WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1963

ENROLLED

HOUSE BILL No. 545

(By Mr. Brotherston)

PASSED  March 8, 1963

In Effect ninety days from Passage

Filed in Office of the Secretary of State
of West Virginia 3-15-63

JOE F. BURDETT
SECRETARY OF STATE
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 Comprehensive Plan; Procedure.—Amendments, supplements or
changes of the regulations of the zoning ordinance shall
be considered as amendments to the comprehensive plan.
Any proposed ordinance for the amendment, supplement,
change or repeal of the zoning ordinance not originating
from petition of the planning commission shall be referred
to the planning commission for consideration and report
before any final action is taken by the governing body of
a city or the county court.
Prior to the submission to the governing body of a city or the county court of a planning commission petition or a report on a proposed ordinance referred to it for an amendment, supplement, change or repeal of the zoning ordinance, the planning commission shall give notice and hold a public hearing in the manner prescribed for adoption of a comprehensive plan in section eighteen of this article, except that publication of notice of the time and place of hearing upon amendment, supplement, change or repeal of the zoning ordinance shall be not less than fifteen 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

Estelle L. Crandall
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Howard Ray
Clerk of the Senate

CA Blankenship
Clerk of the House of Delegates

Howard J. Carson
President of the Senate

Julius W. Southern Jr.
Speaker House of Delegates

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

Governor