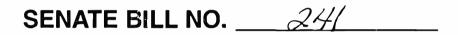


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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1999

ENROLLED



(By Senator WOOTON, ET AL)



PASSED _______ 10,_____ 1999 In Effect NINETY Days FRey Passage

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ENROLLED

Senate Bill No. 241

(By Senators Wooton, Ball, Dittmar, Kessler, McCabe, Mitchell, Oliverio, Redd, Schoonover, Snyder and Deem)

[Passed March 10, 1999; 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 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 SER-VICE.

> 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 abut-

2 ting on any street, alley, public way or easement on which 3 a municipal sewer is now located or may hereafter be 4 constructed and laid (whether constructed and laid under 5 the provisions of this article or any other provisions of 6 law) upon which lot or parcel of land any business or 7 residence building is now located or may hereafter be 8 erected, not connected with a public sewer, may be required and compelled by the municipality or by the 9 board of health to connect any such building with such 10 sewer. Notice so to connect shall be given by the munici-11 12 pality or by the board of health to the owner and to the 13 lessee or occupant of such building. Each day's failure to 14 comply with such notice and connect with such sewer by 15 such owner or owners, after thirty days from the receipt of 16 such notice, shall be a misdemeanor and a separate and new offense under this section, and each such offense shall 17 18 be punishable by a fine of not less than five nor more than 19 twenty-five dollars. Jurisdiction to hear, try, determine and sentence for any violation of this section is hereby 20 vested in the police or municipal court thereof when the 21 lot or parcel of land is within the municipality, or, where 22 no police court or municipal court exists, in the mayor 23 thereof: *Provided*. That if said lot or parcel is located 24 outside of the municipality, then jurisdiction shall be 25 26 vested in the circuit court of the county wherein the lot or parcel is situated. 27

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

Chairman Senate Committee

Chairman House Committee

Originating in the Senate.

In effect ninety days from passage.

Clerk of the Senate

any 2 Sul Clerk of the House of Delegates

Clerk of the House of Delegates

reside Senate

Speaker House of Delegates

The within..... this the nach, 1988 Day of Governor @ GCU 326-C

PRESENTED TO THE

GOVERNOR Date 3/18/99 Time_11:05am