

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1951



ENROLLED

HOUSE BILL No. 274

(By Mr. Meadows)



PASSED March 9 1951

In Effect 90 days from Passage



274

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(By MR. MEADOWS)

[Passed March 9, 1951; in effect ninety days from passage.]

AN ACT to amend and reenact section fifteen-a, article two, chapter eight-a of the code of West Virginia, one thousand nine hundred thirty-one, as last amended by chapter one hundred thirteen, acts of the Legislature, regular session, one thousand nine hundred forty-seven, providing an alternate plan relating to the amendment of charters of class two and class three cities.

Be it enacted by the Legislature of West Virginia:

That section fifteen-a, article two, chapter eight-a of the code of West Virginia, one thousand nine hundred thirty-one, as last amended by chapter one hundred thirteen, acts of the Legislature, regular session, one thousand nine hundred forty-seven, be amended and reenacted to read as follows:

Section 15-a. *Charter Amendment; Alternate Plan for*
2 *Class II and Class III Cities.*—Whenever the council of
3 any class II or class III city, as defined under section four,

4 article one, chapter eight-a of this code, shall deem it
5 expedient to amend the charter of any such city, either
6 in whole or in part, it shall, by ordinance or resolution,
7 set out in its proper record book the proposed amend-
8 ments in full. The council shall set a time and place for
9 a public hearing thereon, which date shall not be less
10 than thirty days after the date of the first publication
11 hereinafter required. The proposed amendments, together
12 with a notice of the time and place fixed for the hearing
13 thereon, shall be published once each week for three
14 successive weeks in a newspaper published and having a
15 general circulation in the city, but if there be two or
16 more newspapers published therein, then such publica-
17 tion shall be in two newspapers of opposite politics, and
18 if there be no newspaper published therein, then publi-
19 cation shall be made in two newspapers of opposite poli-
20 tics, published in the county wherein such city is located.
21 The notice shall state that the proposed amendments
22 will be considered at the time and place fixed by the
23 council and that any elector of the city may appear and
24 file objections, in writing, and also that if no objections

25 are filed the said amendment shall become operative
26 on and after a date to be fixed in the notice, which date
27 shall be not less than ten days after the date of the
28 hearing. If no objections are filed, or if objections are
29 filed and withdrawn at the time of the hearing, or within
30 ten days thereafter, the council shall, by ordinance,
31 adopt the amendments as amendments to the charter,
32 and cause a transcript of the proceedings to be certified
33 to the clerk of the house of delegates, as keeper of the
34 rolls, and a copy thereof to be recorded in the office of
35 the clerk of the county court.

36 If, at the time and place set for the hearing, objections
37 to the amendments are filed and not withdrawn ten days
38 thereafter, the council may abandon the proposed amend-
39 ments to which objections have been filed, or it may sub-
40 mit the proposed amendments, either as a unit or sepa-
41 rately, at the next regular city election, or at a special
42 election, if the date of the regular election shall be more
43 than six months from such date, for ratification or rejec-
44 tion. A notice of an election shall set out the proposed
45 amendments at length or state that copies may be ob-

46 tained by any qualified voter from a designated officer
47 at a stated place, upon request. Notice of such election
48 shall be published as hereinbefore provided for hearing
49 on the proposed amendments.

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

56 The method of charter amendment provided by this
57 section is not in lieu of but in addition to the other
58 methods prescribed in the preceding section.

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

Robert C. Byrd
Chairman Senate Committee

James M. Loop
Chairman House Committee

Originated in the House of Delegates

Takes effect 90 days from passage.

Howard Meyer
Clerk of the Senate

J.R. Cliff
Clerk of the House of Delegates

W. B. Loughlin
President of the Senate

W.E. Ham
Speaker House of Delegates

The within approved this the 16th
day of March, 1951.

Chas. L. Patton
Governor



of West Virginia
MAR 16 1951
D. PITT O'BRIEN,
SECRETARY OF STATE