WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1947

ENROLLED

SENATE BILL No. 283

(By Mr. Hammer)

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 Class III Cities.—Whenever the council of any class III city, as defined under section four, article one, chapter eight-a of this code, shall deem it expedient to amend the charter of any such city, either in whole or in part, it shall, by ordinance or resolution, set out in its proper
record book the proposed amendments in full. The council shall set a time and place for a public hearing thereon, which date shall not be less than thirty days after the date of the first publication hereinafter required. The proposed amendments, together with a notice of the time and place fixed for the hearing thereon, shall be published once each week for three successive weeks in a newspaper published and having a general circulation in the city, but if there be two or more newspapers published therein, then such publication shall be in two newspapers of opposite politics, and if there be no newspaper published therein, then publication shall be made in two newspapers of opposite politics, published in the county where in such city is located. The notice shall state that the proposed amendments will be considered at the time and place fixed by the council and that any elector of the city may appear and file objections, in writing, and also that if no objections are filed the said amendment shall become operative on and after a date to be fixed in the notice, which date shall be not less than ten days after the date of the hearing. If no objections are filed,
or if objections are filed and withdrawn at the time of the hearing, or within ten days thereafter, the council shall, by ordinance, adopt the amendments as amendments to the charter, and cause a transcript of the proceedings to be certified to the clerk of the house of delegates, as keeper of the rolls, and a copy thereof to be recorded in the office of the clerk of the county court.

If, at the time and place set for the hearing, objections to the amendments are filed and not withdrawn within ten days thereafter, the council may abandon the proposed amendments to which objections have been filed, or it may submit the proposed amendments, either as a unit or separately, at the next regular city election, or at a special election, if the date of the regular election shall be more than six months from such date, for ratification or rejection. A notice of an election shall set out the proposed amendments at length or state that copies may be obtained by any qualified voter from a designated officer at a stated place, upon request. Notice of such election shall be published as hereinbefore provided for hearing on the proposed amendments.
The amendments, or such of them as may be adopted, shall take effect on the date that the canvass and declaration of result showing approval by the voters has been made and entered in the minutes of the governing body. A transcript of the proceedings shall be filed and recorded as hereinbefore provided.

The method of charter amendment provided by this section is not in lieu of but in addition to the other methods prescribed in the preceding section.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 13th day of March, 1947.

Governor.