



Office of the City Clerk

The City of Morgantown

Linda L. Little, CMC
389 Spruce Street, Room 10
Morgantown, West Virginia 26505
(304) 284-7439 Fax: (304) 284-7525
llittle@cityofmorgantown.org

AGENDA
MORGANTOWN CITY COUNCIL
COMMITTEE OF THE WHOLE
November 27, 2012
7:00 p.m.

NOTE: Committee of the Whole Meetings of the Morgantown City Council are intended to provide an opportunity for the Council to receive information, ask questions, and identify policy options in an informal setting. No official action is taken at these meetings. At this Committee of the Whole Meeting the following matters are scheduled:

PRESENTATIONS:

- Partners in Education - Woodburn Elementary
- University Place
- Greater Morgantown MPO
- Public Portion

ITEMS FOR DISCUSSION:

1. Ward and Boundary Commission
2. Update Regarding Uniform Parking
3. Discussion of Election and Procedural Alternatives
4. Bike Plan Update

If you need an accommodation contact us at 284-7439

November 20, 2012 Meeting of the Morgantown Ward Boundary Commission – 11-20-1

Members:

First Ward: Don West 651 Standard Avenue. 304-291-6355 h, 304-285-3155 w, papadon1970@aol.com

Second Ward: David Huffman 705 Grand St. 304-296-3332 h, 304-216-3332 c

Third Ward: Robert Feathers 123 Hoffman St. 304-599-8263 h

Fourth Ward: Stephen Carpenter 456 Rotary St. 304-285-7585 h, 304-284-7585 w

Fifth Ward: William "Bill" Ryan 1133 Charles Ave. 304-1982 h

Sixth Ward: Marca Paparozzi 788 Mountain View Pl. 304-285-4273 w EPS, 304-376-1483 c

Seventh Ward: Alan Donaldson 1300 Heritage Pl. 304-599-0539 h, 304-685-4223 c, adonalds@comcast.net

h, home phone; w, work phone; c, cell phone; + e-mail addresses

The November 20, 2012 meeting was scheduled for 10 a.m. in the conference room of the Public Service Building (PBS). Alan Donaldson arrived at 9:15 a.m. and placed on the table 2 large maps showing precinct and ward boundary data from the November 6, 2012 general election provided by city election register, April Davies and illustrated by cartographer/engineer Damian Davis. City Clerk, Linda Little, set up a speaker-phone on the table in order to communicate with member David Huffman as pre-arranged by telephone. Alan and Linda had previously contacted the Morgantown Ward Boundary Commission (MWBC) members, who each had been provided a 5- page document, (included here as an attachment) which indicated the same voter registration data illustrated on a small map and 4 pages that displayed the numerical data and analyzed the information. Each member was able to evaluate the data, draw conclusions and make recommendations prior to the November 20th meeting. The MWBC members all have served several terms and have shown good consistent judgment in balancing variables of size, shape, and distribution of precincts within a ward. An important guideline for equality is their community strengths that enhance the quality of life for Morgantown citizens. Presently, five wards of the city indicate acceptable November 2012 voter registration results of deviations of 15% or less from the average ward of the seven wards. The remaining two wards of the City of Morgantown deviate but not excessively from the average ward. When Linda and Alan talked with six of the seven MWBC members prior to the November 20th meeting, they commented that no change in ward boundaries is warranted for 2012.

The Morgantown Ward Boundary Commission thanks April Davies and Linda Little for their continuing help and support.

Alan Donaldson

Alan Donaldson,
Chairman, Morgantown Ward Boundary Commission

District	Precinct	D	L	M	N	R						OTHER	Total
<i>First Ward</i>	01	467	0	2	165	207	0	0	0	0	0	7	848
	02	680	3	5	236	314	0	0	0	0	0	12	1250
<i>SECOND WARD</i>	04	703	7	2	277	298	0	0	0	0	0	14	1301
	06	428	4	6	244	120	0	0	0	0	0	15	817
<i>6th Ward</i>	08	611	5	6	238	253	0	0	0	0	0	11	1124
<i>3rd Ward</i>	10	628	7	5	582	375	0	0	0	0	0	23	1620
<i>5th Ward</i>	13	345	6	3	272	202	0	0	0	0	0	7	835
	14	527	10	3	413	360	0	0	0	0	0	8	1321
	15	117	1	2	57	65	0	0	0	0	0	5	247
<i>3rd Ward</i>	16	596	5	4	320	288	0	0	0	0	0	17	1230
<i>4th Ward</i>	20	192	1	0	179	91	0	0	0	0	0	8	471
<i>4th Ward</i>	21	599	5	2	564	496	0	0	0	0	0	13	1679
<i>7th Ward</i>	23	688	2	2	217	375	0	0	0	0	0	14	1298
<i>4th Ward</i>	26	393	1	0	124	218	0	0	0	0	0	12	748
<i>7th Ward</i>	27	191	1	0	76	113	0	0	0	0	0	3	384
<i>6th Ward</i>	30	630	2	1	234	252	0	0	0	0	0	14	1133
<i>7th Ward</i>	90	159	3	0	75	118	0	0	0	0	0	5	360
Total:		7954	63	43	4273	4145	0	0	0	0	0	188	16666

District	Precinct	D	L	M	N	R						OTHER	Total
	01	467	0	2	165	207	0	0	0	0	0	7	848
	02	680	3	5	236	314	0	0	0	0	0	12	1250
	04	703	7	2	277	298	0	0	0	0	0	14	1301
	06	428	4	6	244	120	0	0	0	0	0	15	817
	08	611	5	6	238	253	0	0	0	0	0	11	1124
	10	628	7	5	582	375	0	0	0	0	0	23	1620
	13	345	6	3	272	202	0	0	0	0	0	7	835
	14	527	10	3	413	360	0	0	0	0	0	8	1321
	15	117	1	2	57	65	0	0	0	0	0	5	247
	16	596	5	4	320	288	0	0	0	0	0	17	1230
	20	192	1	0	179	91	0	0	0	0	0	8	471
	21	599	5	2	564	496	0	0	0	0	0	13	1679
	23	688	2	2	217	375	0	0	0	0	0	14	1298
	26	393	1	0	124	218	0	0	0	0	0	12	748
	27	191	1	0	76	113	0	0	0	0	0	3	384
	30	630	2	1	234	252	0	0	0	0	0	14	1133
	90	159	3	0	75	118	0	0	0	0	0	5	360
Total:		7954	63	43	4273	4145	0	0	0	0	0	188	16666

Alan
11/10/12

Ward	Voter Registration AVERAGE	Deviation from AVERAGE in VR	%
Ward 1	2098	2098 - 2381 = -283	12
Ward 2	2118	2118 - 2381 = -263	11
Ward 3	2850	2850 - 2381 = +469	16
Ward 4	2898	2898 - 2381 = +517	18
Ward 5	2403	2403 - 2381 = +22	1
Ward 6	2257	2257 - 2381 = -124	5
Ward 7	2042	2042 - 2381 = -339	14
Total	16,666		

Preliminary

Draft by Alan Donaldson
 Analyzing voter Registration
 City data Verified by April Davies
 on 11-9-12

PRECINCTS BY WARDS/DISTRICTS

2012 Registered Voters

Primary 7-3-2012 CITY OF MORGANTOWN

1st Ward	2nd Ward	3rd Ward	4th Ward	5th WARD	6th Ward	7th Ward
1, 2	4, 6	10, 16	20, 21, 26	13, 14, 15	8, 30	23, 27, 90
Ward 1	Ward 2	Ward 3	Ward 4	Ward 5	Ward 6	Ward 7
① 812	④ 1252	⑩ 1456	20 420	13 771	8 1095	23 1223
② 1224	⑥ 762	⑬ 1105	21 1518	14 1237	30 1100	27 364
<u>2036</u>	<u>2014</u>	<u>2561</u>	<u>2658</u>	<u>2248</u>	<u>2195</u>	<u>1934</u>
Total = 15,646 City Ward Ave. = 2,235						

Voter Registration DATA 11-09-2012
 General Election

Precincts

1st ward	2nd Ward	3rd Ward	4th Ward
① 848	④ 1301	⑩ 1620	⑳ 471
② 1250	⑥ 817	⑬ 1230	⑳ 1679
<u>2098</u>	<u>2118</u>	<u>2850</u>	⑳ 748
			<u>2898</u>

