

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1967

ENROLLED

SENATE BILL NO. 397

(By Mr. Carrigan)

PASSED March 11, 1967

In Effect Twenty days Passage

FILED IN THE OFFICE  
ROBERT D. BAILEY  
SECRETARY OF STATE  
THIS DATE 3-21-67

# 397

ENROLLED

Senate Bill No. 397

(By MR. CARRIGAN)

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[Passed March 11, 1967; in effect ninety days from passage.]

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AN ACT to amend article six, chapter eight-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section twenty-six, relating to the change of boundaries of cities subject to said chapter eight-a.

*Be it enacted by the Legislature of West Virginia:*

That article six, 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, designated section twenty-six, to read as follows:

**ARTICLE 6. CONSOLIDATION.****§8A-6-26. Alternate method for change of boundary of city,  
town or village.**

The governing body of a municipality may by ordinance  
2 provide for the annexation of additional territory with-  
3 out ordering a vote on the question if (1) sixty per cent  
4 of the qualified voters residing in such additional terri-  
5 tory file with the governing body their petition to be  
6 annexed, and (2) sixty per cent of all persons (who are  
7 sui juris), firms and corporations owning any freehold  
8 interest in any real property situate within such terri-  
9 tory, whether they reside or have a place of business  
10 therein or not, file with the governing body their peti-  
11 tion to be annexed: *Provided*, That the additional terri-  
12 tory shall conform to the requirements of section one,  
13 article two, chapter eight of this code, and the determina-  
14 tion that the additional territory does so conform or that  
15 the requisite number of petitioners have filed the required  
16 petitions shall be reviewable by the circuit court on  
17 certiorari to the council. A qualified voter also owning  
18 a freehold interest in any real property situate within such

19 territory may join in either the voters' petition of the  
20 territory or the freeholders' petition of such territory,  
21 but he shall not sign more than one petition. It shall be  
22 the responsibility of the governing body to enumerate and  
23 verify the total number of eligible petitioners from the  
24 territory. In determining the total number of eligible  
25 petitioners, a qualified voter of the territory who also  
26 owns a freehold interest in any real property situate  
27 within the territory shall be counted as one person only.

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

William Temper  
Chairman Senate Committee

Clayton C. Davidson  
Chairman House Committee

Originated in the Senate.

To take effect 90 days from passage.

John H. Myers  
Clerk of the Senate

C. A. Blankenship  
Clerk of the House of Delegates

Howard W. Corson  
President of the Senate

H. Laban White  
Speaker House of Delegates

The within approved this the 17  
day of March, 1967.

Huey C. Smith  
Governor

PRESENTED TO THE  
GOVERNOR

Date 3/17/67

Time 2:50pm