WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 2002

ENROLLED
Committee Substitute for
SENATE BILL NO. 180

(By Senator Rod P. Woods)

PASSED March 7, 2002

In Effect Ninety Days From Passage
AN ACT to amend and reenact section three-d, article one, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to authorizing volunteer fire companies or paid fire departments to charge property owners and other persons for services rendered in connection with cleanup, preventing and extinguishing fires and other emergencies; establishing maximum fee for each incident; providing exception to maximum fee; and requiring itemized bill.

Be it enacted by the Legislature of West Virginia:

That section three-d, 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 COMMISSIONS GENERALLY.

§7-1-3d. Levy for, establishment and operation of fire prevention units; financial aid.
The county commission in any county may levy for and may erect, maintain and operate fire stations and fire prevention units and equipment therefor in the county: Provided, That if a county commission establishes a separate fire protection unit in any city in West Virginia that is now operating under the provisions of the state civil service act for paid fire departments, then the new unit shall be operated in accordance with the provisions of the civil service act. Any county commission may render financial aid to any one or more public fire protection facilities in operation in the county for the general benefit of the public in the prevention of fires. Any county commission may also authorize volunteer fire companies or paid fire departments to charge reasonable reimbursement fees for personnel and equipment used in performing fire-fighting services, victim rescue or cleanup of debris or hazardous materials by department personnel. The rate for any such fees to be charged to property owners or other persons responsible or liable for payment for such services must be approved by the county commission and must be reasonable: Provided, however, That no fee for any single incident or accident shall exceed five hundred dollars, except an incident or accident involving hazardous materials. The county commission shall require that any fees charged pursuant to the authority conferred by this section must be in writing and be itemized by specific services rendered and the rate for each service.
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 is approved this the 21st Day of March, 2002.

Governor
PRESENTED TO THE
GOVERNOR
Date
3/15/02
Time
5:26 PM