

**HOME RULE APPLICATION, PLAN AND AMENDMENT CHECKLIST**

- Class II legal advertisement of Public Hearing  
Dates May 4 2022; May 11,2022
- Notice of Public Hearing to Municipal Home Rule Board (MHRB) and Cabinet Secretary of every State department
- Plan available for public inspection 30 days prior to Public Hearing
- Hearing  
Date June 6, 2022
- Ordinance authorizing plan or amendment  
1<sup>st</sup> reading date May 9, 2022  
2<sup>nd</sup> reading date June 6, 2022  
Date of adoption June 6, 2022
- Required narrative presentation of each separate proposal (see Sample Form Application)

**ATTACHMENTS**

- Affidavit of legal notice of Public Hearing
- Minutes of Public Hearing, including comments (if any)
- Certified copy of ordinance authorizing plan or amendment
- Fiscal statement demonstrating municipality's ability to manage costs or liabilities associated with proposals
- Affidavit that municipality owes no outstanding State fees
- Attorney opinion letter that application and plan or amendment complies with applicable State law
- Submit eight (8) originals and one (1) electronic copy of application plan or amendment to the MHRB



## **West Virginia Municipal Home Rule Program**

### **Application of the Town of Romney**

**July, 2022**

# West Virginia Municipal Home Rule Program 2022 Application of the Town of Romney

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**Section I: Applicant Information**

**A. General Information**

Name of Municipality: Town of Romney  
Certifying Official: Beverly Keadle, Mayor  
Contact Person: Logan Mantz, Town Attorney  
Address: 340 E Main St.  
Town, State, Zip: Romney, WV 26757  
Telephone: 304.822.5118  
Fax: 304.822-5793  
Email Address: [lmantz@townofromney.org](mailto:lmantz@townofromney.org)  
2020 Census Pop.: 2,708

**Romney Town Council**

Paula O'Brien	Duncan Hott
Savanna Morgret	Richard Shanholtzer, Recorder
John Duncan	Beverly Keadle, Mayor
William Taylor	

**B. Municipal Classification**

Class IV

**C. Categories of Issues to Be Addressed**

Tax  Organization  Administrative  Personnel  Other

## Section II: Narrative

### Introduction and Executive Summary

Established by an act of the Virginia House of Burgesses and approved by the governor on December 23, 1762, Romney, located in Western Hampshire County, is the oldest town in West Virginia. Romney serves as a vital eastern gateway into the state for thousands of visitors each year, especially those from the heavily populated Northeast Corridor, Washington, D.C. and Baltimore metro areas.

Although Romney's population is small (population 1,708), Romney's reach is broad. As a regional hub for economic, transportation, education, health and public services, Romney provides not only for its residents but also for a broader Western Hampshire County community of nearly 15,000. This is in addition to the thousands of tourists who stop by each year on their way to skiing, hiking, fishing, festivals, and other recreational opportunities within the Mountain State.

Once they've visited, many of those tourists fall in love with the beauty and charm of our area and retire here. We have recently experienced an influx of people that wish to plant roots and start lives and businesses here. New small-scale manufacturing, internet-based retail, food service, and tourism businesses have recently joined our more established business community to help cement Romney as a small-business hub for the area.

Romney has risen to the challenges that faced many small rural WV communities over the last decades. Recent initiatives to address vacant and delapidated structures, improve public utility infrastructure, improve beautification, and revive cultural events and festivals have given our small town a revitalizing breath and the momentum to keep moving forward.

Being a small town, however, does present some problems that are all too common across the Mountain State. We don't have a very big tax base. As a border County, (our part of the State is close to both Virginia and Maryland), we compete with retail, restaurants and service providers that play by very different state rules, often making it a challenge to attract and keep businesses and encourage residents to shop locally.

But we've been very successful at doing more with less, maintaining operations and solvency through the years, even during the challenging times of the recent worldwide financial crisis. We've done it through the efforts and support of hard-working volunteers, thoughtful friends, and forward-thinking community officials.

By becoming a part of the West Virginia Home Rule Program, Romney will be able to continue to do a great deal with just a little help. The six issues detailed in the application will reduce administrative burden, increase ordinance compliance, open new funding opportunities, and promote public safety.

The next few years will bring more opportunities as our area's infrastructure and public service capacity grow to meet growth pressure that we've seen post-pandemic. We want to be ready for those opportunities: protecting the best parts of our traditional community as we embrace newcomers and encourage good growth. Home Rule will allow the Romney Town Council to stay nimble in a challenging, but exciting era of growth and enrichment.

The Town of Romney seeks Home Rule authority in six areas. The first five of these have been approved for other Home Rule municipalities. The areas are:

1. Disposition of Municipal Property Without Auction;
2. Authority to Issue On-The-Spot Citations;
3. Adjust the Number of Members on the Municipal Development Authority Board;
4. Tax Increment Financing Authorization;
5. Regulation of Cats; and
6. Rental Registration

**1. Disposition of Municipal Property Without Auction**

*Issue Category: Administrative*

Romney seeks the ability to dispose of municipal property, real and personal, without the constraints of public notice and public auction. Romney also seeks to relax the constraints on leasing of public property for instances that promote the public good.

**Specific Legal Barrier**

Under WV Code §8-12-18, except in limited circumstances involving sales to the United States, or a state or instrumentality thereof, municipalities may only sell their real or personal property for fair and adequate consideration at public auction with sufficient legal advertisement. Similarly, municipalities may lease real or personal property, but only for fair and adequate consideration by resolution of the municipality's governing body.

**Problem Caused by Legal Barrier**

Presently, the Town may only sell property by auction for fair and adequate consideration, and only lease property for fair and adequate consideration.

First, the requirement to sell property through public auction often hinders, rather than assists the Town in receiving the highest compensation for its property. Sales by auction limit the types of purchasers that can and/or chose to participate in sales, and most frequently lack the purchaser participation that is seen in open markets (commercial and residential real estate specifically).

Second, the inability to sell or to lease property for less than "fair and adequate consideration" prevents the Town from entering into transactions that could fill vacant buildings, attract businesses, provide revenue, support nonprofit and pro-social initiatives, and otherwise encourage the use of Town properties. The current law prevents the Town from using its property to encourage activities and uses that will be of larger and greater good for the community than the town would receive as compensation at fair market value.

**Proposed Solution**

The Town will pass an Ordinance: 1) allowing the sale of real and personal property by the Town at fair market value to private purchasers without auction, 2) allowing the lease of real and personal property by the Town to private lessees for less than fair market value if the private lessees will use the property in such a manner that promotes economic development or provides a service for the public good, 3) allowing the sale of real and personal property by the Town at less than fair market value without auction, if the sale will enable use the property that promotes economic development or provides a service for the public good.

**2. Authority to Issue On-The-Spot Citations**

*Issue Category: Administrative*

Romney seeks the authority to allow its police and code enforcement officers to issue “on-the-spot” citations for certain violations.

