
WEST VIRGINIA CODE CHAPTER 7
ARTICLE 2

WV Legislature

§7-2-1. Disputed county boundary lines; jurisdiction of circuit court; review.

Whenever a doubt shall exist, or a dispute arise as to the boundary line between any two counties in this state, the county court of either of such counties may file its suit in equity against the county court of the other county involved, in the circuit court of either county, which is hereby given jurisdiction to hear and determine the matter in such suit. The case shall be proceeded in as other equity cases, and the court may order a survey made under its decree, and shall ascertain and determine the true boundary line, and enter its decree accordingly, and shall direct a certified copy thereof to be recorded in the county clerk's office of each county involved, and said line to be permanently designated by proper markers. The action of the circuit court shall be subject to review by the Supreme Court of Appeals, as in other cases.

§7-2-2. Magisterial districts; boundary lines.

Each county shall be laid off by the county court into magisterial districts, not less than three nor more than ten in number, and as nearly equal as may be in territory and population. The districts as they now exist shall remain until changed by the county court. The county court may, from time to time, increase or diminish the number of such districts, and change the boundary lines thereof as necessity may require, in order to conform the same to the provisions of the Constitution of the State.

Whenever the county court shall deem it advisable to change the boundary line between two or more districts, or to establish a new district out of another or two or more districts, or to consolidate two or more existing districts into one, it may make such change, establishment or consolidation, by an order entered of record. And if a survey be deemed necessary, it may employ the surveyor of lands for the county, or any other competent surveyor, who shall survey and make a plat of the several districts as the same are thus altered, on which the new lines shall be plainly delineated, noting particularly such places of notoriety or prominent objects through or by which such lines pass, and return such plat and description to the court; and the same shall be filed in the clerk's office of such court and recorded by the clerk. But before such districts shall be increased or diminished, or the boundary lines thereof changed, the court shall cause a notice of its intention to do so to be posted on the front door of the courthouse of the county, and at some public place in each district affected thereby, for at least thirty days prior to the term of court at which such action is proposed to be taken.

§7-2-3. Relocation of county seat.

Upon the filing of a petition signed by two fifths of the registered voters of the county, praying the relocation of the county seat to some other point in the county, the county court shall enter an order directing that the matter of such relocation shall be submitted to a vote of the people at the next general election to be held not less than sixty days from the date of such order, and shall direct that notice of such election on the relocation of the county seat shall be published in the same manner and for the same length of time as the official ballot, and notice thereof, shall be posted at least thirty days prior to such election at some public place in each of the election precincts of the county. The court shall cause a certified copy of such order to be filed with the clerk of the circuit court, who shall cause to be printed at the bottom of the official ballot, in each column thereof, the words " / / For relocation of county seat at / / Against relocation of the county seat." Election officials shall ascertain, certify and canvass the result in the same manner as for county officers. If three fifths of all the votes cast upon the question shall be in favor of such relocation, the county court shall enter an order, declaring the place receiving such three fifths the county seat from and after the entry of such order. In case of such relocation, the county court of such county shall proceed with all possible dispatch to cause the necessary buildings for the use of the county to be erected thereat, and do all things necessary to put into effect such relocation, and until that is done the courts of such county may, in case of necessity, be held at the former county seat. Such court may receive subscriptions from any person to aid in the erection of such buildings, and all subscriptions made at any time for that purpose shall be binding on the person making the same, and may be sued for and recovered in the name of the county court of the county.

§7-2-4. Change of name of unincorporated town or of district; petition; notice.

When the people of any town or village not incorporated, or of a district in a county, are desirous to change the name of such town, village or district, they may petition the county court, or other tribunal established in lieu thereof, of the county wherein such town, village or district is situated; and if it appear to such court or other tribunal that a majority of the actual resident voters of such town, village or district is in favor of such change, it shall cause the following described notice to be published as a Class I legal advertisement in compliance with the provisions of article three, chapter fifty-nine of this code, and the publication area for such publication shall be the town, village or district, as the case may be. The notice shall be published at least thirty days prior to the sitting of such court or tribunal. The notice shall state the fact that a petition has been presented to the court or tribunal by the people of such town, village or district, praying for such change, and that unless those interested in the change appear at the next term, or such term as the court or tribunal may designate, and show cause why such change should not be made, there will be an order rendered granting such change, which notice shall be signed by the president of the court or tribunal.

§7-2-5. Order changing name; recordation; costs.

At the time to which the court or other tribunal has continued the petition, if such court or other tribunal is satisfied that a majority of the resident voters of such town, village or district is still in favor of such change of name and has signed the petition asking therefor, it shall enter an order granting such change, which order shall be recorded in the office of the clerk of such court or other tribunal: Provided, however, That if such town or village has a post office of the same name as the town or village, the court shall not enter such order unless the United States postal authorities shall consent to the same change in the name of the post office. The costs of such change and recording shall be paid by the petitioners. But should it appear to the court or other tribunal that a majority of the resident voters of such town, village or district is not in favor of such change, it shall dismiss the petition, and tax the costs of the proceedings against the petitioners.

§7-2-6. Establishment of county boundary lines; filing of maps; changes.

The boundary lines between the several counties of the state shall be established in the following manner: Topographic quadrangle maps prepared by the United States geological survey and the West Virginia geological and economic survey in conformance with prior acts of the general assembly of Virginia, acts of the Legislature of West Virginia and other applicable provisions of law, shall be filed by the state geologist with the Secretary of State of West Virginia and shall thereafter constitute the official boundary lines between the said counties: Provided, however, That said boundary lines shall be located, plotted and delineated upon said maps together with any other pertinent information with reference thereto and each of said maps shall be certified as correct by the director and state geologist of the West Virginia geological and economic survey prior to such filing. Certified copies of all such maps shall be filed with the Legislative Auditor for use in the legislative library and a certified copy of each county map shall be filed in the office of the clerk of the county court of that county and recorded in an appropriate deed book or plat book.

All county boundary lines which are or may be established by metes and bounds (by bearings and distances between monuments) by the Legislature or pursuant to section one of this article shall constitute an official change in such boundary line or lines and the director and state geologist of the West Virginia geological and economic survey shall promptly locate, plat and delineate such change upon the applicable map or maps and certify and file such change as aforesaid.

§7-2-7. Establishment of tax district boundary lines.

On and after July 1, 1978, the topographical quadrangle maps filed pursuant to section six of this article shall include the boundaries of the magisterial districts of the state, as such boundaries existed on January 1, 1969, which magisterial districts shall be designated on said maps as "tax districts": Provided, That in a county in which the county court has exercised the power formerly granted it under chapter one hundred seventeen, acts of the Legislature, 1972 regular session, by designating that county's magisterial districts as tax districts, the term "tax districts" shall mean the magisterial districts of that county as they existed on July 1, 1973. On and after July 1, 1978, the boundary lines reflected on such maps shall constitute the official boundary lines between tax districts of the state, as defined in section one-a, article three, chapter eleven of this code.

§7-2-8. License required for county surveyor.

Each county surveyor of lands first elected or first appointed after January 1, 2013, pursuant to section 1, article IX of the West Virginia Constitution, shall be a surveyor licensed pursuant to article thirteen-a, chapter thirty of this code and such licensee shall be in good standing.

WV Legislature