

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1975



ENROLLED

SENATE BILL NO. 326

(By Mr. *Boothman, Mr. President, and Mr. Rogerson*)



PASSED *March 8,* 1975

In Effect *thirty days from* Passage

ENROLLED

Senate Bill No. 326

(By MR. BROTHERTON, MR. PRESIDENT, and MR. ROGERSON)

[Passed March 8, 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; and providing that such cost shall be considered to be a cost of a federal-aid urban redevelopment or slum clearance project.

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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
2 public body shall determine that any public utility line
3 or facility located upon, across or under any portion of
4 a street, avenue, highway, road or other public place
5 or way shall be temporarily or permanently readjusted,

6 removed, relocated, changed in grade or otherwise altered
7 (each and all hereinafter for convenience referred to as
8 "relocation") in order to accommodate any urban redevel-
9 opment or slum clearance project undertaken pursuant
10 to the provisions of this article, the cost of such relocation
11 shall be borne by the urban renewal authority or other
12 public body making the same necessary.

13 For purposes of this section, the term "cost of reloca-
14 tion" shall include the entire amount paid by such utility,
15 exclusive of any right-of-way costs incurred by such
16 utility, properly attributable to such relocation after de-
17 ducting therefrom any increase in the value of the new
18 line or facility and salvage derived from the old line or
19 facility.

20 The cost of relocating utility lines or facilities, as de-
21 fined herein, in connection with any federal-aid urban
22 redevelopment or slum clearance project is hereby de-
23 clared to be a cost of such project.

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

James L. Davis
Chairman Senate Committee

Clarence C. Christensen
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

J. Killen
Clerk of the Senate

W. Blankenship
Clerk of the House of Delegates

W. B. ...
President of the Senate

Lewis T. M. Thomas
Speaker House of Delegates

The within disapproved this the 24th
day of March, 1975.

Quva. ...
Governor



PRESENTED TO THE
GOVERNOR

Date 3/18/75

Time 4:55 p.m.