



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
June 24, 2014
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:

1. CVB Presentation – Ginna Royce and Peggy Myers-Smith
2. Heavy Truck Traffic Downtown
3. Area Non-Profit Updates:
WV Botanical Gardens – George Longenecker
Your Foundation – Nick Austin
4. Public Portion

ITEMS FOR DISCUSSION:

1. Ordinance for Annexation of 13.40 Acres
2. Parking Authority Ordinances
3. Election Decision on Election Dates in Conjunction with State Primary Election
4. Wiles Hill Blue Curb
5. Ordinance Repealing Youth Commission
6. Ordinance Amending Article 129 of its Administrative Code

If you need an accommodation contact us at 284-7439

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF 13.40 ACRES, MORE OR LESS, OF ADDITIONAL TERRITORY INTO THE CITY OF MORGANTOWN PURSUANT TO SECTION 8-6-4 OF THE WEST VIRGINIA CODE.

WHEREAS, petitions have been filed with the City of Morgantown pursuant to Section 8-6-4 of the West Virginia Code requesting the annexation of 13.40 acres, more or less, more specifically shown and described on the exhibit and metes and bounds description hereto attached and made a part of this ordinance;

WHEREAS, Morgantown City Council is of the opinion that the petitions, exhibit, and metes and bounds description conform to the requirements of Section 8-6-4 and all other applicable sections of the West Virginia Code; and

WHEREAS, Morgantown City Council is of the opinion that the City of Morgantown should annex said 13.40 acres, more or less, into its corporate limits.

NOW, THEREFORE, THE CITY OF MORGANTOWN HEREBY ORDAINS that the 13.40 acres, more or less, as more particularly shown and described on the exhibit and metes and bounds description hereto attached are annexed into the corporate limits of the City of Morgantown; that the minutes of City Council shall indicate the same; that the Mayor and City Manager are hereby authorized to execute and forward the attached certificate to the Monongalia County Commission.

This Ordinance shall be effective upon adoption.

FIRST READING:

MAYOR

ADOPTED:

FILED:

CITY CLERK

RECORDED:

AN ORDINANCE BY THE CITY OF MORGANTOWN AMENDING SECTION 386.08 OF ITS TRAFFIC CODE, AS THE SAME APPLIES TO PARKING FEES.

The City of Morgantown hereby ordains that Section 363.08 of its Traffic Code is amended as follows (new matter underlined, deleted matter struck through):

363.08 PARKING TIME LIMITS AND FEES.

The hereinafter designated parking fees, regulations and fines shall become effective upon entry and recordation in the journal of the City, pursuant to Section 363.09:

- (a) Rate - \$0.50/hour - Two hour limit.
Court Street - High to Chestnut
~~Walnut Street - High to University~~
Foundry Street - High to University
Chestnut Street - Foundry to Willey
Brockway Avenue - Walnut to Kingwood
~~High Street - Willey to Foundry~~
~~Fayette Street - High to Spruce~~
~~Walnut Street - Spruce to Chestnut~~
Donley Street - Don Knotts Blvd. to Clay Street

- (b) Rate - \$0.75/hour - Ten hour limit.
North Spruce Street - Willey to Fife
North High Street - Willey to Fife
Prospect Street - Willey to University
University Avenue - Willey to Fayette
Reid Street - Chestnut to University
Fife Street - North High to Price

- (c) Rate - \$1.00/hour - Two hour limit.
High Street - Willey to Foundry
Walnut Street - Spruce to Chestnut
Fayette Street - High to Spruce

- (~~c~~) (d) Off-Street Parking.
 - "J" Lot (Wesley Methodist Church)
Rate: \$0.75/hr.
 - "G" Lot (Trinity Episcopal Church)
Rate: \$0.75/hr.
 - "K" Lot (University Avenue Garage)
Rate: \$0.75/hr.
 - "A" Lot (Spruce Street Pavilion)
Rate: \$1.25/hr 6:00 p.m. - 6:00 a.m.
Permit Lot Only 6:00 a.m. - 6:00 p.m.