**Specific Legal Barrier**

Authority: WV Code §8-12-16 allows municipalities to adopt ordinances regulating the repair, closing, demolition, etc. of dwellings or buildings unfit for human habitation. Additionally, municipalities may adopt ordinances requiring the owner of any such dwelling or building to pay for the costs of repairs, alterations, improvements, demolition, etc. The municipality then may file a lien against the real property for the costs incurred by the municipality, and file a civil action for such costs and reasonable attorneys' fees.

Additionally, WV Code §8-12-5(23) vests municipalities with the authority to, by ordinance or resolution, provide for the elimination of hazards to public health and safety and abate or cause to be abated anything which a majority of the governing body finds to be a public nuisance, but does not expressly provide authority for granting citation powers to code enforcement officials or police officers.

**Problem Caused by Legal Barrier**

Presently, Town code enforcement officials are unable to issue citations "on the spot" for external sanitation violations and common nuisances, but rather are required to send preliminary notices and provide an opportunity to respond, which increases costs to the Town and delays resolution of the issue. This requires additional manpower and results in decreased compliance by property owners.

**Proposed Solution**

Romney will enact an ordinance providing its police officers and code enforcement officers the authority to issue "on the spot" citations for certain violations. This citation power will extend to public nuisances, as well as acts or conditions defined as “unsafe, unsanitary, dangerous, or detrimental to the public safety or welfare” under §8-12-16(a)(4). These citations may be issued to the owner, lessee, sublessee, tenant, occupant, or agent or manager thereof, presently having control over the property in question, and an opportunity to respond will be afforded to the cited party by contesting the citation in municipal court.

**3. Adjust the Number of Members on the Development Authority Board**

*Issue Category: Organization*

Romney seeks to decrease the number of required members for its municipal development authority in order to enhance its effectiveness and ability to conduct business.

**Specific Legal Barrier**

W.Va. Code §7-12-3a requires that municipal development authority boards shall consist of “no fewer than twelve (12) nor more than twenty-one (21) persons.” No other municipal commissions, boards or councils require so many members to transact business.

**Problem Caused by Legal Barrier**

Foreseeing the need for forward-thinking economic planning specific to its changing community, Romney in 2021 established a Romney Development Authority pursuant to W.Va. Code §7-12. Its first intended project for this newly formed entity will be the preservation, restoration, and adaptive re-use of a historic State School Barn located within the Town of Romney.

As a Class IV community with a population of 1,708, Romney finds it difficult to recruit dedicated, qualified members to do the work of its development authority (even though the board may include members who live outside of town limits). Although the community does have a number of dedicated and qualified persons who might be able to serve on the Development Authority, many of those individuals are already fulfilling separate community obligations. In pragmatic terms, a 12- person committee would be nearly impossible to keep fully seated and have quorum for meetings.

**Proposed Solution**

Romney will pass an ordinance setting the membership of the Romney Development Authority Board at no fewer than five (5) nor more than twelve (12) members.

Decreasing the requirement of the quantity of voting members will have no negative impact on community participation, as all meetings of the RDA will continue to be promoted in advance and open to the public. A smaller, more dedicated membership will allow the board to act more nimbly and effectively, which is not only a preference, but also a requirement for the success of small development authorities.

**4. Tax Increment Financing Authorization**

*Issue Category: Tax*

Romney seeks the authority to utilize tax increment financing.

**Specific Legal Barrier**

§7-11B-7 of the West Virginia Code provides that only a county commission or a governing body of a Class I, II, or III municipality may exercise the powers conferred by 7-11B-7(a) et seq.

**Problem Caused by Legal Barrier**

The Town of Romney is in the midst of several planning, infrastructure, and development initiatives aimed at helping to encourage economic development, improve quality of life, and support substance abuse prevention. While the Town has thus far been able to identify funding for these initiatives as they develop, it has had to do so without the possible use of all funding sources that are available to larger communities.

While Romney has a history and successful record of working in partnership with developers and other state and federal entities to help bring economic development projects to fruition, it needs all available funding tools and opportunities to bring these initiatives forward successfully.

One method that has been made available to some local governments by the legislature is Tax Increment Financing. However, Romney must rely on other entities to issue and manage the TIF projects within its jurisdiction because the law indiscriminately prohibits Class IV municipalities from issuing and managing their own TIF projects.

While the current prohibition on the use of tax increment financing does not entirely prohibit these development initiatives, it does restrict the methods and scope in which they can be advanced. Allowing a financing tool such as TIF would not only allow the town to expand such initiatives, but would promote development which is more self-sustaining in nature, given the nature of the financing tool.

**Proposed Solution**

The Town of Romney proposes that this problem be solved by authorizing it to designate TIF areas, issue TIF bonds and be given the authority to manage the resulting bond financing, otherwise bestowing upon the Town all authority (but no more) granted to Class I, II, and III municipalities by §7-11B-7 of the West Virginia Code.

**5. Regulation of Cats**

*Issue Category: Administrative*

Romney seeks the authority to regulate feral cats within municipal limits.

**Specific Legal Barrier**

W. Va. Code 19-20-8 only grants the authority to municipalities to adopt ordinances the Town considers necessary or convenient to control and manage to dogs, while being silent regarding the control of cats.

**Problem Caused by Legal Barrier**

The West Virginia Code only allows municipalities to adopt and enforce ordinances as it considers necessary or convenient for the control and management of all dogs. The West Virginia Code does not allow municipalities to adopt and enforcement ordinances as it considers necessary or convenient for the control and management of cats.

The Town of Romney has many issues with feral cats and would like to enter into cooperative agreements with non-profits or other agencies to help solve the feral cat issue in Romney. Feral cats are born and raised in the wild. They can also be stray cats that survived long enough to adapt to feral life. Either way, ferals are wary of humans and will not approach them willingly. Feral cats can and often do spread disease, damage or destroy property, and create substantial amounts of disruptive noise.

Romney is interested in partnering with a Trap-Neuter Return (TNR) organization or another organization capable of controlling the population of feral cats within the Town, but currently lacks the authority to do this.

**Proposed Solution**

The Town of Romney will enact an ordinance permitting it to contract with or reimburse any private incorporated society or association, county commission for the care, maintenance, control, regulation or destruction of dogs **and cats**.

**6. Rental Registration**

*Issue Category: Administrative*

Romney seeks the authority require the registration of residential rental properties.

**Specific Legal Barrier**

W. Va. Code § 8-1-7(b) provides that “...any ordinance provision which is beyond the power and authority of a municipality shall be of no force and effect.”

There is no specific statutory authorization for municipalities to require the registration of residential rental properties in West Virginia. Because no such authorization is granted statutorily, W. Va. Code § 8-1-7(b) prohibits municipalities from requiring such registration.

**Problem Caused by Legal Barrier**

Residential rental properties, as compared to owner-occupied residential properties and commercial properties, have an increased rate of non-compliance with codes and ordinances pertaining to fire prevention, safety, and sanitation – specifically the WV State Fire Code, International Property Maintenance Code, and W. Va. Code § 8-12-16.

