

**ORDINANCE NO. 431 OF THE CITY OF BUCKHANNON,
AN ORDINANCE AUTHORIZING THE SUBMISSION OF AN
AMENDMENT TO THE CITY'S HOME RULE PLAN TO
THE WEST VIRGINIA MUNICIPAL HOME RULE BOARD**

WHEREAS, the West Virginia Municipal Home Rule Board accepted the City of Buckhannon into Phase II of the West Virginia Municipal Home Rule Pilot Program on October 6, 2014, and approved the written plan submitted therewith; and,

WHEREAS, Chapter 8, Article 1, Section 5a, paragraph (k) of the West Virginia Code of 1931, as amended, permits municipalities participating in the Municipal Home Rule Pilot Program to amend their written plans; and,

WHEREAS, the City of Buckhannon is considering the submission of an amendment to the city's home rule plan, which would permit establishment of a municipal sales and use tax at a rate not to exceed one percent, while providing for the reduction of the city's business and occupation tax receipts; and,

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF BUCKHANNON, AS FOLLOWS:

ARTICLE I – AUTHORIZATION TO SUBMIT AMENDED PLAN: The Mayor is hereby authorized to submit, pursuant to the rules and procedures established by the West Virginia Municipal Home Rule Board, an application for approval of an amendment to the written plan of the City of Buckhannon to permit establishment of a municipal sales and use tax at a rate not to exceed one percent while providing for the reduction of the city's business and occupation tax receipts, and to take all acts necessary and proper to carry out the submission of said application.

ARTICLE II - EFFECTIVE DATE: This Ordinance shall be deemed effective thirty (30) days following the second (2nd) reading, passage and adoption by the Council of the City of Buckhannon, i.e., December 1, 2018.

FIRST READING: October 18, 2018

PUBLIC HEARING, SECOND READING,
PASSAGE & ADOPTION: November 1, 2018

David W. McCauley, Mayor

CERTIFICATE OF ENACTMENT

I, Colin Reger, City Recorder, do hereby certify that the foregoing Ordinance No. 431 was lawfully ordained and enacted by the Council of the City of Buckhannon during a regular session of the said Council assembled on November 1, 2018.

Colin Reger, City Recorder