WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1998

ENROLLED

Committee Substitute for Senate Bill No. 444

(By Senator (By Senator Sypert, et al.)

PASSED March 13, 1998
In Effect Ninety Days from Passage
AN ACT to amend and reenact section twenty-two, article eighteen, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to municipal authority; and authority to compel sewer connections outside corporate limits.

Be it enacted by the Legislature of West Virginia:

That section twenty-two, article eighteen, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:
ARTICLE 18. ASSESSMENTS TO IMPROVE STREETS, SIDEWALKS AND SEwers; SEWER CONNECTIONS AND BOARD OF HEALTH; ENFORCEMENT OF DUTY TO PAY FOR SERVICE.

PART XII. CONNECTION TO SEWERS; BOARD OF HEALTH; ENFORCEMENT OF DUTY TO PAY FOR SERVICE.

§8-18-22. Connection to sewers; board of health; penalty.

1 The owner or owners of any lot or parcel of land abutting on any street, alley, public way or easement on which a municipal sewer is now located or may hereafter be constructed and laid (whether constructed and laid under the provisions of this article or any other provisions of law) upon which lot or parcel of land any business or residence building is now located or may hereafter be erected, not connected with a public sewer, may be required and compel led by the municipality or by the board of health to connect any such building with such sewer: Provided, That a municipality may not require any such landowner to connect to the municipal sewer system where the landowner has, within five years before the construction of the system, installed a functional septic or other waste disposal system meeting the approval of the board of health. Notice so to connect shall be given by the municipality or by the board of health to the owner and to the lessee or occupant of such building. Each day's failure to comply with such notice and connect with such sewer by such owner or owners, after thirty days from the receipt of such notice, shall be a misdemeanor and a separate and new offense under this section, and each such offense shall be punishable by a fine of not less than five nor more than twenty-five dollars. Jurisdiction to hear, try, determine and sentence for any violation of this section is hereby vested in the police or municipal court thereof, or, where no police court exists, in the mayor thereof.
That 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 bill disapproved this day of March, 1978.

Governor
PRESENTED TO THE

GOVERNOR

Date 3/16/98
Time 2:15 PM