The tenants of these residential rental units bear the risks associated with such noncompliance, most often without the authority or resources to improve the property themselves. This imbalance is often further compounded by a disincentive to report code violations for fear of retaliation by landlords (the Town of Romney has recent examples of this fear being reported).

If residential rental property owners were required to register their properties with the Town of Romney Code Enforcement Office, the Town would be better able to monitor these properties, ensuring that the Town’s most vulnerable residents live in housing that is safe, sanitary, and habitable.

The West Virginia Code, by not so-authorizing, prohibits municipalities from requiring the registry of residential properties. Authorization under the Municipal Home Rule Program will allow the Town of Romney to show the utility of such registries and how they can be implemented in a way that provides little-to-no interference with the ownership and operation of residential rental properties.

**Proposed Solution**

The Town of Romney will enact an ordinance requiring the registration of residential rental properties. Such registration will be accessible online, require minimal effort from landlords, and have no costs associated with registration process. The ordinance will impose fines for failure to register and enumerate an appeal process.

### **Section III: Affidavits**

Individual Exhibits Attached Hereafter



# TOWN OF ROMNEY

*"First in West Virginia - Est. 1762"*

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Office of Code Enforcement  
340 E. Main Street Romney,  
WV 26757

Main: 304-822-5118  
Fax: 304-822-5793

## **Exhibit A – Hearing Mandate Verification**

### **Town of Romney Home Rule Application**



# TOWN OF ROMNEY

"First in West Virginia - Est. 1762"

340 E. Main Street  
Romney, WV 26757

Main: 304-822-5118  
Fax: 304-822-5793

## AFFADAVIT

I, Beverly Keadle, having been duly sworn, do hereby state and affirm the following:

1. That I am the elected Mayor of the Town of Romney, West Virginia, from July 1, 2018 to the present; and
2. That a copy of the Town of Romney's proposed Home Rule Plan, contained within its application to the West Virginia Municipal Home Rule Program, was made available for public inspection at Romney Town Hall, 340 E. Main St., Romney WV 26757, each business day during regular business hours from May 6, 2022, up to and including June 6, 2022; and
3. That a public hearing was properly noticed and held at the Romney Town Hall on the Town of Romney's proposed Home Rume Plan on June 6, 2022.

This affidavit is sworn by me and submitted this 7<sup>th</sup> Day of June, 2022.

Signed: Beverly C. Keadle  
Beverly C. Keadle, Mayor  
Town of Romney

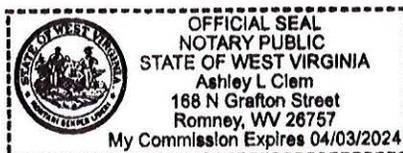
STATE OF West Virginia,

COUNTY OF Hampshire, to wit:

I, Ashley Clem, a Notary Public in and for the County and State aforesaid, do hereby certify that **Beverly C. Keadle**, whose name is signed to the foregoing writing, has this day acknowledged the same before me in my said County and State.

Given under my hand this 7<sup>th</sup> day of June, 2022.

My commission expires April 3, 2024.



Ashley L. Clem  
Notary Public

Attach Minutes from May 9 Council Meeting Here



# Regular Town Council Meeting

## Minutes

Monday, May 9, 2022 at 7:00 pm

### MEETING LOCATION

Town Hall Council Chambers

340 East Main Street

### ACCESS MEETING THROUGH ZOOM

YOU MAY JOIN WITH INTERNET OR PHONE ACCESS. To join the meeting on your computer, use: <https://us02web.zoom.us/j/88640394769> Meeting ID: 886 4039 4769 To join by phone dial 1-301-715-8592 Meeting ID 886 4039 4769.

### PUBLIC HEARINGS AT 6:00 P.M.

Public Hearing on Arts Commission Ordinance

### COUNCIL MEETING AT 7:00 P.M.

#### 1. CALL TO ORDER

**Minutes:**

The meeting was called to order by Mayor Keadle at 7:00 p.m.

#### 2. INVOCATION & PLEDGE OF ALLEGIANCE

**Minutes:**

Those in attendance recited the Pledge to the Flag.

#### 3. ROLL CALL

**Minutes:**

Recorder Shanholtzer called the roll.. Those in attendance were: Councilwoman Pancake, Councilman Taylor, Councilman Hott, Councilwoman O'Brien, Councilwoman Morgret, Town Clerk Shreve, Recorder Shanholtzer and Mayor Keadle. Absent was: Councilman Duncan.

#### 4. PUBLIC COMMENT

Comments are limited to three (3) minutes. No deliberation or action by Council may occur or be taken.

#### 5. GUESTS:

- a. **Steven D. Reckart, WV State Police, retired; Moorefield Police Department, retired**
- b. **Kathleen Cochran, Romney Ruritan Club, Girl Scout Troop 40006**
- c. **Matthew Hinkle, CEO, Eastern West Virginia Community Action Agency**
- d. **Patty Anderson and Jane K. McBride, Save the Barn**
- e. **Eric Sherrard, The Thrasher Group**

#### **6. APPROVAL OF MINUTES:**

- a. **Approval of Minutes for April 11, 2022, Public Hearing; April 11, 2022, Regular Council Meeting, and April 19, 2022, Special Council Meeting**

##### **Minutes:**

Motion by Councilman Taylor, second by Councilwoman Morgret to approve the corrected minutes of the April 11 Council meeting, the April 11 Public Hearing and the April 19 Special Council Meeting. Motion carried.

#### **7. COMMITTEE REPORTS**

##### **Minutes:**

ORDINANCE AND FINANCE: O'Brien and Pancake. Councilwoman O'Brien reported on the Curb side Trash Pickup of April 22 and 23. There was a lot of community response. The cost was \$7350.00; 15 tons of trash was collected. A special thanks to Unity Apartments for their co-operation. Councilwoman O'Brien also reported on "Your Numbers Up" campaign. A thank you to Stacy Lambert for letters sent out to those not yet in compliance. Overall, there was a very good response from the community.

SANITATION AND WATER: Duncan and Morgret. Councilwoman reported that she has checked in weekly water and sewer departments. She spoke with Ken Maiers who praised the work of Noah Fout. All employees doing good work.

STREETS, SIDEWALKS AND BUILDINGS; Hott and Taylor. The sidewalk at the corner of Rosemary Lane and Bolton Street (at the home of Ron DiCiola) is raised up. Could the town raise up the slab of concrete, dig out under, and replace the concrete slab?

PARKS AND RECREATION: Keri Shreve, President. Will be working on the pool pump house this week. The goal is to have the pumps on this week and the pool open on June 1.

POLICE DEPARTMENT; Activity report of April 2022, is in packet. POLICE BOARD: Mayor Keadle, Chair. Police Board met on May 2, at 9:00 a.m. Report is in the packet. Next meeting is Monday, June 6, 2022 at 9:00 a.m.

