

# West Virginia

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West Virginia ranks 38th among the states in number of local governments, with 686 as of June 2002.

## **COUNTY GOVERNMENTS (55)**

There are no areas in West Virginia lacking county government. The county governing body is called the county commission.

## **SUBCOUNTY GENERAL PURPOSE GOVERNMENTS (234)**

### **Municipal Governments (234)**

Municipal governments in West Virginia are the cities, towns, and villages. Cities are divided according to population size into the following classes:

- Class—More than 50,000 inhabitants
- Class II—10,001 to 50,000 inhabitants
- Class III—2,001 to 10,000 inhabitants
- Class IV (towns and villages)—2,000 inhabitants or fewer

To incorporate, a population of 100 is required for an area less than 1 square mile; 500 residents per square mile are required for an area of 1 square mile or more.

Municipalities with a population of more than 2,000 may elect to operate under a home-rule charter.

### **Township Governments (0)**

West Virginia has no township governments.

## **PUBLIC SCHOOL SYSTEMS (55)**

### **School District Governments (55)**

Each county in West Virginia constitutes a school district. The county school districts in West Virginia are counted as governments. An elected county board of education governs each district. The board may levy ad valorem taxes and issue bonds.

### **Dependent Public School Systems (0)**

West Virginia has no dependent public school systems.

### **Other Educational Activities**

Multicounty regional educational service agencies may be established by the state board of education to provide special educational and other services. The governing board of each agency is selected in accordance with state

board of education regulations. These agencies may receive county contributions, federal funds, gifts, and grants. Multicounty regional educational service agencies are classified as joint educational service agencies of the participating school districts and are not counted as separate governments.

## **SPECIAL DISTRICT GOVERNMENTS (342)**

West Virginia statutes authorize the creation of a variety of special districts or authorities that are counted as governments. These are discussed in detail below.

### **Airport Authorities (regional)**

General law provides that regional airport authorities may be established by the governing bodies of two or more contiguous municipalities or counties. A board appointed by the participating governments governs each authority. The authority may fix and collect service charges and issue revenue bonds.

The following airport authorities were authorized by special act:

Benedum Airport Authority, established by the county courts of Harrison and Marion counties, was authorized by special act. The respective county commissions each appoint three board members to the authority. The authority may receive rentals and charges and may issue revenue bonds.

Potomac Highlands Airport Authority was authorized by a special act. The authority is governed by a board of two members appointed by the commissioners of Mineral County and five members appointed by Maryland jurisdictions. The authority may impose fees and borrow money.

The Tri-State Airport Authority was created by a special act to operate an airport in Wayne County. Its governing body is appointed by the participating counties and cities in Cabell and Wayne counties. The authority may fix user charges and issue revenue bonds.

Single-county airport authorities are not counted as separate governments. See "Subordinate Agencies and Areas," below.

### **Coal Heritage Highway Authority**

This authority was created by an act of state legislature to promote economic development and tourism along the national scenic byway known as the coal heritage trail.

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The board consists of one member appointed by each of the county commissions of Fayette, Mercer, McDowell, Raleigh, and Wyoming counties and one member appointed by the state secretary of education and arts. The authority may fix and collect fees for the use of its facilities.

### **Conservation Districts**

Conservation districts are created by the state conservation committee on petition of landowners and after referendum. A board of supervisors, consisting of one elected member from each county wholly or partially located within the district and two members appointed by the state committee, governs each district. The districts may require contributions from benefitted landowners.

In addition, watershed improvement districts may be formed as subdistricts of a conservation district upon petition and after hearing. The supervisors of the overlying conservation district govern the watershed conservation district. A watershed improvement district is not counted as a separate government.

### **Corridor G Regional Development Authority**

This authority was created by a special act to advance industrial, commercial, agricultural, and recreational development in the counties of Boone, Lincoln, Logan, and Mingo. It is governed by a 16-member board appointed by the participating counties. The authority may fix and collect fees for its services and issue revenue bonds.

### **Drainage, Levee, and Reclamation Districts**

These districts provide flood control and reclamation of swampland. The districts may be created by the circuit court on petition of landowners after hearing. An elected board of supervisors governs each district. The districts may issue bonds and levy special benefit assessments.

