

Administration

CHAPTER 2.

ADMINISTRATION.

As to building official generally, see §§ 5-1 to 5-6 of this Code. As to finance and taxation generally, see ch. 6.

Article I. In General.

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- § 2-2. Salaries--Mayor.
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- § 2-23. Appropriations from council.

The members of such commission shall be nominated by the administrative authority of the city and confirmed by the governing body of same. One member of the commission shall be a member of the governing body of the city and one member shall also be a member of the administrative department of the city. The terms of these two members shall be co-extensive with the term of office to which he has been elected or appointed. The remaining members of the commission first appointed shall serve for terms of one year, two years and three years, respectively, divided equally or as nearly equally as possible between these terms. Thereafter members shall be appointed for terms of three years each. Vacancies shall be filled by appointment for the unexpired term only.

For state law as to planning commissions, see W. Va. Code, § 8-24-1 et seq.

Sec. 2-5.1. Designation of wards and polling places.

(a) Ward I.

(1) Boundaries. Ward I shall include all that part of the territory of the city within the following boundaries: Beginning at the wagon bridge across the Cherry River at the south end of Oakford Avenue; thence in a northerly direction with such avenue to the outer limits of the city; thence starting in an easterly direction and with four lines of such outer limits around to the South Fork of Cherry River; thence with and down such South Fork of Cherry River and the Cherry River to the beginning.

(2) Polling places.

a. Ward I, Precinct 5: The building known as the "Old Cherry River Lumber Company Office Building."

b. Ward I, Precinct 6: The New City Building, Council Chambers.

(b) Ward II.

(1) Boundaries. Ward II shall include all that part of the territory of the city north of the Cherry River not included in Ward I.

(2) Polling place. Ward II, Precinct 7: Peoples Bank City Center drive-in.

(c) Ward III.

(1) Boundaries. Ward III shall include all that part of the territory of the city included within the following boundaries: Beginning at the wagon bridge across the Cherry River at the south end of Oakford Avenue;

council. The terms of other appointed members shall be for six years and until their successors have been duly appointed and qualified; provided, however, that of the three such members of the first association, one shall be appointed to serve for a term of six years, one for a term of four years and one for a term of two years. The terms of such members of the association shall begin on January 1, 1977, and one member on January 1 each second year thereafter; provided, however, that the members of the first association, appointed herein, shall serve, in addition, from the effective date of the ordinance from which this section is derived to January 1, 1977. (2-5-76, § 2.)

Sec. 2-8. Organization.

The association shall fix the dates for its regular and special meetings. At the first meeting held after the first association has been appointed, and thereafter at its first meeting after January 1, 1977, and after January 1 of each second year thereafter, the members of the association shall organize by electing one of their members president and another vice president, and by electing a secretary who need not be a member of the association. The association shall make no commitment for the payment of compensation to a secretary until the association has income from operations from which such compensation may reasonably be paid. (2-5-76, § 3.)

Article III. Municipal Court.

Sec. 2-9. Court created; jurisdiction generally.

There is hereby created a court, to be known as the "municipal court," which shall have criminal jurisdiction over violations of city ordinances.

Sec. 2-10. Municipal judge--Appointment; term; removal; compensation; oath and bond.

There shall be a judge, to be known as the "municipal judge," who shall be appointed by the mayor with the consent and approval of the city council, who shall serve for a term of two years and who shall be subject to removal for cause only. The municipal judge shall receive such compensation as may be fixed by the city council. The person so appointed as municipal judge shall qualify by taking the oath of office as such and shall give bond in an amount fixed by council, under which bond he shall be responsible for all funds coming into his hands by virtue of such appointment.

Sec. 2-11. Same--Vacancy in office.

In the event of the death, resignation, removal or permanent disability of the municipal judge, the mayor shall appoint a similarly qualified person to serve as municipal judge for the unexpired term, with the consent of the city council.

ordinates. The police officer¹ executing any such process or order shall have the same authority and be subject to the same liability as a sheriff of the state in the performance of like services.

Sec. 2-15. Maintenance of records.

The municipal judge shall keep a record of all warrants issued by him, of all persons arrested and brought before him and of all trials, fines or sentences imposed or judgments entered by him in a permanent book to be known as the municipal court docket. A record of all entries made in such docket shall be signed by the municipal judge on the date of such entry.

Sec. 2-16. Arrest or appearance in answer to charge of Code or ordinance violation.