#### **8. BUILDING PERMITS**

##### **Minutes:**

April Building permits were reviewed.

#### **9. FINANCIAL REPORTS**

##### **Minutes:**

April Budget Report was reviewed.

#### **10. APPROVAL OF PAYMENT OF BILLS**

##### **Minutes:**

The Expense Approval Report was reviewed. Motion by Councilwoman O'Brien, second

Pancake to approve the payment of bills based upon the availability of funds. Motion carried.

## **11. OVERTIME REPORT**

### **Minutes:**

The Overtime Report was reviewed.

## **12. INTERCONNECTOR REPORT**

### **Minutes:**

The Interconnector Report was verbally given by Mayor Keadle.

## **13. OLD BUSINESS**

### **a. Second and Final Reading of the Arts Commission Ordinance**

#### **Minutes:**

Second and Final Reading of the Arts Commission Ordinance. Motion by Councilman Taylor, second by Councilwoman Morgret, to approve. Vote was Pancake, yes, Taylor, yes, Hott, yes, O'Brien, yes and Morgret, yes. Motion carried.

#### **Vote results:**

Ayes: 5 / Nays: 0

## **14. NEW BUSINESS**

### **a. Resolution: Confirmation of Appointment of Steven D. Reckart as Municipal Judge**

#### **Minutes:**

Motion to approve the appointment of Steven D. Reckart as Municipal Judge by Councilman Taylor, second by Councilman Hott. Vote was: Pancake, yes, Taylor, yes, Hott, yes, O'Brien, yes and Morgret, yes. Motion carried.

#### **Vote results:**

Ayes: 5 / Nays: 0

### **b. Proclamation: Community Action Month Designation**

#### **Minutes:**

Motion to approve the Proclamation that May was Community Action Month by Councilwoman O'Brien, second by Councilwoman Pancake. Vote was: Pancake, yes, Taylor, yes, Hott, yes, O'Brien, yes, and Morgret, yes. Motion carried.

#### **Vote results:**

Ayes: 5 / Nays: 0

### **c. Resolution: Emergency Barn Stabilization**

#### **Minutes:**

Resolution to approve Emergency Barn Stabilization. Motion to approve by Councilwoman Morgret, second by Councilman Taylor. Vote was: Pancake, yes, Taylor, yes, Hott, yes, O'Brien, yes and Morgret, yet. Motion carried.

#### **Vote results:**

Ayes: 5 / Nays: 0

**d. Resolution: Revised Engineering Services Agreement**

**Minutes:**

Resolution to approve Revised Engineering Services Agreement with The Thrasher Group. Motion to approve by Councilwoman Morgret, second by Councilman Taylor. Vote was: Pancake, yes, Taylor, yes, Hott, yes, O'Brien, yes, Morgret, yes. Motion carried.

**Vote results:**

Ayes: 5 / Nays: 0

**e. Resolution: Parks and Recreation Grant approval**

**Minutes:**

Resolution to approve the Parks and Recreation Grant application. Motion by Councilman Taylor, second by Councilwoman O'Brien.. Vote was: Pancake, yes, Taylor, yes, Hott, yes, O'Brien, yes and Morgret, yes. Motion carried.

**Vote results:**

Ayes: 5 / Nays: 0

**f. Resolution: Public Works Lawn Mower Grant approval**

**Minutes:**

Resolution to approve the Public Works Lawn Mower Grant Application. Motion to approve by Councilman Taylor, with second by Councilwoman Pancake. Vote was: Pancake, yes, Taylor, yes, Hott, yes, O'Brien, yes, Morgret, yes. Motion carried.

**Vote results:**

Ayes: 5 / Nays: 0

**g. Ordinance: First Reading of Home Rule Application Ordinance**

**Minutes:**

Ordinance: First Reading of Home Rule Application. Motion by Councilman Taylor, second by Councilwoman O'Brien. Vote was: Pancake, yes, Taylor, yes, Hott, yes, O'Brien, yes, and Morgret, yes. Motion carried.

**Vote results:**

Ayes: 5 / Nays: 0

**h. Ordinance: First Reading for Revised Nuisance Ordinance**

**Minutes:**

Ordinance: First Reading for Revised Nuisance Ordinance. Motion by Councilwoman O'Brien, second by Councilman Taylor. Vote was: Pancake, yes, Taylor, yes, Hott, yes, O'Brien, yes and Morgret, yes. Motion carried.

**Vote results:**

Ayes: 5 / Nays: 0

**i. Proclamation: Drinking Water Week Designation**

**Minutes:**

Resolution - Proclamation of Clean Drinking Water Week. Motion to approve by Councilwoman Morgret, second by Councilman Taylor. Vote was: Pancake, yes, Taylor, yes, Hott, yes, O'Brien, yes and Morgret, yes. Motion carried.

**Vote results:**

Ayes: 5 / Nays: 0

**j. Resolution: Council Agenda placed on Town Website**

**Minutes:**

Three calls for motion to approve. No response. Resolution failed.

**15. EXECUTIVE SESSION**

**16. ADMINISTRATIVE REPORTS**

**17. ADJOURN**

**Minutes:**

Motion to adjourn by Councilman Taylor, second by Councilman Hott. Motion carried.

Contact: Beverly C. Keadle, Mayor (bkeadle@townofromney.org 304-822-5118) | Minutes published on 05/13/2022, adopted on 06/06/2022

Attach Minutes from June 6 Home Rule Public Hearing Here



# Public Hearing

Minutes

Monday, June 6, 2022 at 6:00 pm

## PUBLIC HEARING LOCATION

Town Hall Council Chambers

340 East Main Street

## ACCESS MEETING THROUGH ZOOM

YOU MAY JOIN WITH INTERNET OR PHONE ACCESS. To join the meeting on your computer, use: <https://us02web.zoom.us/j/88640394769> Meeting ID: 886 4039 4769 To join by phone dial 1-301-715-8592 Meeting ID 886 4039 4769.

### 1. Public Hearing on Home Rule Application

#### Minutes:

No one was in attendance for the Public Hearing on the Home Rule Application.

Contact: Beverly C. Keadle, Mayor (bkeadle@townofromney.org 304-822-5118) | Minutes published on 06/07/2022 at 12:35 PM

Attach Minutes from June 6 Town Council Meeting Here



# Regular Town Council Meeting

## Minutes

Monday, June 6, 2022 at 7:00 pm

### MEETING LOCATION

Town Hall Council Chambers

340 East Main Street

### ACCESS MEETING THROUGH ZOOM

YOU MAY JOIN WITH INTERNET OR PHONE ACCESS. To join the meeting on your computer, use: <https://us02web.zoom.us/j/88640394769> Meeting ID: 886 4039 4769 To join by phone dial 1-301-715-8592 Meeting ID 886 4039 4769.

### PUBLIC HEARINGS AT 6:00 P.M.

Public Hearing on Home Rule Application

### COUNCIL MEETING AT 7:00 P.M.

#### 1. CALL TO ORDER

**Minutes:**

The Meeting was called to order by Mayor Keadle at 7:00 p.m.

