

WEST VIRGINIA CODE: §60-7-4

§60-7-4. Application for license; information required; verification; application to be accompanied by fees; bond; college fraternities and sororities ineligible for license; racial discrimination by applicants prohibited.

(a) Application for a license to operate a private club shall be made on such form as may be prescribed by the commissioner and shall include:

- (1) The name and residence of the applicant and list the same for its manager;
- (2) If the applicant is an unincorporated association, the names and residence addresses of the members of its governing board;
- (3) If the applicant is a corporation, the names and residence addresses of its officers and directors;
- (4) The place at which the applicant will conduct its operations and whether the same is owned or leased by the applicant;
- (5) The number of members of the applicant;
- (6) A listed manager on the applicant's license application, or a licensee's renewal application, and further that the manager shall meet all other requirements of licensure, including, but not limited to, United States citizenship or naturalization, passing a background investigation, being at least 21 years of age, being a suitable person, being of good morals and character, being capable of operating a bona fide private club of good reputation in the community, and other requirements, all as set forth in the code and the legislative rules, in order for the manager to be able to meet and conduct any regulatory matters, including, but not limited to: Licensure or enforcement matters related to the applicant or licensee all in the interest of protecting public health and safety and being a suitable applicant or licensee. In order to maintain active licensure, any change by a licensee in any manager listed on an application shall be made immediately to the commissioner, in order to verify that the new manager meets licensure requirements;
- (7) The name or names of any national organizations with which the applicant is affiliated and the nature of the affiliation;
- (8) The size and nature of the dining and kitchen facilities operated by applicant;
- (9) Accurate and complete ownership information;
- (10) An attestation that the information in the application is true and accurate; and
- (11) Such other information as the commissioner may reasonably require of the applicant

and manager which shall include, but not be limited to, the criminal records, if any, of each member of the applicant's governing board or its officers and directors who have been convicted of a felony or a crime involving moral turpitude.

(b) The application shall be verified by the manager, each member of the governing board of the applicant if an unincorporated association, or, if the applicant is a corporation, by each of its officers and all members of its board of directors. The application shall be accompanied by the license fee hereinafter prescribed and by a bond of the applicant in the penal sum of \$5,000 with a corporate surety authorized to transact business in the state of West Virginia, payable to the State of West Virginia, which bond shall be conditioned on the payment of all fees herein prescribed and on the faithful performance of and compliance with the provisions of this article.

(c) Under no circumstance may any college fraternity or sorority be issued a license to operate a private club.

(d) No license to operate a private club may be issued to applicants who discriminate against any person or group of persons because of race or color of the person or group of persons.