★ What we will use

5th Ward

⑬ 835
⑭ 1321
⑮ 247
<u>2403</u>

6th Ward

⑧ 1124
⑳ 1133
<u>2257</u>

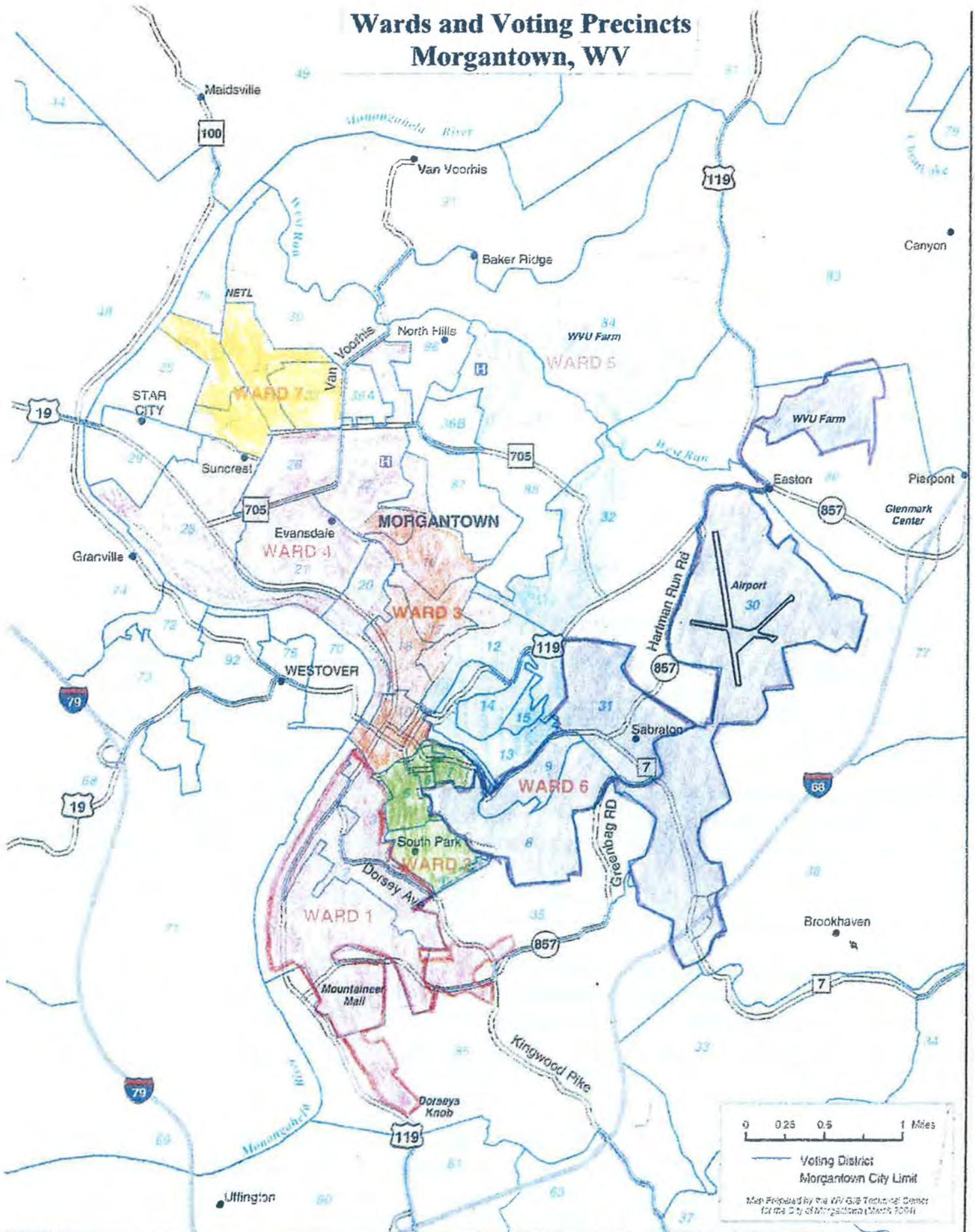
7th Ward

⑳ 1298
⑳ 384
⑨⑩ 360
<u>2042</u>

Total = 16,666

City Ward Ave = 2381

Wards and Voting Precincts Morgantown, WV



January 4, 2006, the County Commission consolidated the following Precincts within the City of Morgantown

Precincts 3 and 2 consolidated and known as Precinct 2.	Precincts 11 and 10 consolidated and known as Precinct 10.
Precincts 5 and 4 consolidated and known as Precinct 4.	Precincts 22 and 21 consolidated and known as Precinct 21.
Precincts 7 and 6 consolidated and known as Precinct 6.	Precincts 24 and 23 consolidated and known as Precinct 23.
Precincts 9 and 8 consolidated and known as Precinct 8.	Precincts 31 and 30 consolidated and known as Precinct 30.

City Commission Discusses Considerations for Morgantown Ward Boundaries

Posted on July 20, 2012 by City of Morgantown

FOR IMMEDIATE RELEASE

Morgantown, W.Va., July 19, 2012 – As voters research state and national candidates in preparation for going to the polls to cast their ballots in the November 2012 general election, the City of Morgantown Ward Boundary Commission is already working to prepare Morgantown for the April 2013 municipal election.

The Commission met Monday, July 16, to discuss preliminary considerations for setting ward boundaries. Alan Donaldson, Ward Boundary Chair, in a written statement, said, "The Commission considers deviation from the ward average of registered voters as a criterion for changing ward boundaries." According to Donaldson, municipal wards exceeding a 15-percent deviation in the number of voters is considered "undesirable and in need of remedies to correct imbalance."

In accordance with the City Charter, the Ward Boundary Commission is expected to submit a report to the City Clerk – between November 15 and November 30 of this year- containing a recommended plan and a map for the adjustment of ward boundaries to comply with specifications outlined in City Charter Section 7.05.

Specifications include wards formed from contiguous territory following precinct lines and center lines of streets wherever practicable, and as nearly as practicable the same number of qualified voters as determined from the last statewide general election in 2010. Mayor Jim Manilla said, "It's important to remember the City Charter states specifications are not to be construed to require the adjustment precinct boundaries or to sacrifice compactness of wards for the sake of achieving equality in numbers of registered voters among the seven wards of the City."

Following the official submission of the report of the Ward Boundary Commission, City Council may take action to approve the report as recommended and introduce a proposed ordinance providing for the ward boundaries in accordance with the specifications contained in the report. Otherwise, if City Council doesn't approve the report, the reasons will be stated for the record and City Council will introduce an ordinance adjusting ward boundaries consistent with the City Charter, unless a finding of fact is made that no ward boundary adjustments are necessary.

"Ward boundaries are the basis for representative government in our City," said Manilla, adding that "over time, as population changes so must ward boundaries so as to not disenfranchise citizens." Manilla mused, "I can remember when second ward school was actually in second ward. Today, the former second ward school is located in what is now sixth ward."

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MORGANTOWN PARKING DISTRICTS

Evaluation and Recommendations Report

PURPOSE and HISTORY

In 1983, the City of Morgantown initiated a Parking District Program to address on-street parking congestion within older, densely developed neighborhoods experiencing an increase in parking demand.

Like many university communities across the country, increased on-street parking demand has been attributed, in part, to changing lifestyles and auto-dependency; the under-supply of off-street parking and narrowness of street networks within neighborhoods developed prior to World War II; proximity to campuses and land uses experiencing increasing commuter traffic with limited on-campus parking supply; shifts in land uses and tenancies; studentification of once predominantly owner-occupied single-family neighborhoods, etc.

The purposes of Morgantown's program, as currently set forth in Article 367.02 of the Morgantown City Code, are as follows:

- a. To reduce hazardous traffic conditions resulting from the use of streets within areas zoned for residential uses for the parking of vehicles by persons not residing within the area.
- b. To protect those districts from polluted air, excessive noise, and trash and refuse caused by the entry of such vehicles.
- c. To protect residents of those districts from unreasonable burdens in gaining access to their residences.
- d. To preserve the character of those districts as residential districts.
- e. To promote efficiency in the maintenance of those streets in a clean and safe condition.
- f. To preserve the value of the property in those districts.
- g. To promote the peace, good order, comfort, convenience, and welfare of the inhabitants of the City.

PROGRAM IMPLEMENTATION

Currently, the initiation of establishing a parking district rests with City Council. Specifically, Article 367.03 provides that the City Council shall, "...from time to time as it deems necessary, identify, by specific and separate ordinances, areas of the City as designated parking districts."

The first parking district established by ordinance was in the Wiles Hill neighborhood in 1991 (see ORD 091-21). Addendum A of this report identifies the parking districts and related regulations that are currently in place.

EVALUATION

Once public policy has been operationalized through the formal adoption of laws, rules, and/or regulations and the Administration has taken action to implement the policy, evaluation is necessary to determine if the policy has achieved the desired outcomes and/or impacts.

Public policy evaluation can be generally characterized as a process by which general judgments about quality, goal attainment, program effectiveness, impact and costs can be determined. In other words, is the policy or program doing what it is supposed to do?

It has been over 20 years since the first parking district was established in Morgantown. There have been changes in program implementation during this period. Additionally, there has been a renewed interest recently in establishing new parking districts.

Programmatic Changes

Since the inception of the Morgantown Parking District Program, the Police Department was solely responsible for the enforcement of on-street parking violations. During the 2010 regular West Virginia Legislative Session and with the support and assistance of Morgantown's state legislative delegation, related State Code provisions were amended so that the Morgantown Parking Authority could be empowered to assist the Police Department in enforcing certain parking regulations.

Residents within the established parking districts purchased parking passes through the Finance Department until July 1, 2010. Parking pass distribution and program management was subsequently transferred to the Parking Authority.

Since July 1, 2010, overall compliance and management efficiencies within the parking districts have significantly improved. This has been attributed, in part, to the City now being able to utilize staffing, resources, and capacities that specialize in the management of public parking inventories.

Renewed Program Interest

Given the City's most recent successes in achieving increased compliance within existing parking districts along with existent and perceived on-street parking congestion in certain neighborhoods, City Council directed the City Manager to evaluate the current parking district program. The City Manager delegated this assignment to Engineering and Development Services Departments and the Parking Authority.

OBSERVATIONS

Initiation of Establishing a Parking District

Although the passage of an ordinance establishes a parking district, initiation of this process is not charted in Article 367. For instance, how can a resident or a group of residents initiate the establishment of a parking district? Can the City Manager or City Administration introduce the establishment of a parking district? In other words, there is no process by which the idea of establishing a parking district, regardless of origination, travels before ordinance preparation and consideration by City Council.

Because Article 367 limits the administrative promulgation of rules to parking district enforcement, there does not appear to be sufficient latitude outside the ordinance to establish an administrative application/petition process.

Analysis and Report

Prior to a public policy being operationalized (adoption of laws, rules, or regulations), an analysis or study of the related objectives, costs, and impacts are normally completed to support the merits of the policy.

Article 367.03 provides the following criteria for which City Council is to consider when designating a parking district, which has been in place since the program's 1983 enactment:

- a. The degree to which traffic congestion and demand for on street parking is generated by drivers of vehicles who do not reside in the proposed district.
- b. The existence of structures or facilities in the immediate vicinity of the proposed designated parking district, the use of which generates significant increased traffic congestion and demand for on street parking spaces within the proposed district.
- c. The existence of an on street parking space shortage defined as utilization of in excess of seventy-five percent (75%) of the on street parking spaces on a continuing basis.

The three criteria provided in Article 367 appear to lack the following:

- A consistent rational methodology of determining the degree to which traffic congestion within and outside the immediate area and parking demand result in a degree of on-street parking congestion warranting the management of parking in the public realm (criteria "a" and "b").
- The inventory of existing and potential off-street parking within the immediate area does not appear to be fully considered (criterion "c").