### **Greater Huntington Park and Recreation District**

This district was created by a special act. An elected board of park commissioners governs the district. The district may levy ad valorem taxes.

### **Greenbrier, Monroe, and Pocahontas Multicounty Economic Development Authority**

This authority was created by special act to provide economic development for the three-county area. It is governed by a board of at least 12 directors consisting of the presidents of the three county governments and at least nine members appointed jointly by the county presidents and the corporate members of the authority. The authority receives a statutorily mandated per capita contribution from each member county and annual dues from its corporate members. The authority may issue revenue bonds.

### **Hatfield-McCoy Regional Recreation Authority**

This authority was created by a special act to manage a system of recreational trails in a seven-county area in the southern part of the state. It is governed by a board appointed by each participating county. The authority may fix and collect fees and may issue revenue bonds.

### **Housing Authorities**

A general law provides for the creation of housing authorities by a city or county governing body on its own initiative or on petition of residents. A board of commissioners appointed by the mayor (in the case of city housing authorities) or the county commission (in the case of county housing authorities) governs each authority. Housing authorities may issue bonds and fix and collect rents and charges. Housing authorities may undertake redevelopment activities as well as provide assisted housing.

### **Hughes River Water Board**

This board was created by a special act to provide water supply and water treatment to the municipalities of Cairo, Harrisville, and Pennsboro. It consists of one member appointed by each municipality. The board may fix and collect fees for the sale of water and may issue revenue bonds.

### **Public Library Boards**

A number of public libraries have been created by special acts. The governing boards always include members appointed by the county board of education, usually include members appointed by the county, and may include municipal appointees. Funding is established by the authorizing special act in the form of mandatory tax levies by the member governments. In some cases, the public library board can set the tax within limits.

Public library boards created under general law are classified as dependent agencies of the creating government or governments. See "Subordinate Agencies and Areas" below.

### **Public Service Districts**

These districts provide water, sewerage or stormwater service, gas distribution service, or any combination thereof. The districts may be established by the county commission (on its own motion, on recommendation of the public service commission, or on petition of voters) after public hearing, local referendum upon voter demand, and approval of the public service commission. A board of three or more members governs each district; each participating municipal government appoints one or more members according to population. If fewer than three members represent participating governments, the county commission appoints additional members so that the total number of district board members will be three or more. The district may fix and collect charges and issue revenue bonds.

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## Regional Water and Wastewater Authorities

These districts may be created by any combination of counties, municipalities, public service districts, or other political subdivisions of the state after approval by the state public service commission. The board members are appointed by the participating public agencies. The authorities may issue bonds and fix and collect fees.

Authorities of this type that lack fiscal or administrative autonomy are not counted as separate governments. See “Subordinate Agencies and Areas,” below.

## Sanitary Districts

Sanitary districts provide sewerage facilities. These districts may be established in areas that contain one or more cities, towns, or villages by the county commission on petition of voters and after hearing and referendum. A board of trustees appointed by the county commission with approval of the council of the largest municipality therein governs each district. The districts may issue bonds after referendum, establish rates and charges, and levy property taxes.

## Solid Waste Authorities

Two or more counties, with the approval of the state solid waste management board, may establish a regional solid waste authority. A board of directors appointed by various state and local officials governs each authority. The authorities may fix rentals and charges for their services and issue revenue bonds.

Counties not participating in a regional solid waste authority have county solid waste authorities created by a January 1, 1989, law. These authorities are not counted as separate governments. See “Subordinate Agencies and Areas,” below.

## Urban Mass Transportation Authorities

These authorities to provide and operate transit systems may be created by ordinance of one or more county or municipal governing bodies. A board appointed by the governing bodies of the constituent governments governs each authority. The authority may impose charges for services and issue revenue bonds.

## SUBORDINATE AGENCIES AND AREAS

Shown below are various governmental designations in West Virginia that have certain characteristics of governmental units but that are classified in census statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see “Public School Systems,” above, regarding educational agencies of this nature).