#### 2. PLEDGE OF ALLEGIANCE

**Minutes:**

Those in attendance stood to recite the Pledge to the Flag.

#### 3. ROLL CALL

**Minutes:**

Those present for the meeting were: Councilwoman Pancake, Councilman Taylor, Councilman Hott, Councilman Duncan, Councilwoman O'Brien, Councilwoman Morgret, Town Clerk Shreve, Code Enforcement Officer Shreve, Chief Lambert, Recorder Shanholtzer and Mayor Keadle.

#### 4. PUBLIC COMMENT

Comments are limited to three (3) minutes. No deliberation or action by Council may occur or be taken.

#### 5. GUESTS:

**a. Kristin Mumpower**

**Minutes:**

Ms. Mumpower commented on what she would like to do for the town pool and her many concerns about local government.

**6. APPROVAL OF MINUTES:**

**Minutes:**

Motion to approve the May 9, 2022, Public Hearing minutes and the May 9, 2022, Council Meeting minutes by Councilwoman O'Brien, second by Councilman Taylor. Motion carried.

**7. COMMITTEE REPORTS**

**Minutes:**

FINANCE AND ORDINANCE - O'Brien and Pancake. The "Your numbers up" campaign is down to 10-15 residences without numbers, this is out of the starting number of 600. This initiative has been quite a success. SANITATION AND WATER - Duncan and Morgret. Morgret spoke with both departments. Sewer reports that Aluminum count is down. Water reports radios and antenna installed and meter installation moving along. Morale is good. STREETS, SIDEWALKS AND BULDINGS - Hott and Taylor. Hott reported a new sidewalk on W. Gravel Lane looks good. Hott also requested gravel for Rannels Acres Lane where trash truck backs up. This issue has been investigated by Maintenance Supervisor and is on private property. Taylor reported that Maintenance employees are happy. PARKS AND RECREATION - Keri Shreve, President. Shreve included a financial update in the council packet. POLICE DEPARTMENT - May, 2022 Activity Report in packet POLICE BOARD - Mayor Keadle, chair. No meeting in June. Next Meeting will be Monday, July 11, 2022 at 9:00 a.m. ROMNEY HISTORIC LANDMARKS COMMISSION - Don Cookman, President. Next meeting scheduled for Thursday, June 23, 2022 at 3:30 p.m. at town hall.

**8. BUILDING PERMITS**

**Minutes:**

May Building Permits were reviewed.

**9. FINANCIAL REPORTS**

**Minutes:**

May 2022 Budget Report was reviewed.

**10. APPROVAL OF PAYMENT OF BILLS**

**Minutes:**

May, 2022, Expense Approval Report was reviewed. Motion by Councilwoman Moregret, second by Councilwoman Pancake to approve the payment of bills based upon the availability of funds. Motion carried.

**11. OVERTIME REPORT**

**Minutes:**

May, 2022, Overtime Report was reviewed.

**12. INTERCONNECTOR REPORT**

**Minutes:**

May, 2022, Interconnector Report was reviewed.

**13. OLD BUSINESS**

**a. Second and Final Reading of Home Rule Ordinance**

**Minutes:**

ORDINANCE: Second and final reading of the Home Rule Ordinance. Motion to approve by Councilman Taylor, second by Councilman Hott. Vote was: Pancake, yes, Taylor, yes, Hott, yes, Duncan, yes, O'Brien, yes, and Morgret, yes. Motion carried.

**Vote results:**

Ayes: 6 / Nays: 0

**b. Second and Final Reading of Nuisance Ordinance Update**

**Minutes:**

ORDINANCE: Second and final reading of Nuisance Ordinance. Motion to approve by Councilwoman O'Brien, second by Councilwoman Pancake. Vote was: Tylor, yes, Hott, yes, Duncan, yes, O'Brien, yes, Morgret, yes and Pancake, yes. Motion carried.

**Vote results:**

Ayes: 6 / Nays: 0

**14. NEW BUSINESS**

**a. Resolution - 2022 Paving and Patching**

**Minutes:**

RESOLUTION: Signing authorization for 2022 Paving and Patching Program not to exceed \$50,000.00. Motion to approve by Councilman Hott, second by Councilman Taylor. Vote was: Pancake, yes, Taylor, yes, Hott, yes, Duncan, yes, O'Brien, yes and Morgret, yes. Motion carried

**Vote results:**

Ayes: 6 / Nays: 0

**b. Resolution - Sidewalk Grant**

**Minutes:**

RESOLUTION: Signing authorization for Transportation Alternative Grant for both sides of North High Street beginning at the stop light and continuing to Armstrong Street at a cost of \$400,000.00. Motion to approve by Councilman Duncan, second by Councilman Taylor. Vote was: Pancake, yes, Taylor, yes, Hott, yes, Duncan, yes, O'Brien, yes and Morgret, yes. Motion carried.

**Vote results:**

Ayes: 6 / Nays: 0

### **c. Resolution - Insurance Renewal**

#### **Minutes:**

RESOLUTION: Renewal of insurance agreement with WVCorp for FY2023, beginning July 1, 2022, at a cost of \$100688.00. This includes the add on of an additional \$1,000,000.00 in cyber coverage at a cost of \$2000.00. Motion to approve by Councilman Duncan, second by Councilwoman O'Brien. Vote was: Pancake, yes, Taylor, yes, Hott, yes, Duncan, yes, O'Brien, yes and Morgret, yes. Motion carried.

#### **Vote results:**

Ayes: 6 / Nays: 0

### **15. EXECUTIVE SESSION**

### **16. ADMINISTRATIVE REPORTS**

### **17. ADJOURN**

#### **Minutes:**

Motion to adjourn by Duncan with second by Morgret. Motion carried.

Contact: Beverly C. Keadle, Mayor (bkeadle@townofromney.org 304-822-5118) | Minutes published on  
06/07/2022 at 4:07 PM



# TOWN OF ROMNEY

*"First in West Virginia - Est. 1762"*

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Office of Code Enforcement  
340 E. Main Street Romney,  
WV 26757

Main: 304-822-5118  
Fax: 304-822-5793

## **Exhibit B – Publication Mandate Verification**

### **Town of Romney Home Rule Application**

STATE OF WEST VIRGINIA  
COUNTY OF HAMPSHIRE  
TO WIT:

The Undersigned hereby certified that the  
Annexed notice was duly published in the  
HAMPSHIRE REVIEW, a weekly Newspaper  
published in said county, for 2  
consecutive weeks, commencing on the  
4 day of May, 2022

CORNWELL & AILES, INC.  
PUBLISHERS

BY: Lana Bice

WORDS 442 COST \$100.32

STATE OF WEST VIRGINIA  
County of Hampshire, to wit:

I here certify that the said

Lana Bice

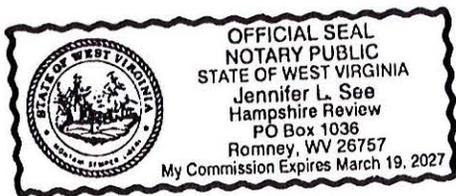
did prepare and sign in my presence this

Certificate of Publication on this the

11 day of May, 2022.

