

**PROPOSED LOW-HASSLE
HOME RULE LEGISLATIVE REQUESTS**

January, 2009

The following WV Code Provisions have a significant affect on municipal operations, and making the legislative changes which would enable them to be adopted or made optional would seem to be relatively uncontroversial.

Here is a list of fifteen items that would make local government more effective in service delivery and/or more financially efficient - applicable state code to be amended is in parenthesis.

1. Lack of authority for municipal police officers to enter bars. **(60-2-12, 60-3-24 - Expand to authorize City Police Officers to enter without warrant)**
2. Lack of authority for WVU police to share responsibility in special police coverage on non-University property within the City jurisdiction. **(18B-4-5)**
3. Lack of authority to require fire inspections for ALL residential rental property. **(*See note at end)**
4. Lack of authority to upgrade property rental business by requiring licensure and landlord training as is done in communities in several other states where rental properties are a high percentage of community dwellings. **(8-12-5, 8-13-1 et. seq.)**
5. Lack of authority to require all new utilities to be placed underground (in the same way that WVU can do so). **(8-12-5, 8-31-1 et. seq.)**
6. Lack of authority to decide whether a contract or common carrier solid waste pick-up collection system within one's own city. **(8-12-5 and 8-24-1 et. seq.)**
7. Lack of authority to deputize litter control personnel to issue citations pertaining to litter. **(8-14-1 et. seq.)**
8. Lack of authority to create efficiencies in issuance of citations for high grass, litter, debris violations without a repeat code enforcement visitation after 5 days. **(8-12-13, 8-12-15,**
9. Lack of authority to deputize code enforcement personnel to issue on-site citations for high grass, litter, debris violations. **29-3-5b)**

10. Lack of authority to utilize fully uniformed municipal parking authority lot personnel to monitor street meters. (8-16-5, 8-14-1 et. seq., 8-22-1 et. seq.)
11. Lack of authority to authorize fully uniformed parking personnel to issue citations for non-moving violations pertaining to such violations as yellow line violations, parking on sidewalks, parking in front of hydrants, violations of loading zones. (8-22-1 et. seq.)
12. Lack of authority to request the addition of licenses issued for taxi services in the City. (8-12-5, 24A-1-1 et. seq.)
13. Lack of authority to decide whether or not to use radar cameras to control speeding in neighborhoods. (17C-6-7a)
14. Lack of authority to be a full partner in decision-making for the selection of paving projects for principle municipal streets which are also county and state roads. (17-10-1 et. seq.)
15. Lack of authority to implement voting by mail for City elections. (3-1-2a)

***Note: Fire Chief Fetty states that the prohibition against inspections of one and two family dwellings is contained in the rules and regulations adopted by the West Virginia State Fire Commission under authority given to the Commission in Section 29-3-5 of the State Code.**