Additionally, a set of consideration and evaluation criteria should also incorporate:

- A neutral and logical evaluation element to support the political and civic action creating a parking district by ordinance.
- Administratively promulgated rules to establish a methodology and metrics measuring the practicality and determining the efficacy of a parking district.
- Given the number of smaller parking districts created over the years and later repealed and combined into larger parking districts, a logical assessment exploring a broader geographic context to fully understand the function of the parking district and identify unintended consequences.

Parking Permit Distribution

Article 367.04 provides that, "...no more than two regular permits and one regular visitor permit shall be issued to any one household within the district." It appears prudent to allow greater flexibility in determining parking permit distribution in relation to a specific parking district's management needs. Specifically, there may be instances due to existing off-street parking supply that a household within a parking district may not be eligible to purchase a resident and/or visitor parking permit.

Parking Permit Fee Schedule and Program Delivery Costs

Like any public policy program, there are costs associated with ongoing policy administration. It appears that the program's following permit fee schedule provided in Article 367 has remained the same since adoption in 1983.

- Regular permits, one resident and one visitor\$5.00/year
- Additional temporary visitor, guest or business vehicle permits.....no charge

According to the U.S. Department of Labor, its online CPI inflation calculator uses the average Consumer Price Index for a given calendar year. This data represents changes in prices of all goods and services purchased for consumption by urban households. For the current year, the latest monthly index value is used.

Using the online CPI inflation calculator, **\$5.00 in 1983** has the same buying power as **\$11.61 in 2012**. In other words, the value of the parking permit fee today is worth over 50% less than its value in 1983.

Addendum B of this report provides the Parking District Program revenues and costs for FY2011 and FY2012 realized by the Parking Authority and Public Works Division.

RECOMMENDATIONS

This report and the following recommendations have been developed by the Parking Authority, Engineering Department, and Development Services Department at the direction of the Office of the City Manager.

Recommendation 1.....Amend Article 367 to authorize the promulgation of rules to make provisions for parking district petition, evaluation, and administrative recommendation processes.
(see Addendum C)

Recommendation 2.....Amend Article 367 to authorize the promulgation of rules to make provisions for the flexibility in determining how parking permits can be most efficiently distributed.
(see Addendum C)

Recommendation 3.....Amend Article 367 to revise the parking permit fee schedule in terms of structure and rate.
(see Addendum C)

Recommendation 4.....Promulgate rules directing parking district petition forms and processing procedures.
(see Addendum D)

Recommendation 5.....Promulgate rules directing feasibility study and recommendation criteria.
(see Addendum D)

Recommendation 6.....Promulgate rules directing standards for the eligibility and distribution of parking district permits.
(see Addendum D)



MORGANTOWN PARKING DISTRICTS

Evaluation and Recommendations Report

ADDENDUM A

Current Parking Districts and Restrictions

District Name	Ordinance Number	Enactment Date	Restriction	Time Restriction	Day of Week	Number of Parcels
Wiles Hill	091-21	10/03/1991	permit parking only	no restriction	Mon thru Sun	12
Garrison Street	094-70	08/02/1994	permit parking only	5 PM – 8 AM	Mon thru Sun	8
Pennsylvania Avenue	094-85	12/06/1994	4 spaces: permit parking only	no restriction	no restriction	15
			remaining spaces: two hour parking	two-hour parking: 5 AM – 9:30 PM	except Sunday	
South Park/ Greenmont	05-33 Elmina	07/18/1995	permit parking (only includes Elmina Street)	between hours of 5 – 7 AM	Monday - Sunday	905
	095-34 South Park		permit parking only	7 AM – 7 PM	Mon thru Thu	
	094-67 Greenmont		permit parking only	7 AM – 6 PM	Friday	
			no parking permit needed	no restriction	Sat & Sun	
Price Street	097-05	05/20/1997	permit parking only	except 7 PM – 11 PM	Mon thru Sun	27
Evansdale	00-37	08/15/2000	permit parking only	except 5 PM – 12 AM	Mon thru Sun	112
Parsons Street	003-39	09/16/2003	permit parking only	between hours of 7 AM – 3 PM	Mon thru Fri	4
McCullough Avenue	003-40	09/16/2003	permit parking only	no restriction	Mon thru Sun	14

Total number of parcels included in current Parking Districts = 1,097



MORGANTOWN PARKING DISTRICTS
Evaluation and Recommendations Report
ADDENDUM B

Revenues and Costs for FY2011 and FY2012

TO BE DISTRIBUTED AT THE
NOVEMBER 27, 2012
COMMITTEE OF THE WHOLE MEETING



MORGANTOWN PARKING DISTRICTS

Evaluation and Recommendations Report

ADDENDUM C

The following revisions should be considered DRAFT. A final revision will be prepared based on the direction of City Council and the assistance of the City Attorney.

ARTICLE 367 Parking Districts

367.01 Established.	367.05 Applicability of other parking restrictions.
367.02 Purposes of article.	367.99 Penalty.
367.03 Selection of districts.	
367.04 Permits; rules; fees.	

CROSS REFERENCES Consecutive hours parking – see TRAF. 361.12

367.01 ESTABLISHED

There are hereby established designated parking districts within the City. Within such districts, qualified person may obtain permits to park their vehicles on the streets within the district for periods longer than permitted for those vehicles without such permits. (Ord. 9-6-83.)

367.02 PURPOSES OF ARTICLE.

The purposes of this article are as follows:

- a) To reduce hazardous traffic conditions resulting from the use of streets within areas zoned for residential uses for the parking of vehicles by persons not residing within the area.
- b) To protect those districts from polluted air, excessive noise, and trash and refuse caused by the entry of such vehicles.
- c) To protect residents of those districts from unreasonable burdens in gaining access to their residences.
- d) To preserve the character of those districts as residential districts.
- e) To promote efficiency in the maintenance of those streets in a clean and safe condition.
- f) To preserve the value of the property in those districts.

- g) To promote the peace, good order, comfort, convenience, and welfare of the inhabitants of the City.

(Ord. 9-6-83)

367.03 SELECTION OF DISTRICTS.

Council shall, from time to time as it deems necessary, identify, by specific and separate ordinances, areas of the City as designated parking districts. During its deliberations, Council shall consider, in addition to the achievement of the purposes defined above, the following criteria:

- a) The degree to which traffic congestion and demand for on-street parking is generated by drivers of vehicles who do not reside in the proposed district.
- b) The existence of structures or facilities in the immediate vicinity of the proposed designated parking district, the use of which generates significant increased traffic congestion and demand for on-street parking spaces within the proposed district.
- c) The existence of an on-street parking space shortage defined as utilization of in excess of seventy-five percent (75%) of the on-street parking spaces on a continuing basis. (Ord. 9-6-83.)

Comment [CF1]: Added "-" for consistency.

Comment [CF2]: Added "-" for consistency.

Comment [CF3]: Added "-" for consistency.

Comment [CF4]: Added "-" for consistency.

367.04 PERMITS; RULES; FEES.

The City Manager, or his/her designee, which may include the Morgantown Parking Authority, is hereby authorized to issue parking permits to qualified residents of designated parking districts within the City. ~~The City Manager, or his/her designee, which may include the Morgantown Parking Authority, may also, on a case by case basis, issue parking permits to regular visitors of a designated parking district, who are not visiting residents of the district; provided that Council must approve each such issuance.~~

The City Manager shall promulgate rules governing the use of designated parking districts, including, but not limited to, rules governing the determination of eligibility of residents for receipt of one or more parking permits.

Comment [CF5]: The legislative direction and intent here is not clear. Specifically, the City Manager is authorized to perform as noted, yet only with City Council's approval for each instance.

Suggest eliminating.

The rules shall make provisions for parking district petition processes, feasibility study procedures, and administrative recommendations.

Comment [CF6]: This revision separates this sentence from previous paragraph by beginning new paragraph.

The rules shall make provision for regular permits, as well as for the issuance of temporary permits for the guests and visitors of residents of the district and also for temporary permits to delivery or other business vehicles serving the residents of the district.

Comment [CF7]: This revision removes reference to a particular number of permits as some households, although located within a parking district, may not be eligible to purchase a parking permit.

The rules shall make provisions for the distribution of parking permits per household, which may differ from one parking district to another; further provided that no more than two regular resident permits and one regular visitor permit, with the exception of one-day (24 hour) visitor permits, shall be issued to any one household within the district.

Comment [CF8]: This revision is intended to provide greater flexibility in the distribution of parking permits, which may differ from one parking district to another, based on relative supply and demand. Also, the term "regular" is changed to "resident" for consistency.

The intent of the permit process is to provide on-street parking for residents, their guests and visitors to their household. Permits are not to be given by residents to individuals so that those individuals may park in the district when not specifically there for the sole purpose of visiting with the residence in question. Visitor permits of any type, with the exception of one-day (24 hour) visitor permits, may not be used for more than five (5) consecutive days for the same vehicle.

Comment [CF9]: This revision is intended to address visitor parking permit abuse used by household members in place of resident permits.

The City Clerk shall maintain a book of ordinances that designate, amend, and/or repeal parking districts established under this article.

Comment [CF10]: This revision is intended to ensure related ordinances are managed in an easily accessible and functional order.

The following shall be the costs for the issuance of permits issued under this article. The fees for permits issued under this article shall be established by ordinance setting the fee schedule for each designated parking district; provided, parking permit fees shall not be less than:

Comment [CF11]: This revision is intended to provide greater flexibility in establishing parking permit types and related fees, which may differ from one parking district to another, based on relative supply and demand.

Regular permits, one resident and one visitor;	\$5.00/yr.
Additional Temporary visitor, guest or business vehicle permits;	no charge
First Resident Permit.....	\$5.00 per year
Each additional Resident Permit	\$10.00 per year
Visitor Permits (all types except One-day Visitor Permit).....	\$5.00 per year
One-day Visitor Permit (1 to 8 permits per occurrence).....	\$5.00 per occurrence

Comment [CF12]: The recommended minimum rates are based on providing a proximate inflation adjustment to the fee established when the parking district program was created in 1983; on the need to provide a base directory of permit types; on the need to distinguish resident permits from visitor permits in terms of eligibility, distribution, and related fee; and, the need to create a one-day (24 hour) visitor parking permit contingency.