My commission expires March 19, 2027.

Jennifer L. See  
Jennifer L. See



NOTICE OF PUBLIC HEARING &  
TOWN COUNCIL MEETING

TOWN OF ROMNEY MUNICIPAL HOME RULE PROGRAM  
PLAN APPLICATION

Notice is hereby given by the Town Council of Romney, W.Va., that it will conduct a public hearing to discuss the Town's written plan for Home Rule.

Information from the hearing will be used by Council in its application for acceptance to the West Virginia Municipal Home Rule Program, established by § 8-1-5a of the WV State Code as amended.

The public hearing on the plan and the final reading of an ordinance permitting the Mayor to make application to the Municipal Home Program shall take place before the regular meeting of Romney Town Council on Monday, June 6, 2022, at 6:00 p.m. in the Romney Town Hall located at 340 E Main St, Romney, WV.

Notice is hereby given that any interested party may appear before Council during the hearing and meeting to be heard with respect to the plan and the proposed ordinance.

The proposed Home Rule Plan for Romney will be available for public inspection beginning on May 6, 2022 in Romney Town Hall during regularly posted business hours.

Interested citizens are invited to attend the public hearing and to present oral or written comments concerning Romney's proposed Home Rule plan. Written comments may be addressed to the Town of Romney, 340 E Main St, Romney, WV 26757.



# TOWN OF ROMNEY

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WV 26757

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## **Exhibit C – Ordinance Authorizing Submission of Plan Town of Romney Home Rule Application**

**Ordinance No. 2022.04**  
**Town of Romney**  
**Home Rule Application Authorization Ordinance**

An ORDINANCE pursuant to the provisions of W.Va. Code 8-1-5a, authorizing the Town of Romney to submit a written home rule proposal to the Municipal Home Rule Board in order to permit participation by Romney in the Municipal Home Rule Program.

**Section 1: Authorization to Submit a Written Home Rule Proposal**

WHEREAS, in 2007, the West Virginia Legislature enacted WV Code §8-1-5a, known as the Municipal Home Rule Pilot Program; and

WHEREAS, in 2019, the Municipal Home Rule Pilot Program was made a permanent program, with provisions to add four Class IV municipalities to the program each year; and

WHEREAS, the participation in the Home Rule Program by the Town of Romney, a Class IV municipality, would give the Town unique flexibility to apply local solutions to local problems, benefitting the greater community, including residents, visitors, and businesses.

NOW, THEREFORE, BE IT ENACTED BY THE TOWN OF ROMNEY THAT the Mayor is hereby authorized and directed to submit a home rule proposal to the Municipal Home Rule Board on July 13, 2022, in accordance with WV Code §8-1-5a in order for the Town of Romney to be considered for inclusion in the program as a Class IV municipality during Fiscal Year 21-22.

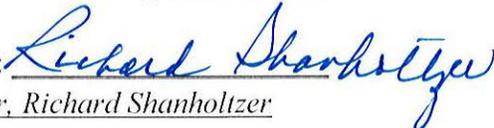
**Section 2: EFFECTIVE DATE**

This ordinance shall become effective upon passage after second reading.

1<sup>st</sup> Reading: May 9, 2022

Public Hearing: June 6, 2022

2<sup>nd</sup> and Final Reading: June 6, 2022

Attested:   
Recorder, Richard Shanholtzer

Attested: Richard Shanholtzer  
Recorder, Richard Shanholtzer

Upon the motion duly made and seconded, the regular rules were suspended by the Town of Romney Council members and the above ordinance having been read a first and second was passed to be effective from this date.

As adopted this date 6th day of June, by the vote of the Town Council of Romney, WV.

Members	First Reading	2 <sup>nd</sup> and Final Reading
John Duncan, Councilman		yes
Duncan Hott, Councilman		yes
Savana Morgret, Councilwoman		yes
Paula O'Brian, Councilwoman		yes
Robin Pancake, Councilwoman		yes
William Taylor, Councilman		yes
Mayor Beverly Keadle		

Approval with majority vote only.

Signed: Beverly Keadle  
Beverly Keadle, Mayor

Signed: Paula O'Brian  
Paula O'Brian, Councilwoman

Signed: William Taylor  
William Taylor, Councilman

Signed: Duncan Hott  
Duncan Hott, Councilman

Signed: John F. Duncan  
John Duncan, Councilman

Signed: Savana Morgret  
Savana Morgret, Councilwoman

Signed: Robin Pancake  
Robin Pancake, Councilwoman

Date: June 6, 2022



# TOWN OF ROMNEY

*"First in West Virginia - Est. 1762"*

Office of Code Enforcement  
340 E. Main Street Romney,  
WV 26757

Main: 304-822-5118  
Fax: 304-822-5793

## **Exhibit D – Fiscal Statement for Feral Cat Costs Town of Romney Home Rule Application**

Feral Cat  
Financial Statement

Income from General Fund

Animal Control revenue \$530.00

Expenses

Estimated Feral Cat Cost \$500.00



# TOWN OF ROMNEY

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WV 26757

Main: 304-822-5118  
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## **Exhibit E – Model Rental Registration Ordinance Town of Romney Home Rule Application**

**TOWN OF ROMNEY  
ORDINANCE NO.  
2022.0#**

**AN ORDINANCE PERTAINING TO REGISTRATION OF  
RENTAL HOUSING UNITS IN THE TOWN OF ROMNEY**

**I. ADOPTION**

There is hereby established a rental property registration program for the Town of Romney.

**II. PURPOSE**

- (A) The Town has determined that uninspected and unmonitored rental properties often:
  - i. fail to comply with minimum fire prevention and safety regulations as established by the West Virginia Fire Code;
  - ii. fail to comply with minimum safety, health, and sanitation regulations as established by the International Property Maintenance Code and WV Code Section 8-12-16;
  - iii. pose health and safety risks to the tenants that occupy them and properties that surround them; and
  - iv. require additional monitoring, inspection, and services to protect the health, safety, and welfare of the public.
- (B) Owners of rental properties shall register such properties with the Town, and otherwise conform to the requirements of this Ordinance.
- (C) It is the intent of this Ordinance that, through a registration process, the Town will be better able to monitor, and inspect residential rental properties; ensuring that such properties are maintained sufficiently to provide safe, sanitary, and habitable housing conditions for Town rental residents.

**III. DEFINITIONS**

Except where terms are expressly defined otherwise herein, or unless the context clearly indicates or requires a different meaning, the following words, when used in this Ordinance, shall have the following meanings:

- (A) “Town” shall mean and refer to the Town of Romney, West Virginia, its successors, and assigns.
- (B) “Apartment Complex” shall mean any rental housing unit that contains two or more housing units in the same building or buildings managed under the same owner.
- (C) “Housing Unit” shall mean any structure or part of a structure that is used or may be used by one or more persons as a home, residence, dwelling, or sleeping place, including but not limited to single-family residences, duplexes, multi-family dwellings, condominium units, boarding and lodging house units, single-room occupancy units, accessory dwelling units, and any other structure or part of a structure having similar living accommodations.

