

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1965



ENROLLED

HOUSE BILL No. 831

(By Mr. Beirnsky)



PASSED March 5, 1965

In Effect from Passage



FILED IN THE OFFICE OF
JOE F. BURDETT
SECRETARY OF STATE
THIS DATE 3-13-65

831

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House Bill No. 831
(By MR. BOIARSKY)

[Passed March 5, 1965; in effect from passage.]

AN ACT to amend and reenact section fourteen, article five, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to administrative powers and duties of planning commissions.

Be it enacted by the Legislature of West Virginia:

That section fourteen, 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 14. Administrative Powers and Duties.—To

2 effectuate the purposes of this article, the commission
3 shall have the power and duty to:

4 1. Exercise general supervision of and make regula-
5 tions for the administration of the affairs of the commis-
6 sion.

7 2. Prescribe uniform rules pertaining to its investi-
8 gations and hearings.

9 3. Supervise the fiscal affairs and responsibilities of
10 the commission.

11 4. Prescribe the qualifications of, appoint, remove, and
12 fix the compensation of the employees of the commission,
13 such compensation to be in conformity to and in com-
14 pliance with salaries and compensations theretofore fixed
15 by the governing body of a city or county court of such
16 cities or counties. Delegate to employees authority to
17 perform ministerial acts in all cases except where final
18 action of the commission is necessary.

19 5. Keep an accurate and complete record of all de-
20 partmental proceedings; record and file all bonds and
21 contracts and assume responsibility for the custody and
22 preservation of all papers and documents of the com-
23 mission.

24 6. Make recommendations and an annual report to

25 the governing body of a city or county court concerning
26 the operation of the commission and the status of planning
27 within its jurisdiction.

28 7. Prepare, publish and distribute reports, ordinances
29 and other material relating to the activities authorized
30 under this article.

31 8. Adopt a seal, and certify to all official acts.

32 9. Invoke any legal, equitable or special remedy for
33 the enforcement of the provisions of the article or ordi-
34 nance or its action taken thereunder.

35 10. Prepare and submit an annual budget in the same
36 manner as other departments of city and county govern-
37 ment and shall be limited in all expenditures to the pro-
38 visions made therefor by the governing body of such
39 city or the county court of such county.

40 11. If deemed advisable, establish an advisory com-
41 mittee or committees.

42 12. Delegate to a committee composed of one or more
43 members of the commission the power to hold any public
44 hearings or conferences required or permitted by this
45 article to be held by the commission. If the hearing or

46 conference is held by a committee, a written record of
47 the substance of the hearing or conference shall be made
48 and preserved with the records of the commission for
49 not less than five years. The committee shall have au-
50 thority only to conduct the hearing and report to the
51 commission.

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

O. Roy Parker
Chairman Senate Committee

James W. Loop
Chairman House Committee

Originated in the House.

Takes effect from passage.

Howard Meyer
Clerk of the Senate

A. Blankenship
Clerk of the House of Delegates

Harold W. Benson
President of the Senate

H. Lebau White
Speaker House of Delegates

The within *approved* this the *13*
day of *March*, 1965.

Huey C. Smith
Governor



Presented to Governor's Office

Mar. 10, 1965

11:18 a.m.