

# WEST VIRGINIA LEGISLATURE

## 2019 REGULAR SESSION

Introduced

### Senate Bill 380

FISCAL  
NOTE

BY SENATORS MAYNARD AND CLINE

[Introduced January 21, 2019; Referred  
to the Committee on Government Organization]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §8-12-21, relating to empowering municipalities to enact Adopt-A-Street  
3 programs; and establishing eligibility criteria.

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

**ARTICLE 12. GENERAL AND SPECIFIC POWERS, DUTIES AND ALLIED  
RELATIONS OF MUNICIPALITIES, GOVERNING BODIES AND MUNICIPAL  
OFFICERS AND EMPLOYEES; SUITS AGAINST MUNICIPALITIES.**

**§8-12-21. Authorizing municipalities to enact Adopt-A-Street programs.**

1 (a) In addition to all other powers and duties not conferred by law upon municipalities,  
2 those municipalities are empowered to enact municipality Adopt-A-Street programs.

3 (b) The state Adopt-A-Highway Program was established in the late 1980s to improve the  
4 quality of the state's environment by encouraging public involvement in the elimination of highway  
5 litter. That program is co-sponsored by the Division of Highways and the Department of  
6 Environmental Protection, REAP Program. Its objective is to save taxpayer money by increasing  
7 public awareness and to serve as an educational tool by focusing on the consequences of littering.  
8 Its objective is to save taxpayer money by increasing public awareness and to serve as an  
9 educational tool by focusing on the consequences of littering. The program offers volunteers the  
10 opportunity to take charge of their own environment by making a positive effort to create a cleaner,  
11 more aesthetic place in which to live.

12 In West Virginia there are currently 25,000 volunteers who regularly pick up litter on 4,000  
13 miles of highway. They have been responsible for removing more than 40 million pounds of litter  
14 since the program began.

15 (c) As with the state program, individuals, families, churches, businesses, schools, civic  
16 organizations, government agencies, scouting groups, fraternities and communities may  
17 participate in a municipality's Adopt-A-Street program. Anyone who is at least 12 years old may

18 participate. Any street that is maintained by that municipality is eligible for adoption, with the  
19 exception of Interstates and streets deemed unsafe. Volunteers may select a street to adopt and  
20 then have it approved by the municipality, or they may ask the municipality to suggest an  
21 adoptable street. Alleys, dirt roads and streets off the beaten path, as well as major streets, may  
22 be adopted. Adopted streets must be at least six blocks long.

23 (d) Adoptions are for a period of two years, during which time three cleanups are required  
24 per year. As volunteers pick up litter, bags that have been filled are placed on street sides for  
25 removal and disposal by the municipality. Garbage bags, safety vests, safety training, traffic  
26 warning signs, and gloves are to be furnished by the municipality.

27 (e) Adopted streets may be identified by a sign at each end of the section bearing the  
28 Adopt-A-Street logo and the name of the adoptee. Volunteers who complete six required litter  
29 pickups within the two-year contract period are awarded a certificate of accomplishment signed  
30 by the mayor of the municipality.

NOTE: The purpose of this bill is to empowering municipalities to enact Adopt-A-Street programs. The bill establishes eligibility criteria.

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