- (D) “Let for Occupancy” or “Let” shall mean to permit, provide, or offer possession or occupancy of a housing unit by a person who is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement, or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.
- (E) “Managing Operator” shall mean any person who has charge, care or control of a structure or premises which is let or offered for occupancy.
- (F) “Owner” shall mean an individual, record owner, corporation, partnership, trustee, lessee, agent or assignee or any equitable title in real property.
- (G) “Rental Housing Unit” shall mean any housing unit that is or may be available for rent, or is occupied or rented by a tenant or subtenant in exchange for any form of consideration.
- (H) “Tenant” shall mean a person, corporation, partnership, or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

**I. APPLICABILITY**

The registration provisions of this Ordinance shall apply to all rental housing units with the exception of:

- (A) Hotels, motels, inns, bed and breakfasts, short-term vacation rentals, or similar accommodations that provide lodging for transient guests;
- (B) Hospitals, hospice facilities, assisted living facilities, nursing homes, and residential care facilities;
- (C) Transitional housing, homeless shelters, rehabilitation homes, and other emergency or temporary shelters;
- (D) Housing units owned, operated, or managed by a major educational or medical institution or by a third party for the institution;
- (E) Housing units that a governmental entity or housing authority owns, operates, or manages, or those exempted by federal, state, or local law;
- (F) Accessory apartments and dwelling units, when the principal dwelling unit located on the same property is occupied by the owner of record.

## **II. REGISTRATION REQUIRED**

(A) The owner of any rental housing unit, other than those exempted above, shall register all housing units with the Town in accordance with the provisions of this section. An owner of an apartment complex is not required to register individual rental housing units and may register the apartment complex as a whole.

(B) The registration shall be available online through the Town website, or may be mailed by the Town to the Owner of a known or suspected Rental Housing Unit, and shall include the following information:

- (1) A description of the rental housing unit(s) located at the property by street address;
- (2) The name, mailing and physical address(es), telephone number, and email address of the owner of the property;
- (3) The name, mailing and physical address(es), telephone number, and email address of the responsible managing operator, if other than the owner;
- (4) If the owner is a corporation, limited partnership, limited liability company, or similar entity, the organization shall furnish the name, mailing and physical address(es), telephone number, and email address of a responsible individual partner or officer;
- (5) If the owner is a partnership or similar entity, the entity shall furnish the name, mailing and physical address(es), telephone number, and email address of a responsible individual partner or officer.

(C) Whenever ownership of a rental housing unit changes, the new owner shall register the rental housing unit within 30 days of the transfer of ownership. Whenever the contact information changes for an owner and/or managing operator, the registration statement shall be updated within 30 days to provide the new contact information.

## **III. CONFIDENTIALITY**

**Confidentiality of Information.** All rental registration information collected by the Town hereunder shall be maintained as confidential and not disseminated or released to the public except as provided herein, required by law, or in the event the property is cited for violations of Ordinances. If a rental registry property is cited for a violation, rental registry information may become part of the property maintenance case file, which is maintained by the Town and available for public inspection. In the event that separate Town Ordinances authorize the publishing of information related to the violation of Town Ordinances; this Ordinance shall not limit the Town's authority to so publish.

## **IV. ENFORCEMENT**

Any person or entity that violates the provisions of this chapter shall be subject to citation issued by any officer of the Romney Police Department or Romney Code Enforcement Office. Citations shall be enforced through the Town as provided herein, or as may be amended. The Town shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, requirements, liens, and charges now or hereafter imposed by the provisions of this Ordinance. Failure by the Town to enforce any covenant, requirement or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

**V. VIOLATIONS AND PENALTIES**

(A) The failure to register a rental housing unit or apartment complex in accordance with this Ordinance shall be classified as a civil offense with a penalty of up to \$100 per rental housing unit or apartment complex.

(B) The Town will serve the owner or managing operator with a twenty-day notice of violation with a warning of the failure to comply with the rental registry.

(C) Such notice shall be served in accordance with the law of this state concerning the service of process in civil actions, except that personal service may be made by a code enforcement agency official and the method of service effectuated by mail by the clerk of a court as permitted by Rule 4(d)(1)(D) of the West Virginia Rules of Civil Procedure is effectuated by mailing by a code enforcement agency official; and shall be posted in a conspicuous place on the property that is the subject of the notice of violation or correction.

(D) Failure to comply at the end of the date twenty days after the date on which the notice is served will result in an additional fine of up to \$100 per rental housing unit or apartment complex.

(E) Thereafter, each day of such violation(s) shall constitute a separate offense. Any violation of this Ordinance may be enforced by citation written by an Officer of the Romney Police Department or Office of Code Enforcement.

**VI. RIGHT OF APPEAL FOR RENTAL PROPERTY DESIGNATION / FINES**

(A) Request for reconsideration.

- i. The owner shall have the right to request reconsideration by the Office of Code Enforcement of (1) the imposition of the fines imposed by this Ordinance and/or (2) the designation of structure as a rental housing unit or apartment complex by filing an application in writing to the Town Office of Code Enforcement no later than 20 calendar days after the date of service of the notice of violation.
- ii. On the request for reconsideration, the owner shall bear the burden of providing satisfactory proof the structure is not a rental housing unit or apartment complex as defined herein, or that the fine(s) assessed were not appropriate under this Ordinance.

(B) Code Enforcement Officer's determination.

- i. Within 30 days, or as soon thereafter as is practicable, after the Code Enforcement Officer receives an application pursuant to section VI(A), the Code Enforcement Officer will contact the owner and afford the owner the opportunity to appear in person for reconsideration or waiver of fee.
- ii. Within 30 days, or as soon thereafter as is practicable, after consideration of all information provided by the owner and upon advice and consent of the Mayor, the Code Enforcement Officer shall grant or deny the request in writing and provide the owner with a copy of the decision.

- (C) A determination by the Code Enforcement Officer may be appealed by the owner or manager of the property to the Town of Romney Municipal Judge within fifteen (15) days after notice of the Code Enforcement Officer's decision.
- (D) If the Municipal Judge affirms the prior determination, the property owner may appeal the decision to the Circuit Court of Hampshire County within twenty (20) days of the decision.

**VII. NONPAYMENT OF FINES/LIENS**

- (E) Except for those owners who have properly perfected an appeal, if an owner fails to pay any amount due, said amount shall constitute a debt due and the Town may commence a civil action to collect such unpaid debt. In the event service is not attained by certified mail, alternative means of service may be used consistent with the West Virginia Rules of Civil Procedure for service.
- (F) In lieu of, or in addition to, commencing a civil action as authorized above, the Town may, after properly serving a notice of intent to file a lien on the property owner, file a lien not less than thirty days after such notice is received for unpaid registration fees against the property where the vacant structure is situated.

