

# MUNICIPAL HOME RULE PROGRAM

Town of Shepherdstown

2023  
PROGRESS  
REPORT


West Virginia  
Municipal Home Rule Board  
P. O. Box 11360  
Charleston, WV 25339-1360  
[MunicipalHomeRule@wv.gov](mailto:MunicipalHomeRule@wv.gov)  
304.558.3356

**West Virginia State Code §8-1-5a (m) provides:**

“Commencing December 1, 2015, and each year thereafter, each participating municipality shall give a progress report to the Municipal Home Rule Board and commencing January 1, 2016, and each year thereafter, the Municipal Home Rule Board shall give a summary report of all the participating municipalities to the Joint Committee on Government and Finance.”

The Municipal Home Rule Board has developed this standard format for Home Rule Program participating municipalities to prepare and submit their respective Annual Progress Reports. The intent of this standard format is to gather and compile information in a consistent, easily understood, and efficient manner that will be used to develop a concise and practical summary report to the Joint Committee on Government and Finance.

Annual Progress Reports must be submitted electronically as an individual file in PDF format no later than the close of business on the first business day of December, by emailing to WV Municipal Home Rule Board at [MunicipalHomeRule@wv.gov](mailto:MunicipalHomeRule@wv.gov).

<b>A. General Information</b>		
Name of Municipality: Shepherdstown		
Certifying Official: Arthur J. Auxer, III	Title: Mayor	
Contact Person: Amy L. Boyd	Title: Town Clerk	
Address: P.O. Box 248		
City, State, Zip: Shepherdstown, WV, 25443		
Telephone Number: 304-876-2398	Fax Number: 304-876-1473	
E-Mail Address: clerk@shepherdstown.us		
2010 Census Population: 1734		
<b>B. Municipal Classification</b>		
<input type="checkbox"/> Class I <input type="checkbox"/> Class II <input type="checkbox"/> Class III <input checked="" type="checkbox"/> Class IV		
<b>C. Attest</b>		
I hereby confirm that I am the authorized official for this municipality and certify that the information submitted herein and attached hereto is true and accurate and that this report addresses each and every initiative included in the original Home Rule Pilot Program Plan Application for this municipality and any subsequent amendments, if applicable.		
Arthur J. Auxer, III		11/30/2023
Type Name of Certifying Official	Signature of Certifying Official	Date

Please use this page to report progress on each **non-tax related initiative** included in your Home Rule Application and Amendment(s). Each non-tax related initiative must be listed on a separate page.

<b>Initiative:</b> <b>Allocate Funding for Marketing and Tourism</b>
Was this non-tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/> ?
Has the ordinance(s) needed to implement this initiative been enacted? <input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, when was the ordinance enacted? n/a
If no, please describe challenges faced in enacting the related ordinance(s).  n/a It was determined that an ordinance was not necessary for this purpose.
<b>SUCSESSES</b> – In the space below, please provide a brief narrative which highlights successes realized through the implementation of this initiative and any metrics used to track performance.  n/a
<b>LESSONS LEARNED</b> – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.  n/a

Please use this page to report progress on each **tax related initiative** included in your Home Rule Application. Each tax related initiative must be listed on a separate page.

<b>Initiative: Impose a 1% Sales Tax</b>
Was this tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/> or N/A <input type="checkbox"/>
Has the ordinance(s) needed to implement this initiative been enacted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, when was the ordinance enacted? June 2016
If no, please describe challenges faced in enacting the related ordinance(s). n/a
<b>REVENUES</b> – In the space below, please provide a brief narrative highlighting revenue amounts and revenue categories realized; revenue amounts and revenue categories reduced; net revenue gain; and, any metrics used to track performance.  See attached.
<b>SUCCESSSES</b> – In the space below, please provide a brief narrative highlighting projects, improvements, programming, etc. realized through the implementation of this revenue initiative and any metrics used to track performance.  Due to declining Video Lottery proceeds, this revenue is being used to offset capital costs typically paid for by the Video Lottery Revenue.
<b>LESSONS LEARNED</b> – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.  Transparency of process is key.



<b>Initiative: Impose Liens for Delinquent Town Fees</b>
Was this tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/> or N/A <input type="checkbox"/>
Has the ordinance(s) needed to implement this initiative been enacted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, when was the ordinance enacted? March 2017
If no, please describe challenges faced in enacting the related ordinance(s). n/a
<b>REVENUES</b> – In the space below, please provide a brief narrative highlighting revenue amounts and revenue categories realized; revenue amounts and revenue categories reduced; net revenue gain; and, any metrics used to track performance.  n/a
<b>SUCCESES</b> – In the space below, please provide a brief narrative highlighting projects, improvements, programming, etc. realized through the implementation of this revenue initiative and any metrics used to track performance.  The opportunity has not yet presented itself to enforce this ordinance.
<b>LESSONS LEARNED</b> – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.  Clear communication, to the public, of the intent of the proposed ordinance is imperative along with advance notice of the proposed adoption allowing all concerned parties to have the opportunity to review and comment.

