion of
a street, avenue, highway, road or other public place
or way shall be temporarily or permanently readjusted,
removed, relocated, changed in grade or otherwise altered
(each and all hereinafter for convenience referred to as
“relocation”) in order to accommodate any urban redevelop-
ment or slum clearance project undertaken pursuant
to the provisions of this article, the cost of such relocation
shall be borne by the urban renewal authority or other
public body making the same necessary.
For purposes of this section, the term “cost of relocation” shall include the entire amount paid by such utility,
exclusive of any right-of-way costs incurred by such
utility, properly attributable to such relocation after de-
ducting therefrom any increase in the value of the new
line or facility and salvage derived from the old line or
facility.
The cost of relocating utility lines or facilities, as de-
defined herein, in connection with any federal-aid urban
redevelopment or slum clearance project is hereby de-
clared to be a cost of such project.
Under no circumstances whatever shall the foregoing
provisions of this section be applicable to any conven-
tional urban renewal project, urban redevelopment or
slum clearance project or neighborhood development
project for which an application for federal funding shall
have been made prior to the effective date of this section.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originated in the Senate.

In effect ninety days from 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 ____________________________ this the 18th day of ____________________________ day of ____________________________, 1975

[Signature]
Governor
PRESENTED TO THE GOVERNOR

de 4/18/75

e 1:55 p.m.