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## **Insurance Companies and Huntington At Odds**

Staff  
Huntington

The West Virginia Insurance Federation wants a judge to strike down a new city ordinance in Huntington.

The federation filed a lawsuit recently seeking a temporary injunction against the city ordinance that requires insurance companies to pay the city up front for debris removal of burned out buildings.

Insurance Federation President Jill Bentz says the ordinance should be ruled invalid and unconstitutional.

Bentz says insurance companies have agreements with their policyholders, not the city. The ordinance would allow Huntington to capture 13 percent of the claim payment proceeds to cover debris removal costs and other taxes and fees. "The city says, 'I want you to go ahead and pay me \$2,000 of a every \$15,000 of coverage, which is more than 13 percent of a person's policy,'" Bentz said.

The federation says there are already state laws in place that would allow Huntington to invoice an insurance company for the cost of debris removal and clean up. Bentz says one problem is it takes too long for Huntington to deal with burned out buildings.

Bentz says the Insurance Federation is concerned about a statewide impact if the ordinance is allowed to stand. "The City of Hinton, for example, has already proposed a similar ordinance," she said.

The federation has had numerous discussions with Huntington leaders for nearly a year about its concerns with the ordinance, but it was passed by Huntington Council and took effect July 1.

Bentz says her group had to file the lawsuit. "We've got insurance companies doing business in Huntington who don't know whether to comply with a city ordinance or comply with the state law," she said.

The lawsuit was filed in Cabell County Circuit Court. A hearing date hasn't been set.

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