- “B” Lot (Behind Daniels)
 Rate: \$0.75/hr. 6:00 a.m. - 6:00 p.m.
 \$1.25/hr. 6:00 p.m. - 6:00 a.m.
- “E” Lot (Across from Bent Willeys)
 Rate: \$0.75/hr. 6:00 a.m. - 6:00 p.m.
 1.25/hr. 6:00 p.m. - 6:00 a.m.
- “C” Lot (Next to Hastings Funeral Home)
Rate: \$0.75/hr.
- “D” Lot (Corner of Pleasant and Chestnut)
Rate: \$0.75/hr.
- “F” Lot (Spruce Street Methodist Church)
Rate: \$0.75/hr.
- “H” Lot (Spruce Street Garage)
Rate: \$0.75/hr.
- “O” Lot (First Baptist Church)
Rate: \$0.75/hr.

(d) (e) Overtime.

1. Long-term spaces (10 hr.) and short term spaces (2 hr.) at the following locations:

Foundry Street - High to University
 Brockway Avenue - Walnut to Kingwood
 North Spruce Street - Willey to Fife
 North High Street - Willey to Fife
 Prospect Street - Willey to University
 University Avenue - Willey to Fayette
 Reid Street - Chestnut to University
 Fife Street - North High to Price

First violation - \$5.00

Each subsequent violation - \$5.00

If any of the above fines are not paid within ten days from date of issue, then in such an event the fines will be increased to \$10.00, plus municipal court costs, if any.

2. Short-term spaces (2 hr.) at the following locations between the hours of 11:00 p.m. through 6:00 p.m.:

Court Street - High to Chestnut
 Walnut Street - High to University
 Chestnut Street - Foundry to Willey
 High Street - Willey to Foundry
 Fayette Street - High to Spruce
 Walnut Street - Spruce to Chestnut
 First violation - \$5.00

Second violation for same incident for which first violation was issued - \$10.00.
Third violation for same incident for which first and second violations were issued - \$25.00

If any of the above fines are not paid within ten (10) days from date of issue, then in such an event the fines will be increased by \$5.00, plus municipal court costs, if any.

There shall not be a 2 hour parking time limit upon the streets listed in this subparagraph (d) (2) between the hours of 6:00 p.m. through 11:00 p.m.

This Ordinance shall be effective August 1, 2014.

FIRST READING:

ADOPTED:

FILED:

RECORDED:

MAYOR

CITY CLERK

Municipal Election Comparison

City	Form of Government	% of Most Recent Voter Turnout	Primary	General	Filing Fee	Petition	Term Length	Staggered
Morgantown	Manager- Council	22.25%	no	Last Tuesday of April, odd years	no	75 signatures	2 years	no
Barboursville	Mayor-Council	26.66%	no	1st Tuesday of June, odd years	no	50 signatures	2 years	no
Bridgeport	Manager- Council	35.79%	no	2nd Tuesday of June, odd years	\$25	no	4 years	yes
Charleston	Mayor-Council	12.00%	with County	With County	\$100	no	4 years	no
Clarksburg	Council-Manager	19.10%	no	1st Tuesday of June, every 2nd odd year	yes	no	4 years	yes
Fairmont	Manager- Council	29.50%	no	With County	\$15	no	4 years	no
Grafton	Manager-Mayor	30.00%	yes	With County	\$25 (optional)	25 signatures, or pay fee	4 years	no
Huntington	Mayor-Council	54.08%	with County	With County	Mayor \$250 Council \$60	no	4 years	no
Parkersburg	Strong Mayor	15.00%	with County	With County	no	no	4 years	no
Wheeling	Mayor-Manager	22.93%	Council election with county on primary date	no	\$50	no	4 years	no

Upcoming Primary Dates
 5/13/2014
 5/10/2016
 5/8/2018

Potential Council Terms
 7-1-14 to 6-30-16
 7-1-16 to 6-30-18
 7-1-18 to 6-30-20

Current Council Term:
 Elected: 4-30-13 7-1-13 to 6-30-15
 Next Election: 4-28-15 7-1-15 to 6-30-17

Zimbra

llittle@cityofmorgantown.org

Parkersburg elections

From : Parkersburg Clerk <parkersburgclerk@parkersburg-wv.com>

Thu, Jun 05, 2014 04:16 PM

Subject : Parkersburg elections 1 attachment**To :** Linda Little <llittle@cityofmorgantown.org>

Linda, the Wood County Clerk's office told me that during the primary election in 2012 the percentage of voters was 28%; and for the general, the percentage was 62%.

