

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1947



ENROLLED

SENATE BILL No. 283

(By Mr. Harner)



PASSED March 8, 1947

In Effect from Passage



283

ENROLLED

Senate Bill No. 283

(By MR. HARMER)

[Passed March 8, 1947; in effect from passage.]

AN ACT to amend article two, chapter eight-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section to be designated fifteen-a, relating to the amendment of charters of class III cities.

Be it enacted by the Legislature of West Virginia:

That article two, chapter eight-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section to be designated fifteen-a, to read as follows:

Section 15-a. *Charter Amendment; Alternate Plan for*
2 *Class III Cities.*—Whenever the council of any class III
3 city, as defined under section four, article one, chapter
4 eight-a of this code, shall deem it expedient to amend
5 the charter of any such city, either in whole or in part,
6 it shall, by ordinance or resolution, set out in its proper

7 record book the proposed amendments in full. The coun-
8 cil shall set a time and place for a public hearing there-
9 on, which date shall not be less than thirty days after
10 the date of the first publication hereinafter required.
11 The proposed amendments, together with a notice of the
12 time and place fixed for the hearing thereon, shall be
13 published once each week for three successive weeks in
14 a newspaper published and having a general circulation
15 in the city, but if there be two or more newspapers pub-
16 lished therein, then such publication shall be in two news-
17 papers of opposite politics, and if there be no newspaper
18 published therein, then publication shall be made in two
19 newspapers of opposite politics, published in the county
20 where in such city is located. The notice shall state that
21 the proposed amendments will be considered at the time
22 and place fixed by the council and that any elector of
23 the city may appear and file objections, in writing, and
24 also that if no objections are filed the said amendment
25 shall become operative on and after a date to be fixed
26 in the notice, which date shall be not less than ten days
27 after the date of the hearing. If no objections are filed,

28 or if objections are filed and withdrawn at the time
29 of the hearing, or within ten days thereafter, the council
30 shall, by ordinance, adopt the amendments as amend-
31 ments to the charter, and cause a transcript of the pro-
32 ceedings to be certified to the clerk of the house of dele-
33 gates, as keeper of the rolls, and a copy thereof to be
34 recorded in the office of the clerk of the county court.

35 If, at the time and place set for the hearing, objections
36 to the amendments are filed and not withdrawn within
37 ten days thereafter, the council may abandon the pro-
38 posed amendments to which objections have been filed,
39 or it may submit the proposed amendments, either as a
40 unit or separately, at the next regular city election, or at
41 a special election, if the date of the regular election shall
42 be more than six months from such date, for ratification
43 or rejection. A notice of an election shall set out the
44 proposed amendments at length or state that copies may
45 be obtained by any qualified voter from a designated
46 officer at a stated place, upon request. Notice of such
47 election shall be published as hereinbefore provided for
48 hearing on the proposed amendments.

49 The amendments, or such of them as may be adopted,
50 shall take effect on the date that the canvass and dec-
51 laration of result showing approval by the voters has
52 been made and entered in the minutes of the governing
53 body. A transcript of the proceedings shall be filed and
54 recorded as hereinbefore provided.

55 The method of charter amendment provided by this
56 section is not in lieu of but in addition to the other meth-
57 ods prescribed in the preceding section.

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

Forest L. McKeen

Chairman Senate Committee

R. S. Matthews

Chairman House Committee

Originated in the

Senate

Takes effect

from

passage.

Howard Meyer

Clerk of the Senate

Joseph

Clerk of the House of Delegates

Arnold M. Vickers

President of the Senate

John E. Amos

Speaker House of Delegates

The within

Approved

this the

13

day of

March

, 1947.

Blair Meadows

Governor.



Filed in the Office of the Secretary of State
of West Virginia

MAR 13 1947

Wm. S. O'Connell,
SECRETARY OF STATE