

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1973



ENROLLED

HOUSE BILL No. 920

Mr. McManus

(By Mr. *Leibert*)



PASSED March 27 1973

In Effect Ninety days from Passage



920

FILED IN THE OFFICE
ROGER F. HEISKELL III
SECRETARY OF STATE
THIS DATE 3-30-73

ENROLLED

House Bill No. 920

(By MR. SPEAKER, MR. MCMANUS, and MR. SEIBERT)

[Passed March 22, 1973; in effect ninety days from passage.]

AN ACT to amend article twelve, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section three-a, specifically authorizing any city by charter provision or ordinance to establish a department of development; authorizing any such city to transfer to such department of development all or certain of the planning functions of such city's housing authority, urban renewal authority and planning commission and all or any limited part of the powers, privileges, rights, duties, responsibilities and obligations related to such planning functions; and authorizing related ordinances and resolutions.

Be it enacted by the Legislature of West Virginia:

That article twelve, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section three-a, to read as follows:

ARTICLE 12. GENERAL AND SPECIFIC POWERS, DUTIES AND ALLIED RELATIONS OF MUNICIPALITIES, GOVERNING BODIES AND MUNICIPAL OFFICERS AND EMPLOYEES; SUITS AGAINST MUNICIPALITIES.

§8-12-3a. Cities authorized to create department of development and transfer planning functions of certain independent agencies to such department; authorizing related ordinances and resolutions.

1 (a) In extension of the power and authority set forth in
2 section two of this article and notwithstanding any provision of

3 this code or any charter provision to the contrary, any city
4 shall have plenary power and authority by charter provi-
5 sion or ordinance to establish a department of development
6 for such city and to transfer to such department (1) all or any
7 limited part of the planning functions of such city's housing
8 authority, as provided for in article fifteen, chapter sixteen of
9 this code; (2) all or any limited part of the planning functions
10 of such city's urban renewal authority, as provided for in arti-
11 cle eighteen, chapter sixteen of this code; (3) all or any limited
12 part of the planning functions of such city's planning commis-
13 sion, as provided for in article twenty-four of this chapter; and
14 (4) all or any limited part of the powers, privileges, rights,
15 duties, responsibilities and obligations related to such plan-
16 ning functions.

17 (b) Any city adopting any such charter provision or
18 ordinance shall also have plenary power and authority to
19 enact such other ordinances and adopt such resolutions as
20 may be deemed necessary or desirable to (1) implement and
21 make effective the provisions of subsection (a) of this sec-
22 tion; and (2) provide for the implementation of the plans pre-
23 pared by such city's department of development.

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

H. Darrel Darby
Chairman Senate Committee

Lawrence B. Thurston Sr.
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Howard W. Cannon
Clerk of the Senate

W. A. Blankenship
Clerk of the House of Delegates

H. T. Brotherton Jr.
President of the Senate

Louis H. Thomas
Speaker House of Delegates

The within approved this the 30th
day of March, 1973.

Hubert H. Parry Jr.
Governor

PRESENTED TO THE
GOVERNOR

Date 3/28/73

Time 2:07 p.m.