

# **WEST VIRGINIA LEGISLATURE**

## **2021 REGULAR SESSION**

### **Committee Substitute**

**for**

### **House Bill 2370**

BY DELEGATES HOWELL, B. WARD, PAYNTER, MARTIN,  
PHILLIPS, MANDT, J. PACK, PINSON, MILLER, SYPOLT AND  
KIMES

[Introduced February 13, 2021; referred to the  
Committee on the Judiciary]



1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §16-13A-9b, relating to exempting sewer charges for swimming pools;  
3 requiring the owner of the pool to provide the dimensions of a pool that is being filled with  
4 water; requiring the waste water utility to calculate the volume of the pool and allow an  
5 individual to use that amount of water for filling the pool without being charged for the  
6 corresponding sewer charges, as the water does not go to the sewer; and allowing the  
7 waste water utility to inspect the pool in order to verify the dimensions.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 13A. PUBLIC SERVICE DISTRICTS.**

**§16-13A-9b. Exemptions for Swimming Pools.**

- 1 (a) There shall be an exemption in sewer charges for those who own swimming pools, as  
2 the water used to fill swimming pools is not water that goes to the sewer.
- 3 (b) In order for the owner of the pool to qualify, the individual must provide the dimensions  
4 of the pool that is being filled with water to the waste water utilities that are political subdivisions  
5 of the state within 30 days of filling the pool.
- 6 (c) The waste water utility shall calculate the volume of the pool and shall allow an  
7 individual to use the amount of water necessary to fill their pool, without being charged for the  
8 corresponding sewer charges that would normally be associated for that amount of use.
- 9 (d) The waste water utility shall have the opportunity to inspect the pool of the individual  
10 applying for the exemption as to verify the dimensions of the pool to ensure accuracy.

NOTE: The purpose of this bill is to allow for owners of swimming pools to not have to pay associated costs for sewage when the water used for the pool is not used in the sewer.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.