<b>Initiative: Purchase Tax Liens on Properties Subject to Delinquent Property Taxes</b>
Was this tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/> or N/A <input type="checkbox"/>
Has the ordinance(s) needed to implement this initiative been enacted?      Yes <input checked="" type="checkbox"/> No
If yes, when was the ordinance enacted? n/a
If no, please describe challenges faced in enacting the related ordinance(s). This ordinance has not yet been drafted as research is being done to determine how other municipalities worded their ordinance.
<b>REVENUES</b> – In the space below, please provide a brief narrative highlighting revenue amounts and revenue categories realized; revenue amounts and revenue categories reduced; net revenue gain; and, any metrics used to track performance.  n/a
<b>SUCCESSSES</b> – In the space below, please provide a brief narrative highlighting projects, improvements, programming, etc. realized through the implementation of this revenue initiative and any metrics used to track performance.  n/a
<b>LESSONS LEARNED</b> – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.  n/a

**Initiative: Reduction of Speed Limits and Placement of Other Restrictions on State Roadways within Municipal Boundaries**

Was this tax initiative a part of your original plan application  or a plan amendment  or N/A

Has the ordinance(s) needed to implement this initiative been enacted?  Yes  No

If yes, when was the ordinance enacted? n/a

If no, please describe challenges faced in enacting the related ordinance(s).

The WVDOH adamantly opposes this action. Further discussions are necessary.

**REVENUES** – In the space below, please provide a brief narrative highlighting revenue amounts and revenue categories realized; revenue amounts and revenue categories reduced; net revenue gain; and, any metrics used to track performance.

n/a

**SUCSESSES** – In the space below, please provide a brief narrative highlighting projects, improvements, programming, etc. realized through the implementation of this revenue initiative and any metrics used to track performance.

n/a

**LESSONS LEARNED** – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.

n/a

**Initiative: Ability for the Town of Shepherdstown to Exercise the Same Enforcement Authority as the ABCA/Regulate Locations of Establishments Selling Alcohol**

Was this tax initiative a part of your original plan application  or a plan amendment  or N/A

Has the ordinance(s) needed to implement this initiative been enacted?  Yes  No

If yes, when was the ordinance enacted? November 2018

If no, please describe challenges faced in enacting the related ordinance(s).

**REVENUES** – In the space below, please provide a brief narrative highlighting revenue amounts and revenue categories realized; revenue amounts and revenue categories reduced; net revenue gain; and, any metrics used to track performance.

We have not yet had the opportunity to exercise the new ordinance.

**SUCCESSSES** – In the space below, please provide a brief narrative highlighting projects, improvements, programming, etc. realized through the implementation of this revenue initiative and any metrics used to track performance.

Na/

**LESSONS LEARNED** – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.

n/a



<b>Initiative: Ability to Enter into Contracts with Other Jurisdictions by Resolution</b>
Was this tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/> or N/A <input type="checkbox"/>
Has the ordinance(s) needed to implement this initiative been enacted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, when was the ordinance enacted? March 2017
If no, please describe challenges faced in enacting the related ordinance(s). n/a
<b>REVENUES</b> – In the space below, please provide a brief narrative highlighting revenue amounts and revenue categories realized; revenue amounts and revenue categories reduced; net revenue gain; and, any metrics used to track performance. n/a
<b>SUCCESSSES</b> – In the space below, please provide a brief narrative highlighting projects, improvements, programming, etc. realized through the implementation of this revenue initiative and any metrics used to track performance. We have not yet been presented with the opportunity to enforce this ordinance.
<b>LESSONS LEARNED</b> – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities. Clear communication, to the public, of the intent of the proposed ordinance is imperative along with advance notice of the proposed adoption allowing all concerned parties to have the opportunity to review and comment.

<b>Initiative: Fee to be imposed Upon Persons Convicted in Town Court</b>
Was this tax initiative a part of your original plan application <input checked="" type="checkbox"/> or a plan amendment <input type="checkbox"/> or N/A <input type="checkbox"/>
Has the ordinance(s) needed to implement this initiative been enacted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, when was the ordinance enacted? November 2026
If no, please describe challenges faced in enacting the related ordinance(s). n/a
<b>REVENUES</b> – In the space below, please provide a brief narrative highlighting revenue amounts and revenue categories realized; revenue amounts and revenue categories reduced; net revenue gain; and, any metrics used to track performance.  We have collected \$1,500 since the inception of this ordinance.
<b>SUCCESES</b> – In the space below, please provide a brief narrative highlighting projects, improvements, programming, etc. realized through the implementation of this revenue initiative and any metrics used to track performance.  This revenue will be used for new technology for the Police Department.
<b>LESSONS LEARNED</b> – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.

**Initiative:** Grant of Authority to Shepherdstown Town Code Enforcement Officials to Immediately Issue Citations for External Sanitary Violations and Common Nuisances

Was this tax initiative a part of your original plan application  or a plan amendment  or N/A

Has the ordinance(s) needed to implement this initiative been enacted?  Yes  No

If yes, when was the ordinance enacted? September 2016

If no, please describe challenges faced in enacting the related ordinance(s).

n/a

**REVENUES** – In the space below, please provide a brief narrative highlighting revenue amounts and revenue categories realized; revenue amounts and revenue categories reduced; net revenue gain; and, any metrics used to track performance.

n/a

**SUCSESSES** – In the space below, please provide a brief narrative highlighting projects, improvements, programming, etc. realized through the implementation of this revenue initiative and any metrics used to track performance.

Violators have been very responsive as a result of the citations which has resulted in properties being cleared of sanitation violations.

**LESSONS LEARNED** – In the space below, please provide a brief narrative highlighting lessons learned during implementation of this revenue initiative that would benefit other municipalities.

Clear communication, to the public, of the intent of the proposed ordinance is imperative along with advance notice of the proposed adoption allowing all concerned parties to have the opportunity to review and comment.