

SB 180

FILED

2002 MAR 21 P 6: 44

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 2002



ENROLLED

COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 180

(By Senator Rowe)



PASSED MARCH 7, 2002

In Effect NINETY DAYS FROM Passage

FILED

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

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COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 180

(SENATOR ROWE, *original sponsor*)

[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.

1 The county commission in any county may levy for and
2 may erect, maintain and operate fire stations and fire
3 prevention units and equipment therefor in the county:
4 *Provided*, That if a county commission establishes a
5 separate fire protection unit in any city in West Virginia
6 that is now operating under the provisions of the state civil
7 service act for paid fire departments, then the new unit
8 shall be operated in accordance with the provisions of the
9 civil service act. Any county commission may render
10 financial aid to any one or more public fire protection
11 facilities in operation in the county for the general benefit
12 of the public in the prevention of fires. Any county
13 commission may also authorize volunteer fire companies
14 or paid fire departments to charge reasonable reimburse-
15 ment fees for personnel and equipment used in performing
16 fire-fighting services, victim rescue or cleanup of debris or
17 hazardous materials by department personnel. The rate
18 for any such fees to be charged to property owners or other
19 persons responsible or liable for payment for such services
20 must be approved by the county commission and must be
21 reasonable: *Provided, however*, That no fee for any single
22 incident or accident shall exceed five hundred dollars,
23 except an incident or accident involving hazardous
24 materials. The county commission shall require that any
25 fees charged pursuant to the authority conferred by this
26 section must be in writing and be itemized by specific
27 services rendered and the rate for each service.

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

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

[Handwritten Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

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

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

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

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

The within is approved this the 21st
Day of March, 2002.

[Handwritten Signature]
.....
Governor

PRESENTED TO THE

GVERNOR

Date: 3/15/02

Time: 5:25 pm