Permits issued under this article are valid only in the designated parking district for which the permit is issued. (Ord. 10-17. Passed 5-18-10)

367.05 APPLICABILITY OF OTHER PARKING RESTRICTIONS.

Nothing contained herein shall be construed as permitting the parking of any vehicle in any properly marked “no parking” or restricted parking area or in violation of any other City ordinance or law. (Ord. 9-6-83.)

367.99 PENALTY.

Any vehicle violating the provisions of this article shall be subject to the penalties provided under Section 303.99 of the City’s Traffic Code. Any occupant of a residence within a parking district who violates Section 367.04 by giving a parking permit, which has been issued to the residence, to another individual so that he or she may park their vehicle within the parking district when not there for the specific purpose of visiting the residence in question, shall be guilty of a misdemeanor and shall be fined \$50.00. Each such incident shall be deemed a separate offense of this article. (Ord. 05-02. Passed 2-15-05.)



MORGANTOWN PARKING DISTRICTS

Evaluation and Recommendations Report

ADDENDUM D

Guiding Principles for Promulgating Parking District Rules

- A resident parking district petition form(s) must be developed that provides, at least, the following information:
 - For each petitioner (household) – name; address; contact information; tax map and parcel information for the realty on which the respective petitioner’s residence is located; number of available off-street parking spaces; etc.
 - A detailed statement of the on-street parking congestion problem; including but not limited to, congestion peaks (days of week and times of day when most congested), perceived causes of the congestion, photographs documenting congestion, etc.
 - A detailed statement of the objectives for establishing the proposed parking district.
 - A detailed description of and map illustrating the proposed parking district boundaries.
 - Original signatures of at least 60% of the households within the proposed parking district (one household, one signature).
 - Petition fee (to be determined) payable to the Parking Authority, 50% of which should be transferred to the City’s General Fund.
 - The Parking Authority will be designated for petition intake and initiation processing.
- A methodology for an administratively initiated parking district petition should be established based on observed trends and consultation among various City Departments, including but not limited to, Engineering & Public Works, Parking Authority, Police, Fire, Development Services, etc.
- A feasibility study methodology must be developed for the purpose of processing the petition, measuring the practicality of the proposed parking district, and developing and reporting recommendations in terms of establishing or not establishing a parking district.
- The feasibility study should address at least the following elements:
 - A land use inventory and related mapping to identify parking requirements within the study area based generally on the Planning and Zoning Code. (Development Services)
 - A residential density and tenancy inventory and related mapping of the study area to identify locational parking demand. (Development Services)
 - An inventory and related mapping of existing off-street parking (including garages) and potential off-street parking within the study area. Potential off-street parking should consider restrictions and design standards provided in various elements of City Code. (Parking Authority and Engineering)

- An inventory and related mapping of on-street parking within the study area, which should be based on the linear distance in feet of on-street parking less restricted areas (i.e., yellow curbs, fire hydrants, driveway entrances, line-of-site obstructions, roadway geometry, distances from intersections, minimum street width standards, utilities, etc.). (Engineering)
- An inventory and related mapping of households with off-street parking, with no off-street parking, insufficient off-street parking, and whether or not on-street parking exists or can be established along curb adjoining the residence within the study area. (Parking Authority and Engineering)
- An identification and documentation of on-street parking congestion within the study area including various days of the week and times of the day. (Parking Authority)
- An investigation of the cause of on-street parking congestion within and/or near the study area. (Parking Authority, Engineering, Development Services)
- Establish a parking space deficit within the study area based on the relationship between parking demand, existing and potential off-street parking supply, and on-street parking supply. (Engineering and Parking Authority)
- An assessment of areas surrounding the study area to ascertain whether or not additional area should be included in the parking district and/or whether or not the parking district may adversely impact outlying areas. (Engineering and Parking Authority)
- An analysis of the cost of parking district implementation. (Engineering and Parking Authority)
- An analysis of a parking permit fee schedule for the respective parking district. (Parking Authority)
- A findings summary and recommendations brief. The brief should restate the congestion trends and substantiate whether or not the parking district be established. (Parking Authority, Engineering, and Development Services)

Assuming the feasibility study validates the merits and benefits of establishing the parking district, recommendations should address parking district boundaries; parking restrictions (days of week and times of day); parking permit eligibility; parking permit distribution and fee schedule; timing of implementation; requisite implementation tasks (signage, curb painting, permit production, etc.); timing of post-implementation performance evaluation, etc.

- City Manager submits findings and recommendations brief along with the feasibility study to the City Council for review.
- Assuming the practicality of establishing a parking district is demonstrated, City Council directs the City Manager to prepare an ordinance establishing the parking district for City Council's final consideration and action.



Office of the City Clerk

The City of Morgantown

Linda L. Little, CMC
389 Spruce Street, Room 10
Morgantown, West Virginia 26505
(304) 284-7439 Fax: (304) 284-7525
little@cityofmorgantown.org

TO: Honorable Mayor Manilla & Council

FROM: Linda L. Little, City Clerk, CMC

RE: Discussion of Election and Procedural Alternatives

DATE: November 21, 2012

Attached is information for Council to discuss:

- A. Discussion of proposed charter change for Election to County.
 - 1. Process from other cities in WV
 - 2. Process by charter amendment(WV State Code 8-4-8)
- B. Change 2 year terms of Council to 4 year terms.(WV State Code 8-5-5)
- C. Have odd number ward members elected two years before the even number ward representatives so that only half of the Council is up for Election every two years.

Zimbra

llittle@cityofmorgantown.org

[wvml_list] Re: Elections*Buckhannon***From :** Rich Clemens <rich.clemens@buckhannonwv.org>

Wed, Oct 17, 2012 07:40 PM

Subject : [wvml_list] Re: Elections

1 attachment

To : West Virginia Municipal League Listserv <wvml-listserv@wvml.org>**Reply To :** West Virginia Municipal League Listserv <wvml-listserv@wvml.org>*(Mailing list information, including how to remove yourself, is located at the end of this message.)*

All,

The City of Buckhannon combined our election with Upshur County in May 2012 with a *cash* savings of \$3,140. Actual savings would be more as office staff time typically spent during early voting and preparation for a City Election was not kept separate in the past.

In general, I would estimate our overall savings in expenses to be 50% or as much as \$5,000. We do not have wards and our precincts are in-line with the county so it became a matter of paying for the programming of additional (different) electronic and printed ballots.

In my opinion, the benefit of one community election on a holiday provided a better voter turnout and better exposure to candidates and issues than when the City ran their own elections at the higher expense.

Rich Clemens
Recorder, City of Buckhannon

Linda Little

Wednesday, October 17, 2012 11:17 AM

(Mailing list information, including how to remove yourself, is located at the end of this message.)

How many Cities have combined their Elections with their County? And, if so how much does it cost your City or save the City in doing this? Thank you for your help in advance.:)

Linda Little, CMC
City Clerk
City of Morgantown
389 Spruce St.
Morgantown WV. 26505
304-284-7434
304-284-7525(fax)
llittle@cityofmorgantown.org

Subscription Reminder: You're Subscribed to: West Virginia Municipal League Listserv using the address: llittle@cityofmorgantown.orgFrom: listserv@wvml.org

Physical Address

Manage Your Subscription » or, **Unsubscribe Automatically »**

Zimbra

llittle@cityofmorgantown.org

[wvml_list] RE: Elections*Fairmont***From :** Janet Keller <jkeller@fairmontwv.gov>

Thu, Oct 18, 2012 10:40 AM

Subject : [wvml_list] RE: Elections**To :** West Virginia Municipal League Listserv <wvml-listserv@wvml.org>**Reply To :** West Virginia Municipal League Listserv <wvml-listserv@wvml.org>

(Mailing list information, including how to remove yourself, is located at the end of this message.)

The City of Fairmont has had our election with the County since 2002. The City still takes care of the candidate filing and seeing that all financial statements are turned in. The financial statements are not sent to the County. We even use the same Ballot Commissioners as the County instead of appointing our own. We have our drawing to determine the ballot position at the same time as the County. As far as the absentee ballots by mail, the voters receive a City ballot at the same time they receive their County ballot. The County takes care of mailing out all absentee ballots, therefore, they pay for all envelopes that are used along with the postage.

The City of Fairmont is billed for the printing of the paper ballots and for the publication of the sample ballot in the newspaper. After the election is over the County bills the City of Fairmont for half of their cost that they have in the City's 24 precincts. This includes the cost of the poll workers and any other expenses that the County would have for the City precincts. As the City Clerk, I assist the County in preparing all of the voting machines, assist in the poll worker training classes and help mail out the absentee ballots. As far as the savings, it is hard to tell because the County does not really bill us for everything that they should. As an estimate, it probably saves the City approximately \$20,000 for each election. Having our elections with the County is probably one of the best things that we have ever done.

Janet Keller
City Clerk
City of Fairmont

-----Original Message-----

From: Linda Little [mailto:llittle@cityofmorgantown.org]
Sent: Wednesday, October 17, 2012 11:08 AM
To: West Virginia Municipal League Listserv
Subject: [wvml_list] Elections

(Mailing list information, including how to remove yourself, is located at the end of this message.)

How many Cities have combined their Elections with their County? And, if so how much does it cost your City or save the City in doing this? Thank you for your help in advance.:

Linda Little, CMC
City Clerk
City of Morgantown
389 Spruce St.
Morgantown WV. 26505

Zimbra

llittle@cityofmorgantown.org

Election

Glen Dale

From : Jane <janelcris@aol.com>

Wed, Oct 17, 2012 11:38 AM

Subject : Election**To :** llittle@cityofmorgantown.org

Linda, glen dale did join with the county. Suzie did it both ways and it seems to be a lot less expensive and it is nice to not have to worry about everything since the county does it.

