

SB 547

**WEST VIRGINIA LEGISLATURE
EIGHTY-FIRST LEGISLATURE
REGULAR SESSION, 2014**



ENROLLED

Senate Bill No. 547

OFFICE WEST VIRGINIA
SECRETARY OF STATE

2014 MAR 28 P 5:03

FILED

(BY SENATORS PALUMBO, BEACH AND NOHE)

[PASSED MARCH 8, 2014; IN EFFECT NINETY DAYS FROM PASSAGE.]

FILED

ENROLLED 2014 MAR 28 P 5:04

Senate Bill No. 547 OFFICE WEST VIRGINIA
SECRETARY OF STATE

(BY SENATORS PALUMBO, BEACH AND NOHE)

[Passed March 8, 2014; in effect ninety days from passage.]

AN ACT to amend and reenact §8-5-7 of the Code of West Virginia, 1931, as amended, relating to increasing or decreasing the number of municipal wards or election districts and council members.

Be it enacted by the Legislature of West Virginia:

That §8-5-7 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 5. ELECTION, APPOINTMENT, QUALIFICATION AND COMPENSATION OF OFFICERS; GENERAL PROVISIONS RELATING TO OFFICERS AND EMPLOYEES; ELECTIONS AND PETITIONS GENERALLY; CONFLICT OF INTEREST.

§8-5-7. Certain officers; wards or election districts; residency and other requirements.

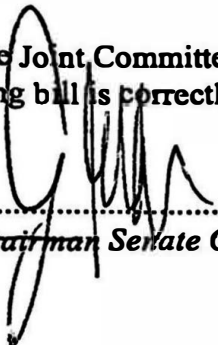
1 (a) Unless otherwise provided in the charter of a
2 municipality, there shall be elected a mayor, a recorder and

3 council members, who together shall form the governing
4 body of the municipality.

5 (b) When a municipality has not been divided into wards
6 or election districts, there shall be at least five council
7 members, but when the municipality has been divided into
8 wards or election districts, the governing body may, by
9 ordinance, determine the number of council members to be
10 elected from each ward or election district. When it is
11 considered necessary, the governing body may, by ordinance,
12 increase or decrease the number of wards or election districts
13 and change the boundaries thereof, the wards or election
14 districts to be made as nearly equal as may be, in population,
15 and when the municipality is divided into wards or election
16 districts, or there is an increase or decrease in the number of
17 wards or election districts as aforesaid, the governing body
18 may increase or decrease the number of council members and,
19 in the case of an increase in the number of council members,
20 direct an election to be held at the next regular municipal
21 election in the additional ward or wards or election district or
22 districts so that each ward or election district may have its full
23 number of council members residing therein and may have
24 equal representation on the governing body. When a
25 municipality has been divided into wards or election districts,
26 the governing body may, by ordinance, also provide for the
27 election of council members at large in addition to the council
28 members to be elected from each ward or election district.
29 The provisions of this subsection are applicable to any
30 municipality except to the extent otherwise provided in the
31 charter of the municipality.

32 (c) Unless otherwise provided by charter provision or
33 ordinance, the mayor, recorder and council members must be
34 residents of the municipality and must be qualified voters
35 entitled to vote for members of its governing body. A city
36 manager in a manager form of government need only be a
37 resident of the city at the time of his or her appointment.

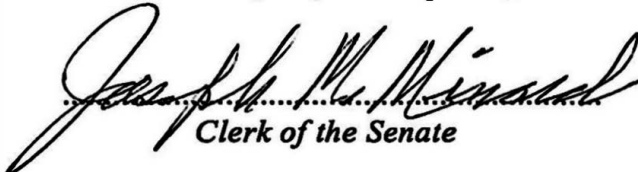
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


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Member — ~~Chairman Senate Committee~~

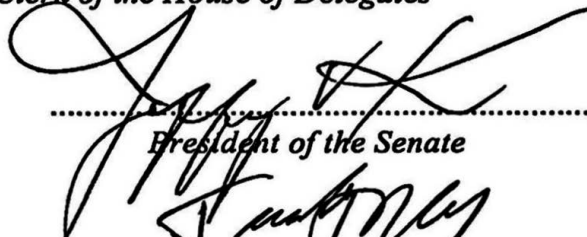

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Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.


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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate


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Speaker of the House of Delegates

The within *is approved* this
the *28th* Day of *March*, 2014.


.....
Governor

PRESENTED TO THE GOVERNOR

MAR 27 2014

Time 3:00 p