As you know, Parkersburg City Council voted in 2005 to amend our City Charter to hold our elections with Wood County because our voter turnout for that last election was 15%, and the cost was \$80,000.00 and climbing.

Our County Clerk at that time, Jamie Six, had approached the City for a couple of years inviting us to join in with their elections to help with voter turnout and save the citizens money. After all ordinances were adopted and put on the ballot, the voters decided to combine with the County by a large margin. We set the dates to coincide with primaries and general elections in the Presidential years. So far we've had two City elections with the County and the results couldn't be better. We've always had a good working relationship with Wood County and this was just another step of cooperation. The County does not charge us for anything, but they ask for our assistance during the canvass, which is nominal.

I hope this helps you and your City and County officials work toward this partnership. It's been very good for all of us, and saves a lot of money and a lot of duplication of services. It also saves confusion for our citizens. Our voter turnout went up considerably since more people vote in the presidential cycles, and we've had no complaints.

Most sincerely, and give my best to your Council,
Connie Shaffer

Connie Shaffer, CMC, MMC
City Clerk



One Government Square
City of Parkersburg WV
P: 304-424-8442
E: parkersburgclerk@parkersburg-wv.com
www.parkersburg-wv.com



 **COPY**

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>

<p><i>This instrument prepared by</i> <i>Lloyd W. Spring III, Attorney at Law</i> <i>WYSB ID# 5181</i> <i>1201 West Main Street</i> <i>Grafton, West Virginia 26354-1033</i></p>
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ORDINANCE #551

An Ordinance written to update and change the duly accepted Charter of the City of Grafton, dated April 30, 1985, specifically Article VII, Section 57 - City Elections.

WHEREAS, the City Council of the City of Grafton wishes to update the above mentioned Section of the Charter of the City of Grafton to reflect changes made by the State Legislature in the WV Code:

WHEREAS, the City Council finds it right and necessary to hold the City Election concurrent with the County-State elections whenever it is necessary to have a municipal election,

THEREFORE, be it ordained by the Council of the City of Grafton that the municipal election date will be held concurrent with county-state primary.

This ordinance will take effect ten days after final reading and acceptance.

Bruce L. Miller

Mayor

ATTEST:

Margaret Kraft Cox

Margaret Kraft Cox
City Clerk

FIRST READING	<u>July 5, 1989</u>
SECOND READING	<u>August 15, 1989</u>
PUBLIC HEARING	<u>August 15, 1989</u>
EFFECTIVE DATE	<u>August 15, 1989</u>
LEGALS	<u>July 12, 1989 and July 19, 1989</u>

AN ORDINANCE BY THE CITY OF MORGANTOWN AMENDING AND EXPANDING THE BOUNDARIES OF THE WILES HILL DESIGNATED PARKING DISTRICT, AND ALSO AMENDING THE PERMIT REQUIREMENTS AND WORDING OF THE DISTRICT'S PERMIT PARKING SIGNAGE.

WHEREAS, the City of Morgantown, by ordinance adopted October 1, 1991, pursuant to authority set forth in Article 367 of the Morgantown City Code, established the Wiles Hill Designated Parking District;

WHEREAS, City Administration has recently recommended to Morgantown City Council that the boundaries of the Parking District be expanded, and that modifications be made not only to the parking permit requirements, but also the parking permit signage within the Parking District;

WHEREAS, Morgantown City Council is of the opinion that the Parking District's ordinance should be amended to incorporate the foregoing, recommended changes; and

NOW, THEREFORE, the City of Morgantown hereby ordains that the Wiles Hill Designated Parking District ordinance is amended as follows (new matter underline, deleted matter struck through):

WILES HILL DESIGNATED PARKING DISTRICT

ESTABLISHMENT OF DISTRICT:

There is hereby established within the City of Morgantown a Designated Parking District to be bounded as described below, and to be identified as the "Wiles Hill Designated Parking District".