Sent from my iPhone

Grafton

ORDINANCE NO. 740

AN ORDINANCE AMENDING ARTICLE VII, SECTION 58 AND REPEALING ARTICLE VII, SECTION 59 OF THE GRAFTON CITY CHARTER RELATING TO CANDIDATES FOR CITY COUNCIL.

WHEREAS, the City Council of the City of Grafton, West Virginia, does find it necessary, due to changes in the election laws of this State, to amend those portions of the City Charter prescribing procedures for the election of members of City Council;

AND WHEREAS, the Council is authorized by Chapter 8, Article 4, Section 8 of the West Virginia Code, as amended, to make enact such amendments by ordinance;

NOW, THEREFORE, the City Council of the City of Grafton, West Virginia, pursuant to authority granted by the laws of this State, does ordain that the Grafton City Charter be amended as follows:

Section 1: Amendment of Article VII, Section 58:

Section 58, Article VII of the Grafton City Charter shall be amended as follows:

SECTION 58 -- CANDIDATES FOR CITY COUNCIL; DECLARATION OF CANDIDACY; FILING FEE

1. Any resident of the City of Grafton who is otherwise eligible to hold elective office in this State may become a candidate for City Council by filing with the City Clerk a certificate declaring their candidacy therefor. The declaration of candidacy so filed shall be substantially in form as prescribed by the City Clerk for such purpose, shall be signed before a notary public or other officer authorized to give oaths, and shall contain the following information:

- a. the date of the election in which the candidate seeks to appear on the ballot;
- b. a statement declaring the specific ward which the candidate seeks to represent or declaring an intent to seek election at-large;
- c. the legal name of the candidate and the exact name the candidate desires to appear on the ballot;
- d. the specific residence address of the candidate at the time of filing, including number and street or rural route and box number;
- e. a statement declaring that the candidate is a resident of the City, is legally eligible to hold office, and is a candidate for the office in good faith and will serve in said office if elected.

2. Every person who desires to become a candidate for election to City Council shall, at the time of filing the declaration of candidacy heretofore required, pay to the Clerk a filing fee in the amount of Twenty-Five Dollars (\$25.00). All filing fees collected shall be deposited into the General Fund and shall be applied to defray the costs of the election.

3. A person seeking election to City Council who is unable to pay the filing fee required herein may become a candidate by filing with the aforementioned declaration of candidacy a statement declaring that they are unable to pay the filing fee due to a lack of financial resources. Such statement shall be substantially in form as prescribed by the City Clerk for such purpose and shall be signed before a notary public or other officer authorized to give oaths. The statement shall be accompanied by a petition, which shall be substantially in form as prescribed by the City Clerk for such purpose, requesting that the filing fee be waived and that the candidate set forth therein be placed upon the ballot. The petition shall contain the signatures of twenty-five qualified voters residing in the ward from which they seek election or, in the case of a candidate seeking election at-large, twenty-five qualified voters residing in the City. The petition shall further contain the specific residence of address of each signator thereto. A candidate may submit a petition containing a greater number of signatures than required, but the City Clerk shall not be required to determine the validity of a greater number of signatures than that required by this section. No qualified voter shall forfeit their opportunity to participate in any election by signing any such petition, but no voter shall be permitted to sign more than one such petition in any given election.

4. All certificates of candidacy shall be filed with the City Clerk, accompanied by the appropriate filing fee or declaration of impecuniosity and in-lieu-of-filing-fee petition, no earlier than the second Monday of January next preceding the date of the election nor later than midnight, eastern standard time, on the last Saturday in January next preceding said election. If mailed, the certificate of candidacy must be postmarked by the United States Postal Service before that hour.

The Clerk shall, within a reasonable time, examine each declaration and petition so submitted to determine the sufficiency thereof. Any declaration or petition which is found to be insufficient for any reason shall be immediately returned by said Clerk, accompanied by a statement setting forth the reason for its rejection. The deficiencies of any such declaration or petition may be corrected and such declaration or petition may be filed anew during the filing period heretofore prescribed.

Section 2: Repeal of Article VII, Section 59.

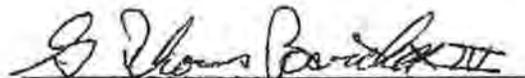
Section 59 of Article VII of the Grafton City Charter is hereby repealed.

Section 3: Severability.

Should any provision of this Ordinance be rendered invalid, illegal, or inoperative for any reason whatsoever by a court of competent jurisdiction, such action shall not be deemed to affect the operation or enforcement of any other provision contained herein which may be given effect without benefit the provision so rendered.

Section 4: Effective Date; Preservation of Record.

This Ordinance shall be in effect from the date of adoption. The Clerk is directed, upon adoption of this Ordinance, to cause a copy of these amendments, this Ordinance and a transcript of the related proceedings to be certified to the Clerk of the House of Delegates, as keeper of the rolls, for preservation as an authentic public record. It is further directed that such be recorded in the office of the Clerk of the County Court of Taylor County, West Virginia.


G. Thomas Bartlett III,
Mayor

ATTEST:


Larry M. Richman,
City Clerk

First Reading:	<u>November 15, 2005</u>
First Publication:	<u>November 18, 2005</u>
Second Publication:	<u>November 25, 2005</u>
Second Reading:	<u>December 6, 2005</u>
Public Hearing:	<u>December 6, 2005</u>
Adoption:	<u>December 6, 2005</u>

This instrument prepared by
Lloyd W. Spring III, Attorney at Law
WVSB ID# 5181
1201 West Main Street
Grafton, West Virginia 26354-1033

**City of Grafton
City Council Meeting
December 6, 2005**

10. Unfinished Business

**C. Public Hearing Ordinance No. 740
Amending City Charter Relating to
Candidates for City Council**

Mountain Statesman, Friday, November 18, 2005

LEGALS

ORDINANCE NO. 740

**AN ORDINANCE AMENDING
ARTICLE VII, SECTION 58
AND REPEALING ARTICLE VII,
SECTION 59 OF THE
GRAFTON CITY CHARTER
RELATING TO CANDIDATES
FOR CITY COUNCIL.**

Grafton City Council will conduct the second reading and public hearing on Ordinance No. 740 at the regular council meeting, on Tuesday, December 6, 2005, at 8:30 p.m. in the Lecture Room, First Floor, The International Mother's Day Shrine, 11 East Main Street, Grafton, WV 26354.

Larry M. Richman
City Clerk

Legal 9837
11/18, 11/25

Mountain Statesman, Friday, November 25, 2005

LEGAL

ORDINANCE NO. 740

**AN ORDINANCE AMENDING
ARTICLE VII, SECTION 58
AND REPEALING ARTICLE VII,
SECTION 59 OF THE
GRAFTON CITY CHARTER
RELATING TO CANDIDATES
FOR CITY COUNCIL.**

Grafton City Council will conduct the second reading and public hearing on Ordinance No. 740 at the regular council meeting, on Tuesday, December 6, 2005, at 8:30 p.m. in the Lecture Room, First Floor, The International Mother's Day Shrine, 11 East Main Street, Grafton, WV 26354.

Larry M. Richman
City Clerk

Legal 9837
11/18, 11/25

Huntington

if he or she deems it desirable and shall revise them in accord with any supplemental, emergency, reduced or transferred appropriations, subject to any limitations imposed by general law.

SECTION 10.9: TRANSFERS OF APPROPRIATIONS

Except as otherwise provided by general law, the Mayor may at any time transfer any unencumbered appropriation balance or portion thereof between general classifications of expenditures within an office, department, division or agency. At the request of the Mayor and within the last three months of the budget year, Council may, by resolution, transfer any unencumbered appropriation balance or portion thereof from one office, department, division or agency to another.

ARTICLE ELEVEN NOMINATIONS AND ELECTIONS

SECTION 11.1: GENERAL ELECTION LAWS TO CONTROL; TERMS OF OFFICERS

Except as otherwise provided herein, the provisions of general law with respect to primary and general elections, so far as applicable, shall govern the method of nominating and electing the Mayor and members of Council, whose terms of office shall be concurrent and run for a period of four years. *See revision dated 9/13/93*

SECTION 11.2: MUNICIPAL EXECUTIVE COMMITTEES

Each Municipal Executive Committee shall be composed of those members of the County Executive Committees of Cabell and Wayne counties whose geographical jurisdiction, as county executive committee members, includes areas of the City. Municipal Executive Committee members shall serve for terms concurrent with their respective terms as county executive committee members.

SECTION 11.3: POWERS AND DUTIES

Municipal Executive Committees shall be governed by Chapter 8, Article 5, Section 14, of the Official Code of West Virginia and shall have all powers and duties prescribed by said law, this Charter and ordinance in conformity therewith.

SECTION 11.4: PRIMARY ELECTIONS; TIME, PLACE AND CERTIFICATIONS OF CANDIDACY

Except as otherwise provided herein concerning the first officers to be elected under this Charter, primary

elections shall be held at the voting places in each of the election districts of the City for the purpose of nominating candidates for the office of Mayor and all Council members for the next general election on the first Tuesday in April in the year 1989 and on such day in each fourth year thereafter. *Any eligible person desiring nomination for any municipal elected office to be filled at such election shall file with the City Clerk a certificate declaring himself or herself to be a candidate for the nomination for office, together with payment of the filing fee as hereinafter prescribed, which certificate and filing fee must be received by the City Clerk after midnight on the first day of January next preceding the primary election day or if mailed, shall be postmarked after that hour and before midnight on the thirty-first day of January next preceding the primary election day or if mailed, shall be postmarked before that hour and which certificate shall be in form or effect as follows:

*See revision dated 9/13/93

"CERTIFICATE OF CANDIDACY

I, _____, hereby certify that I am a candidate for the nomination for and election to the office of _____ to represent the district _____ or city at-large (circle one), and the political party. I desire my name printed on the official ballot to be voted at the primary election to be held on the _____ day of April, 19____. I hereby certify that I am a legally qualified elector of the City of Huntington, _____ County, West Virginia; that my residence is located at _____ in said City; that I am eligible to hold the said office; and that I am a candidate for said office in good faith.

CANDIDATE SIGNATURE

PRINT NAME

Signed and acknowledged before me this day of _____, 19 ____.