## Urban renewal authorities (municipal and county).

These authorities may be created by the governing body of a municipality or a county. A board of commissioners administers each authority; its members are appointed by the mayor with the consent of the municipal governing body (in the case of a city urban renewal authority) or by the county commission (in the case of a county urban renewal authority). Regional urban renewal authorities may be created by two or more municipalities or counties. Municipal or county governments within the area of operation of an authority may levy taxes or issue bonds to obtain funds for redevelopment purposes. The authority board may fix and collect rentals and issue revenue bonds. Plans require the approval of the creating governments. These authorities also may be called slum clearance authorities.

## West Virginia Hospital Finance Authority (state).

This authority was created by act of the legislature to finance hospital facilities. The seven-member board is composed of five members appointed by the Governor, plus the state treasurer and the director of the state department of health. The authority may fix and collect fees and issue revenue bonds.

## West Virginia Housing Development Fund (state).

This agency was formed by act of the legislature to provide mortgage credit for low- and moderate-income housing. The 11-member board of directors consists of seven members appointed by the Governor, plus the attorney general, the commissioner of agriculture, the state treasurer, and the Governor. The fund may fix and collect fees in connection with its loans and issue revenue bonds.

**West Virginia Parkways, Economic Development, and Tourism Authority (state).** This authority was established by act of the legislature to construct, operate, and maintain highway, tourism, and economic development projects. The authority board consists of six members appointed by the Governor with the consent of the senate, plus the state secretary of transportation. The authority may fix and collect tolls, fees, and rents and may issue revenue bonds.

Other examples include:

## STATE<sup>1</sup>

Blennerhassett Island Historical State Park Commission  
Educational Broadcasting Authority  
Local port authorities  
Public Land Corporation  
State Armory Board  
State Building Commission of West Virginia  
West Virginia Agricultural Land Protection Authority

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<sup>1</sup>Legislation creating the Enterprise Zone Authority was repealed in 1997.

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West Virginia Community Infrastructure Authority  
West Virginia Economic Development Authority  
West Virginia Health Care Cost Review Authority  
West Virginia Investment Management Board  
West Virginia Jobs Investment Trust Board  
West Virginia Public Energy Authority  
West Virginia Public Port Authority  
West Virginia Regional Jail and Correctional Facility Authority  
West Virginia School Building Authority  
West Virginia Solid Waste Management Board (formerly West Virginia Resource Recovery-Solid Waste Disposal Authority)  
West Virginia State Rail Authority (formerly West Virginia Railroad Maintenance Authority)  
West Virginia Traumatic Brain and Spinal Cord Injury Rehabilitation Board  
West Virginia Water Development Authority

### **County**

Airport authorities (single county)  
Coalfields Expressway Authority  
Community improvement assessment districts (county)  
County boards of health  
County building commissions  
County development authorities  
County farmland protection boards  
County fire boards  
County library boards  
County parks and recreation commissions  
County waterworks and electric power systems  
Emergency ambulance service authorities—1975 law  
Emergency operations center boards in Kanawha and Cabell counties  
Historic landmarks commissions (county)

Hospital boards  
Marshall County Activities Development Authority  
Mercer County Tourist Train Authority  
New River Parkway Authority  
Regional library boards  
Regional water and wastewater authorities lacking autonomy  
Shawnee Parkway Authority  
Solid waste authorities (single county)

### **Municipal**

Boards of park and recreation commissioners (excluding Greater Huntington Park and Recreation District)  
Ceredo-Kenova Flood Wall Board  
City library boards  
Community improvement assessment districts (municipal)  
Downtown redevelopment districts  
Emergency ambulance service authorities  
Historic landmarks commissions (municipal)  
Hospital boards  
Municipal boards of health  
Municipal building commissions  
Municipal development authorities  
Municipal waterworks and electric power systems  
Regional water and wastewater authorities lacking autonomy  
Sanitary boards  
Wheeling Centre Market Commission

### **Joint Municipal-County**

Berkeley County Roundhouse Authority  
Municipal-county building commissions

West Virginia laws also provide for various types of local areas for election purposes and administration of justice.