WEST VIRGINIA CODE: §8-11-4

§8-11-4. Ordinance procedures.

(a) Notwithstanding any charter provision to the contrary, which was in effect on the effective date of this section, it may not be necessary, except where otherwise provided in this code, for the governing body of any municipality to publish in a newspaper any proposed ordinance prior to the adoption thereof or any enacted ordinance subsequent to the adoption thereof, and any and all ordinances of every municipality shall be adopted in accordance with the following requirements, except where different or additional requirements are specified in other provisions of this code, in which event such other different or additional requirements shall be applicable:

(1) A proposed ordinance shall be read by title at not less than two meetings of the governing body with at least one week intervening between each meeting, unless a member of the governing body demands that the ordinance be read in full at one or both meetings. If such demand is made, the ordinance shall be read in full as demanded.

(2) At least five days before the meeting at which a proposed ordinance, the principal object of which is the raising of revenue for the municipality, is to be finally adopted, the governing body shall cause notice of the proposed adoption of the proposed ordinance to be published as a Class I-0 legal advertisement in compliance with §59-3-1 *et seq*. of this code, and the publication area for the publication shall be the municipality. The notice shall state the subject matter and general title or titles of the proposed ordinance, the date, time, and place of the proposed final vote on adoption, and the place or places within the municipality where the proposed ordinance may be inspected by the public. A reasonable number of copies of the proposed ordinance shall be kept at such place or places and be made available for public inspection. The notice shall also advise that interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

(3) A proposed ordinance may not be materially amended at the same meeting at which finally adopted. A proposed ordinance to increase water and/or sewer service rates shall contain language that: (i) The rate increase may not be effective until 45 days following the passage of the ordinance; and (ii) the rate increase shall take effect for service rendered on or after the effective date.

(b) Notwithstanding any charter provision to the contrary, which was in effect on the effective date of this section, the governing body of any municipality may adopt, by ordinance, building codes, housing codes, plumbing codes, sanitary codes, electrical codes, fire prevention codes, or any other technical codes dealing with general public health, safety or welfare, or a combination of the same, or a comprehensive code of ordinances, in the manner prescribed in this subsection. Before any such ordinance shall be adopted, the code shall be either printed or typewritten and shall be presented in pamphlet form to the governing body of the municipality at a regular meeting, and copies of the code shall be

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made available for public inspection. The ordinance adopting the code may not set out the code in full, but shall merely identify the code. The vote on adoption of the ordinance shall be the same as on any other ordinance. After adoption of the ordinance, the code or codes shall be certified by the mayor and shall be filed as a permanent record in the office of the recorder, who may not be required to transcribe and record the code in the ordinance book as other ordinances are transcribed and recorded. Consistent with the provisions of subsection (a) of this section, it is not necessary that any such ordinance, either as proposed or after adoption, be published in any newspaper, and it is not necessary that the code itself be so published, but before final adoption of any such proposed ordinance, notice of the proposed adoption of the ordinance and code shall be given by publication as herein provided for ordinances the principal object of which is the raising of revenue for the municipality, which notice shall also state where, within the municipality, the code or codes will be available for public inspection.

(c) By a charter framed and adopted, revision of a charter as a whole, or a charter amendment or amendments, as the case may be, subsequent to the effective date of this section, a city may require any or all ordinances to be published in a newspaper prior to the adoption thereof, may expressly adopt the provisions of this section, may specify other additional requirements for the enactment of ordinances, or may prescribe a procedure for the enactment of ordinances in greater detail than prescribed in this section, but a city may not, except in an emergency as specified in subsection (d) of this section or except as otherwise provided in this code, lessen or reduce the requirements of this section.

(d) The governing body of a municipality may enact an ordinance without complying with the rules prescribed in this section only: (1) In the case of a pressing public emergency making procedure in accordance with the provisions of this section dangerous to the public health, safety, or morals, and by affirmative vote of two thirds of the members elected to the governing body; or (2) when otherwise provided in this code. The nature of any such emergency shall be set out in full in the ordinance.

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