

49th Annual Conference
West Virginia Municipal League



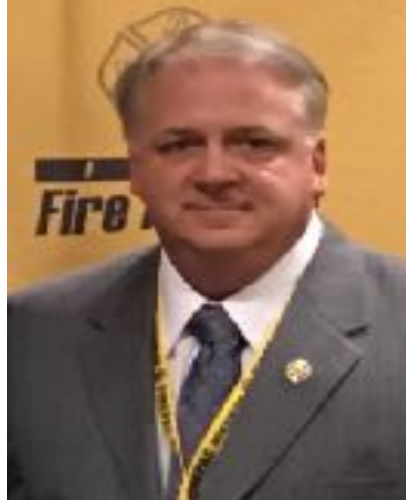
10 YEARS ON:
REVIEWING A DECADE OF MUNICIPAL HOME RULE IN WEST VIRGINIA

presented by
Secretary Dave Hardy
West Virginia Department of
Revenue

WV Municipal Home Rule Board



Dave Hardy, Esq.
Chair, Governor Justice
Designee



Mr. Brian Jones
Labor Representative (AFL-
CIO)



**Mr. Mark Polen - Representing
the Business and Industry Council**



**Mr. Chris Fletcher -
Representing the American
Institute of Certified Planners -
WV Chapter**



Wesley White, Esq.
Designee, Director of
WV Development
Office



**Senator Ed Gaunch, Chair
Senate Gov Org Committee
Ex Officio Non-voting Member**



**Delegate Gary Howell, Chair
House of Delegates Gov Org
Committee Ex Officio Non-voting
member**

34 of WV's 231 Municipalities are Home Rule Cities

| Municipality | Class | Population* | Admitted |
|---------------|-------|-------------|----------|
| Auburn | IV | 90 | 2016 |
| Beckley | II | 16,404 | 2015 |
| Bluefield | II | 9,869 | 2014 |
| Bridgeport | III | 8,635 | 2008 |
| Buckhannon | III | 5,529 | 2014 |
| Charles Town | III | 5,957 | 2014 |
| Charleston | I | 47,929 | 2008 |
| Clarksburg | II | 15,621 | 2014 |
| Dunbar | III | 7,338 | 2014 |
| Elkins | III | 7,047 | 2015 |
| Fairmont | II | 18,467 | 2014 |
| Follansbee | III | 2,765 | 2016 |
| Grafton | III | 5,077 | 2015 |
| Harpers Ferry | IV | 281 | 2015 |
| Huntington | II | 47,079 | 2008 |
| Lewisburg | III | 3,907 | 2016 |
| Martinsburg | II | 17,404 | 2014 |

| Municipality | Class | Population | Admitted |
|------------------|-------|----------------|----------|
| Milton | III | 2,612 | 2014 |
| Morgantown | II | 30,547 | 2014 |
| Moundsville | III | 8,494 | 2015 |
| New Cumberland | IV | 1,050 | 2016 |
| Nitro | III | 6,561 | 2014 |
| Oak Hill | III | 8,338 | 2015 |
| Parkersburg | II | 30,096 | 2014 |
| Princeton | III | 5,822 | 2015 |
| Ranson | III | 5,173 | 2014 |
| Shepherdstown | IV | 1,802 | 2016 |
| Shinnston | III | 2,129 | 2014 |
| South Charleston | II | 12,493 | 2014 |
| St. Albans | II | 10,265 | 2015 |
| Vienna | II | 10,370 | 2014 |
| Weirton | II | 18,685 | 2014 |
| Weston | III | 3,971 | 2016 |
| Wheeling | II | 27,066 | 2008 |
| TOTAL | - | 354,333 | - |

* Year Admitted to Home Rule Pilot Program

A Decade of Home Rule in West Virginia

33 WV municipalities have addressed local problems and improved government services under the Home Rule Pilot.* Program.*



*Auburn has not adopted any initiatives since its Home Rule Plan was approved in 2016.

A Decade of Home Rule in West Virginia*

1. 28 municipalities impose a 1% local sales tax;
2. 17 municipalities have adopted ordinances to:
 - a. Issue on-the-spot citations for public nuisance, health, and safety code violations;
 - b. Permit Sunday Brunch alcohol sales**;
 - c. Sell municipal property without an auction; and
 - d. Manage blighted and vacant properties;



*This is not a comprehensive list of all approved Home Rule initiatives

**The St. Albans Sunday Brunch ordinance is not yet in effect.

A Decade of Home Rule in West Virginia

3. 16 municipalities now file liens for certain municipal expenses:
 - a. Demolition expenses;
 - b. Abate public nuisances; and
 - c. Mitigate health and safety code violations;
4. 10 municipalities approve intergovernmental agreements by resolution;
5. 8 municipalities have revised Civil Service policies:
 - a. Police and Fire
 - b. Boards and Commissions



A Decade of Home Rule in West Virginia

6. 6 municipalities have ordinances addressing community enhancement and economic development issues;
7. 11 municipalities adopted ordinances regarding municipal fees:
 - a. Charge fees for fire services outside municipality; and
 - b. Municipal court fees;
8. 6 municipalities have ordinances regarding procurement of architectural and engineering services .
9. 5 municipalities have the authority to increase spending to promote municipalities (*e.g.*, tourism expenses);

A Decade of Home Rule in West Virginia

- 10. 3 municipalities have ordinances addressing zoning, and annexation issues;
- 11. 3 municipalities can address traffic issues involving State routes; and
- 12. 4 municipalities have simplified municipal licensing procedures.



