

MINUTES
TOWN OF BATH ORDINANCE COMMITTEE
REGULAR MEETING

January 23, 2025

1. CALL TO ORDER: By Chairman at 4:00pm

2. ROLL CALL: Chairman Greg Schene (X) Mary Lynn Hickey (X) Susan Webster (X)

Quorum: Yes

Also present – Councilman David O’Connell

Persons appearing before Committee: Theresa DeSouza

3. Review of Minutes: Ordinance Committee Regular Meeting Minutes of November 21, 2024 were approved by Common Consent.

4. Chairman Schene addressed issues related to imposition of the 1% Municipal Sales and Use Tax. A business owner questioned sales tax on products not subject to resale as well as items purchased by the business for the purpose of resale. Clarifying information from the West Virginia Department of Taxation was shared stating the requirement that the 1% Municipal Sales Tax is to be collected on tangible personal property sold to the end consumer, while items purchased for resale (with a valid resale certificate) are typically exempt.

5. Chairman Schene shared information in regard to items purchased online through marketplace facilitators. The State of West Virginia requires large online marketplaces (Amazon, eBay, Walmart) to collect and remit sales tax, including applicable municipal taxes, on behalf of third-party sellers. Further discussion centered on the topic of residents and businesses maintaining a Post Office Box in the Town of Bath. It was noted that the State of West Virginia Department of Taxation requires all online retailers to collect municipal sales tax based on the shipping address of the buyer. This includes buyers with a Post Office Box address within the municipality.

6. Further discussion was held to address vacant, abandoned and under-utilized properties within the Town of Bath. The Committee is continuing to review legal definitions for identifying and addressing such properties. Further action is pending.

7. A Town of Bath resident appeared before the Ordinance Committee with concerns related to the Town's Snow Removal Ordinance. Town Recorder Susan Webster provided a history of the Ordinance and as well as prohibited parking. The resident specifically addressed the issue of limited parking availability on North Wilkes Street and the lack of compliance by local residents. The Committee agreed to research the matter and to seek an increase in enforcement of the Ordinance by the Town of Bath Police Department. Further discussion and review of the Ordinance is pending.

9. The next Ordinance meeting date is March 20, 2025 at 4:00 pm in the Municipal Center.

10. The meeting was adjourned at 5:25 PM.

Chairman

Date


2-20-25