**VIII. RELATION TO OTHER CODES AND LAWS**

The intent and purpose of this article are separate and distinct from other parts and sections of this Town Code and the general laws of the State of West Virginia that may also be applicable. The provisions of this article are applicable to the owners of such vacant structures as set forth herein and are in addition to and not in lieu of any and all other applicable provisions of this Town Code.

**IX. SEVERABILITY; MODIFICATION**

- (A) The provisions of this Ordinance are severable.
- (B) While the covenants, conditions or requirements set forth above are considered to be reasonable in all circumstances, it is recognized that covenants, conditions or requirements of this nature may fail for reasons unforeseen, and accordingly it is hereby declared that if any of such covenants, conditions or requirements shall be adjudged void as going beyond what is reasonable in all instances, the said covenant, condition or requirements shall apply with such modifications as may be necessary to make it valid and effective.
- (C) In the event any provision or portion of this Ordinance shall be held or adjudged invalid or unenforceable and incapable of reasonable modification to make it valid and effective in accordance with this section, the remaining provisions or portions of this Ordinance shall not be invalidated thereby, but shall remain in full force and effect.

**X. EFFECTIVE DATE**

This ordinance shall become effective upon passage after second reading.

1<sup>st</sup> Reading: #####, 2022  
Public Hearing: #####, 2022  
2<sup>nd</sup> and Final Reading: #####, 2022  
Attested: \_\_\_\_\_

*Recorder, Richard Shanholtzer*

*Upon the motion duly made and seconded, the regular rules were suspended by the Town of Romney Council members and the above ordinance having been read a first and second was passed to be effective from this date.*

*As adopted this date #####th day of #####, by the vote of the Town Council of Romney, WV.*

Members	First Reading	2 <sup>nd</sup> and Final Reading
John Duncan, Councilman	_____	_____
Duncan Hott, Councilman	_____	_____
Savana Morgret, Councilwoman	_____	_____
Paula O'Brian, Councilwoman	_____	_____
Robin Pancake, Councilwoman	_____	_____
William Taylor, Councilman	_____	_____
Mayor Beverly Keadle	_____	_____

*Approval with majority vote only.*

Signed: \_\_\_\_\_  
Beverly Keadle, Mayor

Signed: \_\_\_\_\_  
Paula O'Brian, Councilwoman

Signed: \_\_\_\_\_  
William Taylor, Councilman

Signed: \_\_\_\_\_  
Duncan Hott, Councilman

Signed: \_\_\_\_\_  
John Duncan, Councilman

Signed: \_\_\_\_\_  
Savana Morgret, Councilwoman

Signed: \_\_\_\_\_  
Robin Pancake, Councilwoman

Date: #####, 2022



# TOWN OF ROMNEY

*"First in West Virginia - Est. 1762"*

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Office of Code Enforcement  
340 E. Main Street Romney,  
WV 26757

Main: 304-822-5118  
Fax: 304-822-5793

## **Exhibit F – Attorney Opinion**

### **Town of Romney Home Rule Application**



West Virginia Municipal Home Rule Board  
West Virginia Development Office  
West Virginia Department of Commerce  
Capitol Complex, Building 6, Room 525  
Charleston, WV 25305-0311

Re: Application of the Town of Romney, West Virginia, to participate in the  
Municipal Home Rule Program

Dear Board Members:

Please be advised that I am legal counsel for the Town of Romney, West Virginia. I have reviewed West Virginia Code § 8-1-5a, the Application Guidelines for Participation in the Municipal Home Rule Pilot Program and the Application of the Municipality to participate in the Pilot Program, including all attachments thereto.

Based upon my examination of the Application and applicable provisions and requirements set forth in the West Virginia State Code, it is my opinion that the Application complies with said provisions and requirements of West Virginia Code § 8-1-5a. The application does not provide for any proposed changes to resolutions, acts, ordinances, rules, or regulations that are contrary to the provisions of West Virginia Code § 8-1-5a (i)(1) through (24) or attempts to do any act prohibited by §§ 8-1-5a (j)(1-3), and that this application is fully compliant with West Virginia Code § 8-1-6.

This opinion is in specific contemplation of West Virginia Code § 8-1-5a (i)(15), whereby participating municipalities are prohibited from taking actions contrary to laws governing tax increment financing. This application only proposes that the Town of Romney be permitted to utilize tax increment financing and in no way proposes any alterations to the laws governing its use.

Similar consideration is given to West Virginia Code § 8-1-5a (k), which restricts municipal prohibition or limitation of rental of property. This application proposes an online rental registration process which will require only the provision of basic property information and be of no cost to rental property owners (except for ordinance violation fines). Complying with the proposed rental registration ordinance could be done from a rental property owner's home and take less than ten minutes. Because the proposed registry's additional burden on such owners is so low, it cannot be interpreted as prohibition or effective limitation on the rental of properties.

Should you require further information or documentation from my office, please do not hesitate to contact me.

Respectfully,

J. Logan Mantz  
W.Va. State Bar I.D. # 13901  
PO Box 32, Capon Bridge WV 26711  
lmantz@caponbridgelegal.com



# TOWN OF ROMNEY

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Office of Code Enforcement  
340 E. Main Street Romney,  
WV 26757

Main: 304-822-5118  
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## **Exhibit G – State Fees Statement and Affidavit Town of Romney Home Rule Application**



# TOWN OF ROMNEY

"First in West Virginia - Est. 1762"

340 E. Main Street  
Romney, WV 26757

Main: 304-822-5118  
Fax: 304-822-5793

## AFFADAVIT

I, Beverly Keadle, having been duly sworn, do hereby state and affirm the following:

1. That I am the elected Mayor of the Town of Romney, West Virginia, having served from July 1, 2018 to the present; and
2. That as Mayor I am familiar with all of the financial affairs for the Town of Romney; and
3. That I hereby certify that the Town of Romney is not delinquent in, nor does it have any outstanding payments due to the State of West Virginia.

This affidavit is sworn by me and submitted this 7<sup>th</sup> Day of June, 2022.

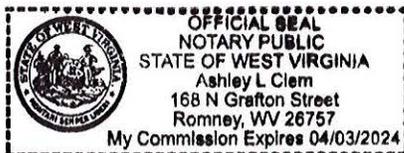
Signed: Beverly C. Keadle  
 Beverly C. Keadle, Mayor  
 Town of Romney

STATE OF West Virginia,  
 COUNTY OF Hampshire, to wit:

I, Ashley Clem, a Notary Public in and for the County and State aforesaid, do hereby certify that **Beverly C. Keadle**, whose name is signed to the foregoing writing, has this day acknowledged the same before me in my said County and State.

Given under my hand this 7<sup>th</sup> day of June, 2022.

My commission expires April 3, 2024.



Ashley L. Clem  
 Notary Public