

## ORDINANCE 293

**AN ORDINANCE OF THE CITY OF ELKINS, WEST VIRGINIA,  
REVISING AND AMENDING CITY CODE §152.245 REGARDING  
MEETINGS OF THE BOARD OF ZONING APPEALS**

**WHEREAS**, the Common Council has previously by ordinance established the Board of Zoning Appeals which ordinance is codified in City Code in §152.210 through §152.999, Board of Zoning Appeals; Generally; and

**WHEREAS**, W.V. Code §8A-8-1 et seq. authorizes the establishment of a Board of Zoning Appeals along with prescribing the procedures and responsibilities of a municipal Board of Zoning Appeals; and

**WHEREAS**, City Code §152.245 states that the Board of Zoning Appeals shall hold at least one meeting each month; and

**WHEREAS**, W.V. Code §8A-8-5(a) states that the Board of Zoning Appeals shall meet quarterly and may meet more frequently at the written request of the chairperson or by two or more members; and

**WHEREAS**, the Common Council believe that it is in the best interests of the City and its citizens to amend City Code §152.245 to comply with the requirement of W.V. Code 8A-8-5.

**NOW, THEREFORE**, be it Ordained and Enacted the City Code §152.245 be amended and revised as follows:

**§152.245 Meetings; Quorum**

The Board shall meet quarterly and may meet more frequently at the written request of the chairperson or by two or more members. Four members shall constitute a quorum of the Board, but a lesser number may meet and adjourn.

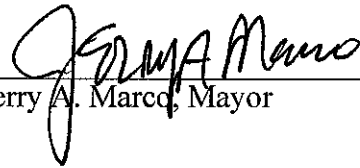
This Ordinance shall become effective upon passage.

If any portion of this Ordinance shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and Common Council determines that it would have adopted this Ordinance without the invalid provision.

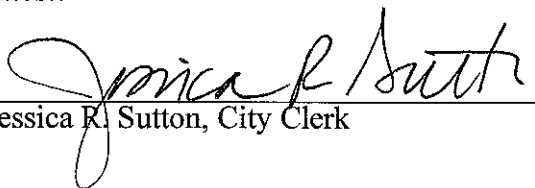
PASSED AND APPROVED ON FIRST READING: November 18, 2021.

PASSED AND APPROVED ON SECOND AND FINAL READING THE 2<sup>nd</sup> DAY  
OF December, 2021.

CITY OF ELKINS, WEST VIRGINIA

  
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Jerry A. Marcq, Mayor

*Attest:*

  
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Jessica R. Sutton, City Clerk