Any person who has violated any of the provisions of this Code or other city ordinance may be arrested and brought before the municipal court, or given notice to appear and answer to a violation of any of the provisions of this Code or other city ordinance before the municipal court at a time specified in such notice. Before the time specified in such notice, the person so summoned may appear before the clerk of the municipal court or other municipal officer designated by the judge of the municipal court and make answer to the violation set forth in such notice, and pay the fine fixed by the municipal judge for such offense to the clerk or other officer so designated. Acceptance of the prescribed fine by the clerk or other officer shall be complete satisfaction for the violation, and the clerk or other officer shall give the violator a receipt to that effect, and pay the fine into the municipal court; provided, that any person so summoned to appear before the municipal court to answer a violation of any of the provisions of this Code or other city ordinance may deposit with the clerk of the municipal court cash or other bond, in an amount equal to the fine fixed by the judge of the municipal court for such violation, conditioned for his appearance to answer such charge in court at the time specified by the clerk or other officer taking the bond. In case any person posting a bond for his appearance shall fail to appear at the time specified, such bond shall be forfeited to the court, and in case such bond is posted in cash, it shall be taken by the municipal court as satisfaction for the violation.

The notice to appear, hereinabove provided for, may be served in person or affixed to the vehicle of such violator by a police officer in the case of a parking violation, in which case it shall be deemed to have the same effect as personal service, and such notice may summon the violator to appear by name or by the registration number of his vehicle.

*As to general penalty for violations of Code, see
§ 1-7 of this Code.*

Article V. Public Library.

For state law as to public libraries, see W. Va. Code, § 10-1-1 et seq.

Sec. 2-21. Created.

A public library shall be immediately organized under the name of "Richwood Public Library" and hereafter operated for the use and benefit of the people of the city. (9-4-41, § 1.)

Sec. 2-22. Materials, etc., to be furnished.

The city public library shall provide a public reading room, properly furnished, and reading material and other facilities and activities usually provided by public libraries. (9-4-41, § 2.)

Sec. 2-23. Appropriations from council.

The city council shall provide in its annual budgets for such financial assistance as is reasonably possible under the then existing circumstances. (9-4-41, § 3.)

Sec. 2-24. Acceptance of donations, gifts, etc.

The city public library shall be authorized to accept donations of money, materials and services for the purpose of furthering its general aims and objectives. (9-4-41, § 4.)

Sec. 2-25. Title to property.

Title to all property acquired by the library, whether by gift or purchase, shall vest and remain in the city for the benefit of the people of the city for use in connection with such public library. (9-4-41, § 5.)

Sec. 2-26. Board of directors.

Pursuant to the statutes of the State of West Virginia, and in particular Chapter 10, Article 1, of the West Virginia Code, the Board of Library Directors of the City of Richwood is hereby created to be composed of five members. One member shall be appointed for a term of one year; one for two years; one for three years; one for four years; and one for five years. Subsequent appointments shall be for five years.

Such board shall be governed by, and have all powers and duties made and provided for by the statutes of the State of West Virginia, and in particular Chapter 10, Article 1, as if such statutes were recited herein. (11-4-71.)

For state law as to board of library directors, see W. Va. Code, §§ 10-1-5 to 10-1-9a.

Sec. 2-31. Same--Powers and duties.

The director of emergency services shall coordinate the activities of all organizations for emergency services within the city and shall maintain liaison with and cooperate with the emergency services agencies and organizations within the state and within the state government. The director shall have direct responsibility for the organization, administration and operation of the city organization for emergency services, subject to the direction and control of the mayor.

In performing his duties under this chapter, the director of emergency services is hereby authorized to cooperate with the state government, with other cities and counties and with private agencies in all matters pertaining to the emergency services of the city and of the state.

In performing his duties under this chapter and to effect its policy and purpose, the director of emergency services is further authorized and empowered:

(a) To make, amend and rescind the necessary orders, rules and regulations to carry out the provisions of this chapter within the limits of the authority conferred upon him, with due consideration of the plans of the state government.

(b) To prepare a comprehensive plan and program for the emergency services of the city, such plan and program to be integrated into and coordinated with the emergency services plans of the state government and of other cities and counties within the state to the fullest extent.

(c) In accordance with such plan and program for the emergency services of the city, to procure supplies and equipment, to institute training and public information programs and to take all other preparatory steps, including the partial or full mobilization of the emergency services organization in advance of actual disaster, to insure the furnishing of adequately trained and equipped forces of civil defense personnel in time of need.

(d) To make such studies and surveys of the industries, resources and facilities in the city as may be necessary to ascertain the capabilities of the city for emergency services, and to plan for the most efficient emergency use thereof.

(e) On behalf of the city and subject to final approval by the common council, to enter into mutual aid arrangements with other cities and counties within the state and, with the approval of the governor, with emergency service agencies or organizations of other states, for reciprocal emergency service aid and assistance in case of disaster too great to be dealt with unassisted.

(f) To delegate any administrative authority invested in him under this chapter, and to provide for the subdelegation of any such authority.