

**AN ORDINANCE OF THE CITY OF MORGANTOWN
PROVIDING FOR MEMBERSHIP OF THE
LAND REUSE AND PRESERVATION AGENCY**

The City of Morgantown hereby ordains as follows:

Section 1. Findings and Purpose.

Section 2. Adoption of Amendment to Section 147.02 of the City Code.

Section 147.02 of the City Code, providing for membership of the Land Reuse and Preservation Agency, is hereby amended as follows (new matter underlined; deleted matter ~~stricken~~):

Sec. 147.02. - Members, qualifications, and terms.

- (a) *Board established.* The Agency shall operate under the control of a board of directors.
- (b) *Membership.* The board shall consist of ~~seven~~ seven voting members who shall be appointed and/or serve pursuant to the terms of this article. The membership shall consist of the following seats:
- (1) 6 members appointed by City Council; and
 - (2) The City Manager, or designee who is an employee of the City

The following shall serve as *ex officio* nonvoting members of the board: the city attorney; the Director of Development Services, or designee; one member of city council, who shall be appointed by city council; the Director of the Fairmont-Morgantown Housing Authority, or designee; and Director of the Monongalia County Development Authority, or designee.

(c) *Qualifications.*

- (1) Each member of the board appointed by City Council shall have experience in one of the following areas:
- a. Real estate transactions or financing;
 - b. Development of commercial or residential property;
 - c. Establishment, ~~or use,~~ or management of public lands;
 - d. Land conservation or preservation; ~~or~~ development or management of programs promoting access to public lands or conservation areas

~~e. — Development or management of programs promoting access to public lands or conservation areas.~~

~~At least three members~~ The board shall have at least one member with the qualifications in subdivision a., at least one member with the qualifications in subdivision b., at least one member with the qualifications in subdivision c., and at least one member with the qualifications in subdivision d. A single member may meet the requirement for multiple qualifications. ~~in subsections a. or b., and at least three members shall have the qualifications in subsections c., d., or e.~~

(2) The board shall include at least one voting member who:

- a. Is a resident of the City;
- b. Is not a public official or municipal employee; and
- c. Maintains membership with a recognized civic organization within the City.

(3) A majority of the members of the board shall be residents of the City.

(d) *Appointment.* Each member of the board shall be appointed by Council.

(e) *Removal.* A member may be removed from office in accordance with the rules established by the board pursuant to Section 147.03.

(f) *Terms.* Each voting member appointed by city council shall serve a term of three years, beginning on January 1 and ending on December 31, except that the terms of the initial members shall be as follows:

(1) From the effective date of the ordinance from which this article is derived until December 31, ~~2019~~ 2026.

(2) From the effective date of the ordinance from which this article is derived until December 31, ~~2019~~ 2026.

(3) From the effective date of the ordinance from which this article is derived until December 31, ~~2020~~ 2027.

(4) From the effective date of the ordinance from which this article is derived until December 31, ~~2020~~ 2027.

(5) From the effective date of the ordinance from which this article is derived until December 31, ~~2021~~ 2028.

(6) From the effective date of the ordinance from which this article is derived until December 31, ~~2021~~ 2028.

~~(7) From the effective date of the ordinance from which this article is derived until December 31, 2021~~

The city manager and the *ex officio* members shall serve during their term of office.

(g) *Vacancies.* Each member shall continue in office until a successor is duly appointed except in the event of the member's removal, death, or delivery of written resignation to Council. A vacancy on the board shall be filled in the same manner as the original appointment.

(h) *Initial members.* The initial members of the board shall be appointed by Council to serve the term identified in Paragraph (f) of this Section corresponding to the number assigned to such member.

(i) *Officers.* The members of the board shall select annually from among their members a chair, vice chair, secretary, treasurer, and other officers as the board determines.

Section 3. Repeal, Savings, Severability.

Any section of this Code repealed or modified by a subsequent ordinance will continue in force until the effective date of the repealing ordinance.

The repeal or modification of any part of this Code does not affect any existing right acquired, or liability or obligation incurred, under the code sections amended or repealed unless the modifying ordinance expressly so provides. Any repealed or modified part of this Code will remain in force for the purpose of sustaining any proper legal proceedings and prosecutions related to the enforcement of such right or liability brought prior to the repeal or modification.

The repeal of any repealing ordinance, clause, or provision does not revive any former ordinance, clause, or provision unless expressly provided by ordinance.

If any provision of this Ordinance, or the application of this Ordinance to any person or circumstance, is held invalid by a court of competent jurisdiction or other entity or agency having jurisdiction to make such determination, the remainder of this Ordinance and the application to other persons or circumstances remain in effect.

Section 4. Effective date; application. This ordinance shall be effective January 31, 2026. This Ordinance does not affect rights, duties, or liabilities that matured, penalties that were incurred, and proceedings that were begun, before its effective date. The law remains in force for the purpose of sustaining any proper action or prosecution for the enforcement of the right, penalty, forfeiture or liability.

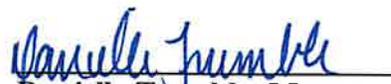
Section 5. Recording of ordinance. The City Clerk is directed to obtain all signatures required by the form of Ordinance adopted and maintain an executed original ordinance with the official records of the City of Morgantown, to be maintained, preserved, and accessed in accordance with the laws of the State of West Virginia and the City of Morgantown, and to take the following additional actions: none.

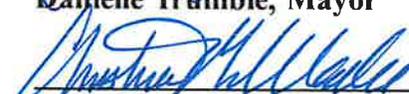
FIRST READING: October 7, 2025

SECOND READING: November 4, 2025

ADOPTED: November 4, 2025

FILED: November 5, 2025


Danielle Trumble, Mayor


Christine Wade, City Clerk