

# WEST VIRGINIA CODE: §8-5-5

## §8-5-5. Regular election of officers; establishment of longer terms.

(a) After the first election of officers of a city, town, or village, the regular election of officers shall be held on the same day and in the same manner as prescribed by §3-1-31 of this code.

(b) Any city, town, or village whose charter requires elections to be held on a day and in a manner that conflicts with §3-1-31 of this code shall amend said charter to make the requirements set forth in §3-1-31 of this code effective by July 1, 2032.

(c) Any municipality which establishes its election date by charter provision shall comply with the provisions of this section.

(d) Officers of a city may be elected for a four-year term at the same election at which a proposed charter, proposed charter revision, or charter amendment providing for four-year terms is voted upon. The ballots or ballot labels used for the election of officers shall indicate that the officers shall be elected for four-year terms if the proposed charter, revision, or amendment is approved. Officers of a town or village may be elected for a four-year term upon approval by a majority of the legal votes cast at a regular municipal election of a proposition calling for four-year terms. The ballots or ballot labels used for the election of officers shall indicate that the officers shall be elected for four-year terms if the proposition is approved.

(e) Municipalities may stagger and/or change the terms of elected municipal officers. Prior to any changes being made to the terms of elected municipal officers, the procedure to stagger and/or change the terms shall be set by ordinance and shall be approved by a majority of the voters.

(f) By July 1, 2032, any municipality that has not previously adopted a municipal charter shall pass an ordinance that establishes a new municipal election day upon agreement with its county commission to hold any local elections, including the regular election of local officers, municipal bond elections, and municipal levy elections, on the same day as a regularly scheduled statewide primary or general election.

(g) The ordinance proposed pursuant to paragraph (f) of this section may call for an extension or reduction of the terms of office for the purpose of aligning the terms to coincide with the same date as a regularly scheduled statewide primary or general election day, which question shall be resolved by majority vote of the participating voters in the county: *Provided*, That the governing body shall not propose an extension of the terms of those offices by more than 18 months: *Provided, however*, That nothing in this section modifies a municipality's authority to reduce current elected officials' terms of office in any other manner provided by law.

(h) Municipalities are required to share in the administrative costs of holding elections with county commissions, but those costs shall not exceed the municipality's pro rata share of voters registered in the municipality compared with the total voters registered in the county.

WV Legislature