~~This ordinance shall be immediately evaluated by Morgantown City Council six (6) months after the date of its adoption, and if as a result it is Council's opinion that it should be amended or repealed, that will be done immediately.~~

BOUNDARIES OF DISTRICT:

The District shall be bounded as follows:

~~Beginning at the Southwest corner of the intersection of Morgan Street and Highland Avenue (adjacent to Assessor's Parcel 301), extending Southwesterly to the intersection of Morgan Street and Duquesne Avenue, then in an Easterly direction to the intersection of Duquesne Avenue and Raymond Street, then in a Northeasterly direction to the intersection of Raymond Street and Highland Avenue, then in a Westerly direction along Highland Avenue to the point of beginning.~~

Beginning at the southeast corner of the intersection of University Avenue and North Street (adjacent to Assessor's tax map 14 parcel 35) extending East along North Street to the intersection of North Street and Grove Street, then in an south easterly direction along Grove Street to the intersection with Afton Street, then in an easterly direction to the intersection of Grove Street and Willowdale Road, following Willowdale Road south to the intersection of Willowdale Road and Stewart Street, then following Stewart Street south to the intersection of

Stewart Street and Lorentz Avenue, then along Lorentz Avenue to a point adjacent to Tax Map 20, Parcel 253, then along Lorentz Avenue including only parcels along the right side to the intersection of Lorentz Avenue and Sharon Avenue, along Sharon Avenue (excluding Tax Map 20, Parcel 274) to the intersection with Jones Avenue, then in a northwesterly direction to the intersection of Jones Avenue and Highview Place, then in a westerly direction along Highview Place to the dead end at Tax Map 14, Parcel 51, then following the parcel boundary in a westerly direction of parcel 51 to the intersection with parcel 48, then following the parcel boundary in a westerly direction of parcel 51 to the intersection with parcel 48, then following the parcel boundary of parcel 48 in a northerly direction along the rear parcel boundaries of parcels 49, 50, 46, 45, 44, 43 to the intersection with the right-of-way of Beaver Street, then along the northern property line of Tax Map 14, Parcel 55.1 to a point on Warrick Street adjacent to Tax Map 14, Parcel 62, then in a northerly direction along Warrick Street to the intersection of Warrick Street and University Avenue, then in a northerly direction along University Avenue to the point of beginning. The boundaries are shown on the Exhibit hereto attached.

PERMITS AVAILABLE:

Not more than two (2) residential occupant parking permits and one (1) visitor parking permit per ~~individual property~~ residential structure will be issued..

SIGNING OF STREETS:

The City Manager shall cause all streets within the above Designated Parking District to be signed as follows:

~~TWO HOUR PARKING, EXCEPT BY PERMIT
8:00 a.m. - 6:00 p.m., MONDAY THRU SATURDAY
PARKING BY PERMIT ONLY
MONDAY THRU SATURDAY
7:00 a.m. - 7:00 p.m.~~

APPLICABILITY OF OTHER PARKING RESTRICTIONS:

Nothing contained herein shall be construed as permitting the parking of any vehicle in any property marked "no parking" or restricted parking area or in violation of any other City ordinance or law.

This Ordinance shall be effective August 1, 2014.

FIRST READING:

MAYOR

ADOPTED:

FILED:

CITY CLERK

RECORDED:

Legend

EXHIBIT



Proposed Willes Hill Parking District Boundary



Included Parcels



AN ORDINANCE BY THE CITY OF MORGANTOWN REPEALING ARTICLE 170 OF ITS ADMINISTRATIVE CODE, AS THE SAME APPLIES TO THE GREATER MORGANTOWN METROPOLITAN AREA YOUTH COMMISSION.

The City of Morgantown hereby ordains that Article 170 of its Administrative Code, titled Greater Morgantown Metropolitan Area Youth Commission is repealed in its entirety.

This Ordinance shall be effective upon date of adoption.

FIRST READING:

MAYOR

ADOPTED:

FILED:

CITY CLERK

ARTICLE 170
Greater Morgantown Metropolitan
Area Youth Commission

- | | | | |
|--------|--|--------|-------------------------|
| 170.01 | Established. | 170.07 | Officers. |
| 170.02 | Cooperation of other local
governmental entities. | 170.08 | Meetings. |
| 170.03 | Purpose and mission. | 170.09 | Membership training. |
| 170.04 | Membership. | 170.10 | Powers and duties. |
| 170.05 | Term. | 170.11 | Appropriation of funds. |
| 170.06 | Vacancies. | | |

CROSS REFERENCES

Authority to establish - see CHTR. 4.02

170.01 ESTABLISHED.

There is hereby established a Greater Morgantown Metropolitan Area Youth Commission (hereinafter "Youth Commission").
(Ord. 05-08. Passed 4-5-05.)

