

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2007



SECOND ENROLLMENT

**COMMITTEE SUBSTITUTE
FOR**

House Bill No. 2709

(By Delegates Varner, Caputo, Fragale, Manchin, Hartman, Yost,
Martin, Perry, Wysong, Shaver and Eldridge)



Passed March 18, 2007

In Effect Ninety Days from Passage

S E C O N D
E N R O L L M E N T

COMMITTEE SUBSTITUTE

FOR

H. B. 2709

(BY DELEGATES VARNER, CAPUTO, FRAGALE, MANCHIN,
HARTMAN, YOST, MARTIN, PERRY, WYSONG,
SHAVER AND ELDRIDGE)

[Amended and again passed March 18, 2007, as a result of the objections of the Governor; in effect ninety days from passage.]

AN ACT to amend and reenact §8-19-21 of the Code of West Virginia, 1931, as amended, relating to municipal and county waterworks systems and specifications for water mains generally; requiring the installation of fire hydrants on certain water mains; establishing requirements and limitations thereto; requiring a study of the on cost, effect and feasibility of an internal hydrant valve; and requiring authorization from the Department of Health and Human Resources for certain installations.

Be it enacted by the Legislature of West Virginia:

That §8-19-21 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 19. MUNICIPAL AND COUNTY
WATERWORKS AND ELECTRIC
POWER SYSTEMS.**

§8-19-21. Specifications for water mains and water service pipes.

1 Considering the importance of public fire protection, any
2 state or local government, public service district, public or
3 private utility which installs or constructs water mains, shall
4 ensure that all new mains specifically intended to provide fire
5 protection are not less than six inches in diameter. Effective
6 the first day of July, two thousand seven, when any state or
7 local government, public service district, public or private
8 utility installs or constructs water mains along a platted
9 roadway or a public highway, using a six inch or greater line,
10 that is specifically designed to provide fire protection, the
11 state or local government, public service district, public or
12 private utility shall install fire hydrants at intervals of not
13 more than two thousand feet, unless there are no dwellings or
14 businesses located one thousand feet from such proposed
15 hydrant: *Provided*, That the Legislature shall study the effect,
16 cost and feasibility of the internal hydrant valve and report
17 the findings of that study to the regular session of the
18 Legislature in the year two thousand and eight. A permit or
19 other written approval shall be obtained from the Department
20 of Health and Human Resources for each hydrant or group of
21 hydrants installed in compliance with section nine, article
22 one, chapter sixteen of the West Virginia code as amended:
23 *Provided, however*, That all newly constructed water
24 distribution systems transferred to a public or private utility
25 shall have mains at least six inches in diameter where fire
26 flows are required by the public or private utility: *Provided*
27 *further*, That the utility providing service has sufficient
28 hydraulic capacity as determined by the Department of
29 Health and Human Resources.

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

Chairman Senate Committee

Chairman House Committee

Originating in the House.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within _____ this the _____
day of _____, 2007.

Governor