Notary Public in and for Cabell or Wayne Counties, West Virginia, (or some other officer qualified to administer oaths)"

Every person who becomes a candidate in any such primary election shall, at the time of filing such certificate of candidacy, pay a filing fee as follows: a candidate for Mayor shall pay a fee of Two Hundred Fifty Dollars; a candidate for Council member shall pay a fee of Sixty

Dollars. Council may, by ordinance, change the filing fees specified herein. No person shall file more than one Certificate of Candidacy in any primary election.

SECTION 11.5: GENERAL ELECTIONS; TIME AND PLACE

Except as otherwise provided herein concerning the election of the first officers to be elected under this Charter, general elections for the offices of Mayor and all Council members shall be held on the first Tuesday in June in the year 1989 and on such day in each fourth year thereafter. The officers elected thereat shall assume office on the first day of July of the year in which such general election is held with their terms to expire as soon as their successors have been elected and qualified. ** See Revision dated 9/13/93*

SECTION 11.6: FIRST OFFICERS UNDER THIS CHARTER; NOMINATIONS, ELECTION AND TERMS

The first primary municipal election under this Charter shall be held on Tuesday, September 10, 1985, and the first general municipal election shall be held on Tuesday, November 5, 1985, to elect a Mayor and all Council members provided for under this Charter, whose terms shall begin on January 1, 1986, and expire as soon as their successors have been elected and qualified. The certificates of candidacy for such first primary municipal election shall be filed after midnight July 1, 1985, and before midnight on July 31, 1985, or if mailed, postmarked after midnight July 1, 1985, and before midnight July 31, 1985. ** See Revision dated 9/13/93.*

SECTION 11.7: MAJORITY VOTE REQUIRED

No candidate for office shall be declared elected to any office under this Charter without having received as a candidate in the immediately preceding general election a majority of the votes cast for that particular office; provided, however, nothing herein shall apply to candidates for the office of at-large Council member.

SECTION 11.8: DETERMINATION OF ELECTION RESULTS

Every qualified elector shall be entitled to vote for one candidate for the office of Mayor, one candidate for the office of district Council member to represent the district in which the qualified elector resides and two candidates for the office of at-large Council member. No person shall be elected to city office without being nominated in the manner provided herein at a partisan primary election to be held at the times and places specified in Sections 11.5 and 11.7 of this Charter. Immediately upon expiration of the time for filing Certificates of Candidacy as required by Sections 11.5

and 11.7 of this Charter, the City Clerk shall cause to be published in a newspaper having general circulation in the City the names of the candidates as they will appear on the ballot for the primary election. Names of the candidates for each nomination shall be placed on the ballot and in addition to the requirements of Section 11.10 of this Charter, the ballot shall contain instructions to vote for one nominee or candidate, except where the offices to be filled are for Council members at-large, in which case the instructions shall inform the voter to vote for two nominees or candidates. Votes shall be counted as provided by general election law. In primary elections, the candidates representing each political party and receiving the highest number of votes for nomination for Mayor and each district Council member office shall be nominated. As to the offices of at-large Council members in primary elections, the candidates representing each political party and receiving the highest and next highest number of votes with no more than one residing in any one of the municipal election districts set out in Section 3.3 of this Charter shall be nominated. In general elections the names of the successful nominees shall be placed on the ballot. In the general election, the nominee receiving the highest number of votes for election to the offices of Mayor and each district Council member office shall be elected. As to the offices of at-large Council members in general elections, the two nominees receiving the highest and next highest number of votes with no more than one residing in any one of the municipal election districts set out in Section 3.3 of this Charter shall be elected to the offices of Council member at-large.

SECTION 11.9: BALLOTS FOR MUNICIPAL ELECTIONS

The ballot to be used in all municipal elections shall contain the names of all candidates, specify their respective residence address and the election district wherein such residence is located together with their political party affiliation, unless such candidate is independent from any political party, in which case the ballot shall so state. The order in which names of nominees and candidates appear on the ballot shall be determined by drawing of lot. The City Clerk shall conduct said drawing in accordance with the requirements of general law. It shall be the duty of the City Clerk to prepare the ballot for all regular and special municipal elections in accordance with the provisions of general law and not less than ten days prior to any election, the City Clerk shall cause a sample ballot to be published in a newspaper having general circulation in the City.

SECTION 11.10: APPOINTMENT OF ELECTION OFFICIALS

It shall be the duty of the Municipal Executive Committees to nominate qualified electors to serve as precinct election officials during a municipal election and the Municipal Executive Committees shall publicly encourage qualified electors to apply for nomination. The Municipal Executive Committees shall submit their nominations to Council not less than thirty days prior to the election in which the election officials are to serve. After determining that the qualified electors nominated by the Municipal Executive Committees possess the qualifications set forth by the general election laws of the State of West Virginia and not less than twenty days prior to the election in which the election officials are to serve, Council shall appoint the qualified persons nominated by the Municipal Executive Committees to serve as election officials in said election. In the event Council shall determine that any person nominated by the election commission is not qualified to serve as an election official or in the event any person appointed by Council shall refuse to serve as an election official, Council shall proceed to fill the vacancy at the earliest possible time by the same procedure.

SECTION 11.11: ELECTION OFFICIALS; COMPENSATION

A uniform election board consisting of three commissioners and two clerks, shall be appointed as aforesaid to serve in each voting precinct of the City during a municipal election. Each election board shall be composed of one clerk representing each political party and at least one commissioner representing each political party. By resolution adopted not less than forty-five days prior to each election, Council shall determine the compensation to be paid to the precinct commissioners and clerks, but in no event shall such compensation exceed the compensation payable under general law to precinct election officials serving during a general election of the State of West Virginia.

SECTION 11.12: REGISTRATION RECORDS, RETURN OF BALLOTS AND SUPPLIES, CANVASSING RETURNS, ELECTION CONTESTS

At least three days before a municipal election, the City Clerk shall procure from the Clerk of the County Commissions of Cabell and Wayne counties the necessary registration records and shall deliver them, together with all ballots and other election supplies, to the election official in each precinct designated by Council. The election officials shall, as soon as possible after the closing of the polls, return to the City Clerk the ballots,

tally sheets, certificates of the result of the election, registration records, poll books, ballot boxes and any other election supplies. On the first Monday following the election, Council shall canvass the returns of the election and declare and certify the result within five days thereafter. In case of a contest, Council shall be judge of the election, nomination and qualification of all candidates. Notwithstanding the foregoing, Council may, by resolution, contract with the County Commissions of Cabell and Wayne counties or the Clerks thereof, to furnish, distribute, receive and store the ballots and other election supplies, or any part thereof, and to provide facilities for the canvassing of ballots.

SECTION 11.13: USE OF VOTING DEVICES

In addition to any other requirements for the conduct of municipal elections, Council shall contract with the County Commissions of Cabell and Wayne counties for the use, in all municipal elections, of any electronic, mechanical or other voting devices available to, owned by or used by such counties for the conduct of county, state and national elections.

SECTION 11.14: REGULATIONS OF ELECTIONS

Council shall make regulations which it considers needful or desirable, not inconsistent with this Charter, for the proper conduct of municipal elections and for the prevention of fraud in such elections.

SECTION 11.15: QUALIFIED ELECTOR DEFINED

The term "qualified elector" as used in this Charter shall mean a citizen having the qualifications required by general law to vote in the City and who is at that time registered to vote.

ARTICLE TWELVE INITIATIVE, REFERENDUM AND RECALL

SECTION 12.1: INITIATIVE

Qualified electors of the City shall have power to propose ordinances to Council and if Council fails to adopt an ordinance so proposed without any change in substance, to adopt or reject it at a City election; provided, however, such power shall not extend to the budget, capital program or any ordinance relating to appropriation of money, levy of taxes or salaries of City officers or employees.

AN ORDINANCE AMENDING SECTIONS 2.2, 3.2, 11.1, 11.4,
11.5 AND 11.6 OF THE CHARTER OF THE CITY OF HUNTINGTON,
WEST VIRGINIA.

WHEREAS, Chapter 8, Article 4, Section 8 of the West Virginia Code, as amended, provides that a Charter may be amended by ordinance; and

WHEREAS, the Council has determined that there is a considerable need to amend certain sections of the Charter to change the dates on which the City Primary and General Elections are held to the same dates as those on which the Primary and General Elections for the United States of America, the State of West Virginia and the County of Cabell are held; and

WHEREAS, the Council is desirous of the next City Primary and General Elections being held at the same time as those for the United States of America, the State of West Virginia and the County of Cabell in the year 2000 and at subsequent four (4) year elections periods thereafter; and

WHEREAS, the Council is further desirous of clearly defining the length of time for which a person may serve as Mayor or on the Council,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL FOR THE CITY OF HUNTINGTON, CABELL AND WAYNE COUNTIES, WEST VIRGINIA, that Sections 2.2, 3.2, 11.1, 11.4, 11.5 and 11.6 of the Charter of the City of Huntington, West Virginia shall be amended, modified and re-enacted to read as follows:

**ARTICLE TWO
MAYOR**

SECTION 2.2. ELECTION AND TERM OF MAYOR.

The qualified electors of the City shall elect the Mayor from the City at-large in the manner provided in Article Eleven of this Charter, to serve for a term of four years. No person who shall have previously been elected for three full and consecutive terms as Mayor shall be eligible to succeed himself or herself in that office and the Mayor shall not, during his or her term of office, hold any other public office or position, or be a member of any political executive committee.

**ARTICLE THREE
COUNCIL**

SECTION 3.2. NUMBER, SELECTION AND TERMS.

The City shall have a Council consisting of eleven members. Eleven Council members shall be elected, one from each of the nine municipal election districts hereinafter described and two members elected at-large. Each of the nine district Council members shall be elected by the qualified electors residing in the particular district from which he or she is to be elected, to serve for a term of four years. Each at-large Council member shall be elected by the qualified electors residing in the entire City for a term of four years. However, no more than one at-large Council member shall be a resident of any one municipal election district at the time of his or her election. In no case shall any member of Council serve more than three full and consecutive terms as a Council member. All elections for members of Council shall be conducted according to the provisions set forth in Article Eleven of this Charter.