170.02 COOPERATION OF OTHER LOCAL GOVERNMENTAL ENTITIES.

The City shall seek the cooperation and assistance of local governmental entities, so as to make the efforts of the Youth Commission a success.
(Ord. 05-08. Passed 4-5-05.)

170.03 PURPOSE AND MISSION.

The purpose of this article is to acknowledge this community's youth as an integral part of our society and to give youth a voice in government, thus enabling them to help shape the future of the greater Morgantown metropolitan area and thereby benefit all of its citizenry.
(Ord. 05-08. Passed 4-5-05.)

170.04 MEMBERSHIP.

The Youth Commission shall consist of twenty-two members and all shall be of high school age and reside within the greater Morgantown metropolitan area. Initial appointments to the Youth Commission shall be made by the Morgantown City Council after having received nominations.

Subsequent appointments shall be made by Morgantown City Council after having received nominations from a nominating committee comprised of five Youth Commission members and the Commission's adult advisors.
(Ord. 05-08. Passed 4-5-05.)

170.05 TERM.

Youth Commission members shall be appointed for a one-year term and may be reappointed. (Ord. 05-08. Passed 4-5-05.)

170.06 VACANCIES.

Vacancies shall be filled in the same manner as appointments, but only for the remainder of the unexpired term.
(Ord. 05-08. Passed 4-5-05.)

170.07 OFFICERS.

The Youth Commission shall select from its own membership a chairperson, vice-chairperson and secretary.
(Ord. 05-08. Passed 4-5-05.)

170.08 MEETINGS.

The Youth Commission shall have one regularly scheduled meeting each month. Special meetings may be called by the chairperson.
(Ord. 05-08. Passed 4-5-05.)

170.09 MEMBERSHIP TRAINING.

Training, which will assist the individual members of the Youth Commission in performing their Commission duties, will be provided.
(Ord. 05-08. Passed 4-5-05.)

170.10 POWERS AND DUTIES.

It shall be the duty of the Youth Commission to advise and recommend to the City, such programs or projects which, in the opinion of the Youth Commission, will improve the quality of life for youth within the greater Morgantown area.
(Ord. 05-08. Passed 4-5-05.)

170.11 APPROPRIATION OF FUNDS.

City Council may appropriate any funds that it deems necessary to carry out any of the proposals set forth by the Youth Commission.
(Ord. 05-08. Passed 4-5-05.)

AN ORDINANCE BY THE CITY OF MORGANTOWN AMENDING ARTICLE 129 OF ITS ADMINISTRATIVE CODE BY ADDING A NEW SECTION 129.16 PERTAINING TO THE CITY FINANCE DIRECTOR'S AUTHORITY TO REQUEST INFORMATION FROM THE WEST VIRGINIA STATE TAX DEPARTMENT.

The City of Morgantown hereby ordains that a new Section 129.16 is created within its Administrative Code which reads as follows (all new matter is underlined):

129.16 FINANCE DIRECTOR'S AUTHORITY TO REQUEST INFORMATION.

Pursuant to Section 11-10-5d of the West Virginia Code, Morgantown City Council, as the governing body of Morgantown, West Virginia hereby appoints the Finance Director of the City as the duly authorized agent of the municipality to inspect and make copies of the State business and occupation tax returns filed by taxpayers of the municipality and any other state tax returns (includes, but not limited to, consumers sales and services tax return information and health care provider tax return information) as may be reasonably requested by the municipality. Such inspection or copying shall include disclosure to the Finance Director of the municipality for tax administration purposes of all available return information from files of the tax department relating to taxpayers who transact business within the municipality. As the City's agent in such financial matters, the Finance Director is hereby granted authority to request in writing all such information at his/her discretion, on a case by case basis, in lieu of receiving specific instructions from either the Mayor or City Council for each such case.

This Ordinance shall be effective upon date of adoption.

FIRST READING:

MAYOR

ADOPTED:

FILED:

CITY CLERK

RECORDED: