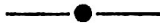


WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1963



ENROLLED

HOUSE BILL No. 545

(By Mr. Brotherton)



PASSED March 8, 1963

In Effect ninty days from Passage



Filed in Office of the Secretary of State
of West Virginia 3-15-63
JOE F. BURDETT
SECRETARY OF STATE

545

ENROLLED
House Bill No. 545

(By MR. BROTHERTON)

[Passed March 8, 1963; in effect ninety days from passage.]

AN ACT to amend and reenact sections twenty-three and forty-seven, article five, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to period of required notice in advance of hearing on amendment to a zoning ordinance.

Be it enacted by the Legislature of West Virginia:

That sections twenty-three and forty-seven, article five, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Article 5. Urban and Rural Planning and Zoning.

Section 23. Same; Amendment of Plan and Ordinance

2 After Adoption.—After the adoption of a comprehensive

3 plan and ordinance, all amendments to it shall be adopted
4 according to the procedure set forth in sections eighteen
5 through twenty-two, except that publication of notice of
6 the time and place of hearing upon amendment of the
7 zoning ordinance shall be not less than fifteen days prior
8 to the date set for such hearing, and except that, if the
9 governing body of a city or the county court desires an
10 amendment, it may direct the planning commission to
11 prepare an amendment and submit it to public hearing
12 within sixty days after formal written request by the
13 governing body of a city or the county court.

Sec. 47. Same; Considered as Amendments to Compre-
2 **hensive Plan; Procedure.**—Amendments, supplements or
3 changes of the regulations of the zoning ordinance shall
4 be considered as amendments to the comprehensive plan.
5 Any proposed ordinance for the amendment, supplement,
6 change or repeal of the zoning ordinance not originating
7 from petition of the planning commission shall be referred
8 to the planning commission for consideration and report
9 before any final action is taken by the governing body of
10 a city or the county court.

11 Prior to the submission to the governing body of a city
12 or the county court of a planning commission petition or
13 a report on a proposed ordinance referred to it for an
14 amendment, supplement, change or repeal of the zoning
15 ordinance, the planning commission shall give notice and
16 hold a public hearing in the manner prescribed for adop-
17 tion of a comprehensive plan in section eighteen of this
18 article, except that publication of notice of the time and
19 place of hearing upon amendment, supplement, change or
20 repeal of the zoning ordinance shall be not less than fif-
21 teen days prior to the date set for such hearing.

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

Ray Parker
Chairman Senate Committee

Ethel L. Randall
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Howard Meyer
Clerk of the Senate

C. Blankenship
Clerk of the House of Delegates

Howard E. Carson
President of the Senate

Julius W. Singleton Jr.
Speaker House of Delegates

The within approved this the 14th
day of March, 1963.

W. M. Barron
Governor