**ARTICLE ELEVEN
NOMINATIONS AND ELECTIONS**

SECTION 11.1. GENERAL ELECTION LAWS TO CONTROL; TERMS OF OFFICERS.

Except as otherwise provided herein, the provisions of general law with respect to primary and general elections, so far as applicable, shall govern the method of nominating and electing the Mayor and members of Council, whose terms of office shall be concurrent and run for a period of four years, provided that, the terms of office for the Mayor and members of Council elected in the 1997 general election shall run for a period of three years and six months commencing on the first day of July, 1997, and ending on the thirty-first

day of December, 2000, and said term shall constitute a full term of office. All subsequent terms of office for the Mayor and members of Council shall run for a period of four years.

SECTION 11.4. PRIMARY ELECTIONS; TIME, PLACE AND CERTIFICATES OF CANDIDACY.

Except as otherwise provided herein concerning the first officers to be elected under this Charter, primary elections shall be held at the voting places in each of the election districts of the City for the purpose of nominating candidates for the office of Mayor and all Council members for the next general election on the first Tuesday in April in the year 1989 and on such day in each fourth year thereafter, provided that, beginning in the year 2000, the primary election shall be held on the same day in said year as the primary election for the State of West Virginia and the County of Cabell, and on such day in each fourth year thereafter. Any eligible person desiring nomination for any municipal elected office to be filled at such election shall file with the City Clerk a certificate declaring himself or herself to be a candidate for the nomination for office, together with payment of the filing fee as hereinafter prescribed, which certificate and filing fee must be received by the City Clerk after midnight on the first day of January next preceeding the primary election day or if mailed, shall be postmarked after that hour and before midnight on the thirty-first day of January next preceeding the primary election day or if mailed, shall be postmarked before that hour and which certificate shall be in form or effect as follows:

"CERTIFICATE OF CANDIDACY

I, _____, hereby certify that I am a candidate for the nomination for and election to the office of _____ to represent the _____ district or city at-large (circle one), and the _____ political party. I desire my name printed on the official ballot to be voted at the primary election to be held on the _____ day of May 20 _____. I hereby certify that I am a legally qualified elector of The City of Huntington, _____ County, West Virginia; that my residence is located at _____ in said City; that I am eligible to hold the said office; and that I am a candidate for said office in good faith.

CANDIDATE SIGNATURE

PRINT NAME

Signed and acknowledged before me this _____ day of _____, 20_____.

Notary Public in and for Cabell or Wayne Counties, West Virginia, (or some other officer qualified to administer oaths)"

Every person who becomes a candidate in any such primary election shall, at the time of filing such certificate of candidacy, pay a filing fee as follows: a candidate for Mayor shall pay a fee of Two Hundred Fifty Dollars; a candidate for Council member shall pay a fee of Sixty Dollars. Council may, by ordinance, change the filing fees specified herein. No person shall file more than one Certificate of Candidacy in any primary election.

SECTION 11.5. GENERAL ELECTIONS; TIME AND PLACE.

Except as otherwise provided herein concerning the election of the first officers to be elected under this Charter, general elections for the offices of Mayor and all Council members shall be held on the first Tuesday in June in the year 1989 and on such day in each fourth year thereafter. The officers elected thereat shall assume office on the first day of July of the year in which such general election is held with their terms to expire as soon as their successors have been elected and qualified. Beginning in the year 2000, general elections for the offices of Mayor and all Council members shall be held on the Tuesday next after the first Monday in November of such year, and on such day in each fourth year thereafter. The officers elected thereat shall assume office on the first day of January of the year next after such general election is held with their terms of office to expire as soon as their successors have been elected and qualified.

SECTION 11.6. FIRST OFFICERS UNDER THIS CHARTER; NOMINATIONS, ELECTION AND TERMS.

The first primary municipal election under this Charter shall be held on Tuesday, September 10, 1985, and the first general municipal election shall be held on Tuesday, November 5, 1985, to elect a Mayor and all Council members provided for under this Charter, whose terms shall begin on January 1, 1986, and expire as soon as their successors have been elected and qualified. The certificates of candidacy for such first primary municipal election shall be filed after midnight July 1, 1985, and before midnight on July 31, 1985, or if mailed, postmarked after midnight July 1, 1985, and before midnight July 31, 1985. The dates of all subsequent primary and general elections and filings of certificates of candidacy shall be governed by the provisions of Sections 11.1, 11.4 and 11.5 of this Charter.

BE IT FURTHER ORDAINED that if, on the date and at the time and place set for the public hearing on this Ordinance, written objections to the proposed amendments herein are filed and are not withdrawn then or within ten (10) days thereafter, that the proposed amendments herein, as a unit, shall be submitted to the voters for ratification or rejection at a special municipal election to be held and

conducted concurrently with the State of West Virginia and County of Cabell General Election in November of 1996, provided that, this Council, by affirmative vote of two-thirds (2/3) of its members, shall determine and specify that a special municipal election is necessary, and further provided that, the date of the next regular municipal election is more than six (6) months from the date of the public hearing on this matter.

SPONSORED BY Councilman B. W. Ellis

APPROVED AS TO FORM FGS, III

FIRST READING 8-9-93; This will be advertised. Motion by Dallon Fields to place issue on the 1996 election ballot for term to begin in year 2000; the first term for those elected would be 3 1/2 years; seconded by B. W. Ellis. Amendment passed (8 yeas; 2 nays - Barrett, Hawkins -1 absent - Grubb.)

SECOND READING ADOPTED (8 yeas; 2 nays - Alexander, Johnson; 1 absent - Ritter). Note: Councilmen Nolan Grubb and Bill Taylor filed written objections. Mr. Tom McCallister filed a written objection.

DATE September 13, 1993

Ann C. Shaye
ANN C. SHAYE, CITY CLERK

DATE September 14, 1993

Jean Dean
JEAN DEAN, MAYOR

✓
APPROVE

DATE 9-14-93

VETO

Zimbra

llittle@cityofmorgantown.org

[wvml_list] RE: Elections*Marshall County***From :** suziesante@comcast.net

Wed, Oct 17, 2012 03:25 PM

Subject : [wvml_list] RE: Elections**To :** West Virginia Municipal League Listserv <wvml-listserv@wvml.org>**Reply To :** West Virginia Municipal League Listserv <wvml-listserv@wvml.org>*(Mailing list information, including how to remove yourself, is located at the end of this message.)*

All five municipalities in Marshall County have turned their elections over to the county clerk, as far as I was concerned when I was still working it was one of the best decisions the city made.

From: "Fredda Ray" <fray@hurricanewv.com>**To:** "West Virginia Municipal League Listserv" <wvml-listserv@wvml.org>**Sent:** Wednesday, October 17, 2012 1:16:32 PM**Subject:** [wvml_list] RE: Elections

(Mailing list information, including how to remove yourself, is located at the end of this message.)

—
Hurricane has NOT yet!

-----Original Message-----

From: Linda Little [mailto:llittle@cityofmorgantown.org]**Sent:** Wednesday, October 17, 2012 11:04 AM**To:** West Virginia Municipal League Listserv**Subject:** [wvml_list] Elections

(Mailing list information, including how to remove yourself, is located at the end of this message.) __

How many Cities have combined their Elections with their County? And, if so how much does it cost your City or save the City in doing this? Thank you for your help in advance.~)

Linda Little, CMC

City Clerk

Zimbra

llittle@cityofmorgantown.org

[wvml_list] RE: Elections

*Moundsville***From :** Sondra Hewitt <shewitt@cityofmoundsville.com>

Fri, Oct 19, 2012 09:55 AM

Subject : [wvml_list] RE: Elections**To :** West Virginia Municipal League Listserv <wvml-listserv@wvml.org>**Reply To :** West Virginia Municipal League Listserv <wvml-listserv@wvml.org>

(Mailing list information, including how to remove yourself, is located at the end of this message.)

Linda,

The City of Moundsville does the same as the City of Fairmont except that I don't help with the voting machines or absentee ballots. Moundsville has only 10 precincts and has a savings of between \$8,000 to \$10,000 not including the overtime that was accumulated for myself and a few other office employees.

Sondra J. Hewitt
 City Clerk
 City of Moundsville
 800 Sixth Street
 Moundsville WV 26041
 shewitt@cityofmoundsville.com

-----Original Message-----

From: Linda Little [mailto:llittle@cityofmorgantown.org]
 Sent: Wednesday, October 17, 2012 11:20 AM
 To: West Virginia Municipal League Listserv
 Subject: [wvml_list] Elections

(Mailing list information, including how to remove yourself, is located at the end of this message.) ___

How many Cities have combined their Elections with their County? And, if so how much does it cost your City or save the City in doing this? Thank you for your help in advance..)

Linda Little, CMC

City Clerk

City of Morgantown

389 Spruce St.

Morgantown WV. 26505

304-284-7434

304-284-7525(fax)

llittle@cityofmorgantown.org

Zimbra

llittle@cityofmorgantown.org

[wvml_list] Re: Elections*Pennsboro***From :** City of Pennsboro <cityofpennsboro@zoominternet.net>

Thu, Oct 18, 2012 09:20 AM

Subject : [wvml_list] Re: Elections**To :** West Virginia Municipal League Listserv <wvml-listserv@wvml.org>**Reply To :** West Virginia Municipal League Listserv <wvml-listserv@wvml.org>*(Mailing list information, including how to remove yourself, is located at the end of this message.)*

Our City Attorney changed the charter, and ordinance to go along with state guidelines. Which was run in the paper with the time frame required and Council voted on the change.

Beckie Talkington

City Recorder

City of Pennsboro

422 Main Street

Pennsboro, WV 26415

304-659-2377

Fax: 304-659-3309

Email: cityofpennsboro@zoominternet.net**From:** Mabailey44@aol.com [mailto:Mabailey44@aol.com]**Sent:** Wednesday, October 17, 2012 6:20 PM**To:** West Virginia Municipal League Listserv**Subject:** [wvml_list] Re: Elections*(Mailing list information, including how to remove yourself, is located at the end of this message.)*

Clarksburg.....NO,.....Our election time is dictated by charter and would, again, require another election to obtain the approval of the voters for any changes.

In a message dated 10/17/2012 11:10:52 A.M. Eastern Daylight Time, llittle@cityofmorgantown.org writes:

(Mailing list information, including how to remove yourself, is located at the end of this message.)

How many Cities have combined their Elections with their County? And, if so how much does it cost your City or save the City in doing this? Thank you for your help in advance.:)

Linda Little, CMC
City Clerk
City of Morgantown
389 Spruce St.

Zimbra

llittle@cityofmorgantown.org

[wvml_list] RE: Elections*Pennsboro***From :** City of Pennsboro <cityofpennsboro@zoominternet.net>

Wed, Oct 17, 2012 05:20 PM

Subject : [wvml_list] RE: Elections**To :** West Virginia Municipal League Listserv <wvml-listserv@wvml.org>**Reply To :** West Virginia Municipal League Listserv <wvml-listserv@wvml.org>

(Mailing list information, including how to remove yourself, is located at the end of this message.)

The City of Pennsboro runs their elections through the County (Ritchie). In 2010 the County charged the City \$1,638.76. At this time we have not received an invoice from the County Clerk for the May 2012 election. It is well worth having the County conduct the elections then there are no questions asked.

The City still takes care of candidates filing forms for office and they are returned to the City. After the filing period is over a certified list of candidates that have filed is sent to the County Clerk in the order of the drawing position on the ballot. The City does the drawing positions. The City is also responsible for seeing that the financial statements that are required from the candidates are turned into the City. The financial statements are not sent to the County Clerk.

I personally am VERY glad that we went with the County?

Beckie Talkington
City Recorder
City of Pennsboro
422 Main Street
Pennsboro, WV 26415
304-659-2377
Fax: 304-659-3309
Email: cityofpennsboro@zoominternet.net

-----Original Message-----

From: Fredda Ray [mailto:fray@hurricanewv.com]
Sent: Wednesday, October 17, 2012 12:55 PM
To: West Virginia Municipal League Listserv
Subject: [wvml_list] RE: Elections

(Mailing list information, including how to remove yourself, is located at the end of this message.)

Hurricane has NOT yet!

-----Original Message-----

From: Linda Little [mailto:llittle@cityofmorgantown.org]
Sent: Wednesday, October 17, 2012 11:04 AM
To: West Virginia Municipal League Listserv
Subject: [wvml_list] Elections

(Mailing list information, including how to remove yourself, is located at the end of this message.)

How many Cities have combined their Elections with their County? And, if so how much does it cost your City or save the City in doing this? Thank you for your help in advance.:

Linda Little, CMC

Zimbra

llittle@cityofmorgantown.org

[wvml_list] RE: Elections*Vienna***From :** Carla Starcher <carlastarcher@suddenlinkmail.com>

Wed, Oct 17, 2012 09:25 PM

Subject : [wvml_list] RE: Elections**To :** West Virginia Municipal League Listserv <wvml-listserv@wvml.org>**Reply To :** West Virginia Municipal League Listserv <wvml-listserv@wvml.org>

(Mailing list information, including how to remove yourself, is located at the end of this message.)

The City of Vienna has done this. We save approximately \$25,000. The City has a primary and a general election.

-----Original Message-----

From: Linda Little [mailto:llittle@cityofmorgantown.org]

Sent: Wednesday, October 17, 2012 10:58 AM

To: West Virginia Municipal League Listserv

Subject: [wvml_list] Elections

(Mailing list information, including how to remove yourself, is located at the end of this message.)

How many Cities have combined their Elections with their County? And, if so how much does it cost your City or save the City in doing this? Thank you for your help in advance. :) Linda Little, CMCCity ClerkCity of Morgantown389 Spruce St.Morgantown WV. 26505304-284-7434304-284-7525(fax)llittle@cityofmorgantown.org

Subscription Reminder: You're Subscribed to, West Virginia Municipal League Listserv Using the address: carlastarcher@suddenlinkmail.com

From: listserv@wvml.org

Physical Address

Unsubscribe Automatically:

http://www.wvml.org/cgi-bin/dada/mail.cgi/u/wvml_list

Subscription Reminder: You're Subscribed to, West Virginia Municipal League Listserv Using the address: llittle@cityofmorgantown.org

From: listserv@wvml.org

Physical Address

Unsubscribe Automatically:

http://www.wvml.org/cgi-bin/dada/mail.cgi/u/wvml_list

Zimbra

llittle@cityofmorgantown.org

[wvml_list] RE: Elections*Wardensville***From :** John Sayers <john.sayers@wardensville.com>

Wed, Oct 17, 2012 12:30 PM

Subject : [wvml_list] RE: Elections**To :** West Virginia Municipal League Listserv <wvml-listserv@wvml.org>**Reply To :** West Virginia Municipal League Listserv <wvml-listserv@wvml.org>

(Mailing list information, including how to remove yourself, is located at the end of this message.)

Wardensville will begin cooperative elections run by Hardy County in 2014. We estimate it will save us \$1,700 per election (about \$6.25 per capita). :)

-----Original Message-----

From: Linda Little [mailto:llittle@cityofmorgantown.org]

Sent: Wednesday, October 17, 2012 11:08 AM

To: West Virginia Municipal League Listserv

Subject: [wvml_list] Elections

(Mailing list information, including how to remove yourself, is located at the end of this message.)

How many Cities have combined their Elections with their County? And, if so how much does it cost your City or save the City in doing this? Thank you for your help in advance. :)

Linda Little, CMC
City Clerk
City of Morgantown
389 Spruce St.
Morgantown WV. 26505
304-284-7434
304-284-7525(fax)
llittle@cityofmorgantown.org

Subscription Reminder: You're Subscribed to, West Virginia Municipal League Listserv Using the address:
john.sayers@wardensville.com

From: listserv@wvml.org
Physical Address

Unsubscribe Automatically:
http://www.wvml.org/cgi-bin/dada/mail.cgi/u/wvml_list

Subscription Reminder: You're Subscribed to, West Virginia Municipal League Listserv
Using the address: llittle@cityofmorgantown.org

Zimbra

llittle@cityofmorgantown.org

elections

wheeling

From : Janice Jones <jjones@wheelingwv.gov>

Fri, Oct 19, 2012 11:07 AM

Subject : elections**To :** llittle@cityofmorgantown.org

Hi Lou:

We hold our elections in conjunction with Ohio County – it saves us approximately \$40,000.00 a year. This year I will be working with them on Election Day to oversee the office workers and absentee ballots. They put our Mayor and Council race this year on the agenda (primary) in May; but this was our final election as we do not have a primary but it was the primary for the presidential election as you know.

I love it – I did it myself once or twice and what a headache!!!!

Take care. Missed seeing you in Canton.

Love, Janice

DISCUSSION OF PROPOSED CHARTER CHANGE FOR ELECTION TO COUNTY:

- 1. Council can adopt a charter amendment by ordinance.**
- 2. Council must set a time and place for a public hearing on the proposed amendment, which hearing shall not be less than 30 days from the date of publication of a Class II legal ad.**
- 3. The legal ad shall set forth the entire, proposed amendments in full, announce the date, time and place of the public hearing, stated that the proposed amendments will be considered on the date, time and place by Morgantown City Council and that any qualified voter or any freeholder of the city may appear and file objections *in writing*, and also if no objections are filed the said amendments shall become operative on and after a dated fixed in the notice, which dated shall not be less than 10 days after the dated of the public hearing. (We will have to put a date in the ad that meets the foregoing 10 days requirement.)**
- 4. If no objections are filed in writing at the public hearing, or if objections are filed and are withdrawn at the time of the public hearing, or within 10 days thereafter, Council shall be ordinance adopt the amendments and cause a copy thereof and a transcript of the proceedings to be certified to the Clerk of the House of Delegates, and cause a copy to be recorded with the Clerk of the County Commission.**
- 5. The amendment is to take affect on the effective date specified in the legal ad.**
- 6. If a written objection is filed at the public hearing and is not withdrawn within 10 days thereafter, Council may abandon the proposed amendment, or may submit it to either a regular or special municipal election.**



WEST VIRGINIA CODE

§8-5-5. Regular election of officers; establishment of longer terms.

(a) After the first election of officers of a city, town or village, the regular election of officers shall be held on the second Tuesday in June of the appropriate year, unless otherwise provided in the charter of the city or the special legislative charters of the towns or villages.

(b) A municipal election date established by a charter provision may fall on the same day as the county-state primary election or general election only when the voting precinct boundaries in the municipality coincide with the voting precinct boundaries established by the county commission or when the charter provides for separate registration books. If a municipal election falls on the same day as the county-state primary or general election, the municipality and county may agree to use the county election officials in the municipal elections, if practicable, or the municipality may provide for separate election officials.

(c) A municipal election date established by charter provision may fall within twenty-five days of a county-state primary or general election only where separate registration books are provided and maintained for the municipal election.

(d) Any municipality which establishes its election date by charter provision must comply with the provisions of this section or the election date shall be the second Tuesday of June. The language of this section may not be construed to prevent any city, town or village from amending the provisions of its charter or special legislative charter, to provide that its municipal election be held on some day other than the second Tuesday in June.

(e) Officers of a city may be elected for a four-year term at the same election at which a proposed charter, proposed charter revision or charter amendment providing for four-year terms is voted upon. The ballots or ballot labels used for the election of officers must indicate that the officers will be elected for four-year terms if the proposed charter, revision or amendment is approved. Officers of a town or village may be elected for a four-year term upon approval by a majority of the legal votes cast at a regular municipal election of a proposition calling for four-year terms. The ballots or ballot labels used for the election of officers must indicate that the officers will be elected for four-year terms if the proposition is approved.

(f) Municipalities are authorized to stagger and/or change the terms of elected municipal officers. Prior to any changes being made to the terms of elected municipal officers, the procedure to stagger and/or change the terms shall be set by ordinance and must be approved by a majority of the voters.

Note: WV Code updated with legislation passed through the 2012 1st Special Session

