

HB # 4614

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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1994



ENROLLED

Com. Sub. For
HOUSE BILL No. *4614*

(By Delegates *McKinley, L. White and*
Hobbs)



Passed *March 11,* 1994

In Effect *From* Passage

ENROLLED
COMMITTEE SUBSTITUTE
FOR

H. B. 4614

(By DELEGATES MCKINLEY, L. WHITE AND HOUVOURAS)

[Passed March 11, 1994; in effect from passage.]

AN ACT to amend and reenact section one, article fifteen, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to public health; state housing law; definitions; and the definition of "mayor."

Be it enacted by the Legislature of West Virginia:

That section one, article fifteen, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 15. STATE HOUSING LAW.

§16-15-1. Definitions.

1 The following terms, wherever used or referred to in
2 this article, shall have the following respective mean-
3 ings, unless in any case a different meaning clearly
4 appears from the context:

5 (a) "Authority" or "housing authority" shall mean a
6 corporate body organized in accordance with the
7 provisions of this article for the purposes, with the
8 powers, and subject to the restrictions hereinafter set
9 forth.

10 (b) "Mayor" shall mean the chief executive of the city,

11 whether the official designation of his office be mayor,
12 city manager or otherwise: *Provided*, That the term
13 "mayor" may also be the chief elected officer of the
14 municipality regardless of whether or not the corporate
15 charter provides for a city manager appointed by the
16 city council who is the chief executive officer.

17 (c) "Council" shall mean the chief legislative body of
18 the city.

19 (d) "Commissioner" shall mean one of the members of
20 an authority appointed in accordance with the provi-
21 sions of this article.

22 (e) "Government" shall include the state and federal
23 governments and any subdivisions, agency or instru-
24 mentality, corporate or otherwise, of either of them.

25 (f) The "state" shall mean the state of West Virginia.

26 (g) "City" shall mean any incorporated city, town or
27 village.

28 (h) "Slum clearance" shall include the removal of
29 housing conditions which shall be considered by the
30 housing authority of the city in which such conditions
31 exist to be unsanitary or substandard or a menace to
32 public health.

33 (i) "Low-cost housing" shall include any housing
34 accommodations which are or are to be rented at not in
35 excess of a maximum rate per room, or maximum
36 average rate per room, which shall be specified or
37 provided by the housing authority of the city in which
38 such housing accommodations are or are to be located,
39 or the Legislature, or a duly constituted agency of the
40 state, or of the United States of America.

41 (j) "Project" shall include all lands, buildings and
42 improvements, acquired, owned, leased, managed or
43 operated by a housing authority, and all buildings and
44 improvements constructed, reconstructed or repaired by
45 a housing authority, designed to provide housing
46 accommodations, or stores, offices and community
47 facilities appurtenant thereto, which are planned as a
48 unit, whether or not acquired or constructed at one time,

49 and which ordinarily are contiguous or adjacent to one
50 another. The term "project" may also be applied to the
51 planning of buildings and improvements, the acquisition
52 of property, the demolition of existing structures, the
53 clearing of land, the construction, reconstruction and
54 repair of improvements and all other work in connection
55 therewith.

56 (k) "Community facilities" shall include lands, build-
57 ings and equipment of recreation or social assembly, for
58 educational, health or welfare activities and other
59 necessary utilities primarily for use and benefit of the
60 occupants of housing accommodations to be constructed
61 and operated hereunder.

[Faint, illegible handwritten text]

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

[Handwritten Signature]
.....
Chairman Senate Committee

Ernest C. Moore
.....
Chairman House Committee

Originating in the House.

Takes effect from passage.

[Handwritten Signature]
.....
Clerk of the Senate

Donald G. Keyes
.....
Clerk of the House of Delegates

Peter Budette
.....
President of the Senate

[Handwritten Signature]
.....
Speaker of the House of Delegates

The within *is approved* this the *30th*
day of *March* 199*4*.
Gaston Capreol
.....
Governor

PRESENTED TO THE
GOVERNOR

Date 3/28/44

Time 9:33 am