

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 15.2-5102 of the Code of Virginia, relating to Virginia Water and*
3 *Waste Authorities Act; exemption from Utility Facilities Act.*

4 [S 1202]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 15.2-5102 of the Code of Virginia is amended and reenacted as follows:**

8 § 15.2-5102. One or more localities may create authority.

9 A. The governing body of a locality may by ordinance or resolution, or the governing bodies of two
10 or more localities may by concurrent ordinances or resolutions or by agreement, create a water authority,
11 a sewer authority, a sewage disposal authority, a stormwater control authority, or a refuse collection and
12 disposal authority, or any combination or parts thereof. The name of the authority shall contain the word
13 "authority." The authority shall be a public body politic and corporate. The ordinance, resolution or
14 agreement creating the authority shall not be adopted or approved until a public hearing has been held
15 on the question of its adoption or approval, and after approval at a referendum if one has been ordered
16 pursuant to this chapter.

17 B. Any authority, or any subsidiary thereof, organized pursuant to this section to operate a refuse
18 collection and disposal system that, pursuant to statute, is specifically authorized to include in the
19 system (i) facilities for processing solid waste as a fuel, and (ii) facilities for generating steam and
20 electricity for sale, shall not be subject to regulation under the Utilities Facilities Act (§ 56-265.1 et
21 seq.), provided that sales of electricity generated at such facilities are made only to a federal agency
22 whose primary responsibility is national defense and the energy is delivered directly from the generator
23 to the customer's facilities or to a public utility.

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