28 out of 34 Home Rule Municipalities Have a 1% Local Sales Tax

| Municipality | FY2018 Distribution |
|---------------|---------------------|
| Beckley | \$ 5,638,938.87 |
| Bluefield | \$ 608,696.54 |
| Bridgeport | \$ 4,091,982.76 |
| Charles Town | \$ 933,107.75 |
| Charleston | \$ 14,645,845.84 |
| Clarksburg | \$ 4,035,590.74 |
| Dunbar | \$ 724,927.42 |
| Elkins | - 0 - |
| Fairmont | \$ 1,907,846.54 |
| Follansbee | \$ 224,507.55 |
| Grafton | \$ 576,729.02 |
| Harpers Ferry | \$ 140,371.21 |
| Huntington | \$ 6,598,600.57 |
| Martinsburg | \$ 4,195,975.16 |

| Municipality | FY2018 Distribution |
|------------------|------------------------|
| Milton | \$479,926.96 |
| Moundsville | \$ 1,132,406.33 |
| New Cumberland | \$ 61,345.17 |
| Nitro | \$ 1,578,613.82 |
| Parkersburg | \$ 6,029,731.61 |
| Princeton | \$ 713,816.46 |
| Ranson | \$ 1,328,471.00 |
| Shepherdstown | \$ 147,647.15 |
| South Charleston | \$ 4,439,745.29 |
| St. Albans | \$ 844,067.10 |
| Vienna | \$ 3,506,648.27 |
| Weirton | \$ 2,693,058.25 |
| Weston | \$ 52,621.00 |
| Wheeling | \$ 4,981,656.69 |
| TOTAL | \$72,312,875.07 |

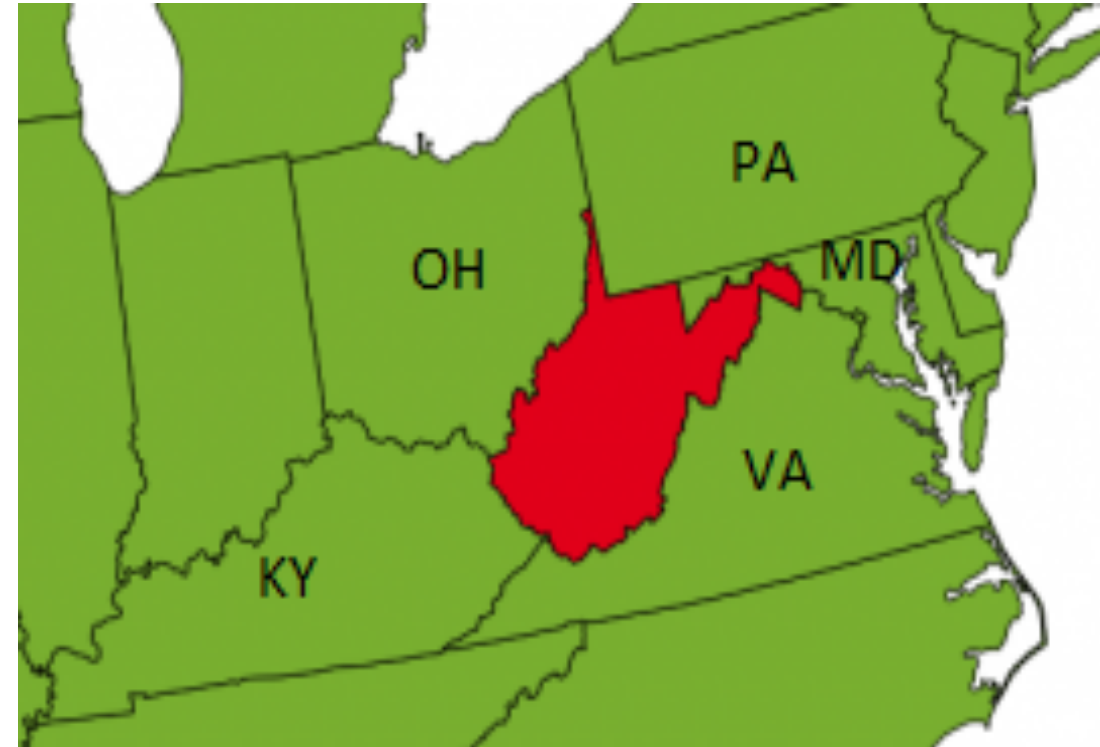
Local Sales Tax Trivia

1. 1/3 of all sales subject to WV sales tax include a 1% local sales tax.
2. Morgantown and Shinnston are authorized to impose a local sales tax but have not done so.
3. The total population of Home Rule municipalities is 354,333, which is 19.5% of the total State population (*i.e.*, 1,815,857)
4. Weston is the first Home Rule municipality to implement a local sales tax on January 1, as authorized by an emergency rule.
5. These municipalities have imposed a local sales taxes under § 8-13C-4:

- Athens
- Bolivar
- Davis
- Elizabeth
- Harrisville
- Moorefield
- Pennsboro
- Quinwood
- Romney
- Rupert
- Sistersville
- Thomas
- Wayne
- White Hall
-

Bordering States with Local Sales Tax

- Kentucky - No
- Maryland - No
- Ohio - Statewide (1%-2.25%)
- Pennsylvania - Allegheny County (1%); Philadelphia County (2%)
- Virginia - Statewide (1%- 1.7%)



QUESTIONS?



CHARLESTON



Thank You!

For Information Contact:

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