

**WEST VIRGINIA MUNICIPAL HOME RULE PILOT PROGRAM
“PROCEDURE TO AMEND WRITTEN PLAN”**

Amending a written plan. Please see W. Va. Code § 8-1-5a. Phase I, II, and III municipalities should follow the procedure outlined below to amend their written plan. Requests for new powers or authority, not included in an existing, approved written plan, require an amendment to the written plan.

- 1) **Provide notice at least 30 days prior** to a public hearing related to the proposed amendment to the written plan by a Class II legal advertisement.
- 2) Make a copy of the proposed amendment to the written plan **available for public inspection at least 30 days prior** to holding a public hearing related to the proposed amendment to the written plan.
- 3) **Hold a public hearing** related to the proposed amendment to the written plan.
- 4) After the public hearing, adopt an ordinance authorizing the submission of the proposed amendment to the written plan to the Municipal Home Rule Board.
- 5) **Seek approval from the Municipal Home Rule Board** for the proposed amendment to the written plan. Submit to the Municipal Home Rule Board (Debbie.a.browning@wv.gov); or Debbie Browning; West Virginia Development Office; Building 6, Room 553; Charleston, WV 25305-0311):
 - a) A **copy of the proposed amendment** to the written plan, including the adopted ordinance authorizing the submission of the proposed amendment.
 - b) **Evidence of compliance with 1-3 herein.**
 - c) Any **comments** offered during the public hearing, **either in audio or written form.**
 - d) **A letter from an attorney** licensed to practice law in West Virginia **certifying** that the **proposed amendment** of the written plan **complies with W. Va. Code § 8-1-5a.**
- 6) The Municipal Home Rule Board will approve or reject the proposed amendment at a publicly noticed meeting.