

**THE CODE OF THE CITY  
OF  
RICHWOOD , WEST VIRGINIA**

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**The General Ordinances**

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**PUBLISHED BY ORDER OF THE CITY COUNCIL**

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**Michie/Bobbs-Merrill  
Charlottesville, Virginia  
1981**

**Instructions for Handling Supplemental Pages  
to Your Richwood City Code**

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Here are supplemental pages for your Code. These supplemental pages bring your Code up to date through July 15, 1982.

Each of the supplemental pages should either be substituted for pages now in the Code or should be added to the Code. Supplemental pages should be substituted for pages in the Code having corresponding page numbers. Additional supplemental pages to be added to your Code are decimally numbered and should be placed after the basically numbered pages in the Code. The supplemental index pages should be substituted in the same manner as the text pages.

The Michie Company  
Charlottesville, Virginia

## PREFACE

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This volume, as originally published, constituted the first revision and codification of the general ordinances of the City of Richwood, West Virginia. It contained such of the ordinances of a general and permanent nature passed on or before August 6, 1980, as were found desirable for retention, except those expressly saved from repeal by the Adopting Ordinance.

This Code, as now supplemented, contains ordinances adopted on and before the date shown on the instruction page for handling supplemental pages to this volume.

The ordinances were codified, edited and indexed by the Editorial Staff of The Michie Company under the supervision of Christopher C. Hudson, Jr.

The publishers wish to express their appreciation for the cooperation of all the City officials and employees during the preparation of this publication. Particular acknowledgment is due Mr. Ralph Dunn, City Attorney, and Mr. Gary L. Johnson, Municipal Judge, for their assistance during the progress of the work.

A feature to which the attention of the user is directed is the arrangement of the chapters in alphabetical order. Attention is also directed to the analysis preceding each chapter which, in many instances, will serve as an index within itself. The general index, carried at the end of the Code, has been carefully prepared, and should serve as an accurate medium for locating the individual sections of law within the Code. In the footnotes appearing throughout the Code will be found references to applicable and related provisions of state law. These notes also contain cross references to other and related provisions in the City Code itself. By reference to the historical citations, appearing at the end of each section, the user will be able to ascertain the ordinance from which the present section has been derived.

It is a recognized fact that if any Code is to accomplish its intended purpose it must be kept up to date by means of an adequate supplemental service. Accordingly, the publishers point out the advisability and necessity of keeping this Code current.

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The new City Code is presented to the officials and citizens of the City of Richwood, West Virginia, in the belief that it will merit their approval.

Michie/Bobbs-Merrill  
Charlottesville, Virginia

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## CHAPTER 1.

### GENERAL PROVISIONS .

- § 1-1. How Code designated and cited.
- § 1-2. Definitions and rules of construction.
- § 1-3. Provisions considered as continuations of existing ordinances.
- § 1-4. Catchlines and headings of portions of Code.
- § 1-5. Severability of parts of Code.
- § 1-6. Effect of repeal or expiration of ordinance.
- § 1-7. General penalty; continuing violations.

#### Sec. 1-1. How Code designated and cited.

The ordinances embraced in this and the following chapters and sections shall constitute and be designated and may be cited as "The Code of the City of Richwood, West Virginia." Such Code may also be cited as the "Richwood City Code."

*For state law as to authority of city to adopt comprehensive Code of ordinances, see W. Va. Code, § 8-11-4(b).*

#### Sec. 1-2. Definitions and rules of construction.

In the construction of this Code and of all other ordinances and resolutions of the city, the following definitions and rules of construction shall be observed, unless it shall be otherwise expressly provided in any section, ordinance or resolution, or unless inconsistent with the manifest intent of the city council, or unless the context clearly requires otherwise:

City council; council. The words "city council" or "council" shall mean the governing body of the City of Richwood, West Virginia.

City. The term "the city" or "this city" shall mean the City of Richwood, in the County of Nicholas, in the State of West Virginia, except where otherwise provided.

Code. The words "the Code" or "this Code" shall mean "The Code of the City of Richwood, West Virginia."

Computation of time. The time in which any act provided by law is to be done is computed by excluding the first day and including the last, unless the last day is a Saturday, Sunday or legal holiday, and then it is also excluded.

*For state law as to computation of time, see W. Va. Code, § 2-2-3.*

**Preceding, following.** The words "preceding" and "following" mean next before and next after, respectively.

*For similar state law, see W. Va. Code, § 2-2-10(d).*

**Property.** The word "property" shall include real and personal property.

*For similar state law, see W. Va. Code, § 2-2-10(r).*

**Real property.** The term "real property" shall include lands, tenements and hereditaments.

*For similar state law, see W. Va. Code, § 2-2-10(p).*

**Shall; may.** The word "shall" is mandatory, and the word "may" is permissive.

**Sidewalk.** The term "sidewalk" shall mean that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians.

**Signature or subscription by mark.** "Signature" or "subscription" includes a mark when the signer or subscriber cannot write, such signer's or subscriber's name being written near the mark by a witness who writes his own name near the signer's or subscriber's name.

*For state law as to signatures, see W. Va. Code, § 2-2-10(c).*

**State.** The words "the state" or "this state" shall be construed to mean the State of West Virginia.

**Statute references.** References to the Code of West Virginia shall mean the official Code of West Virginia, as currently amended and as it may be amended in the future.

**Street.** The term "street" shall mean and include the entire width between property lines and every road, alley, avenue, parkway, boulevard, viaduct, bridge and the approaches thereto, and any public way or place, when any part thereof is open to the public as a matter of right.

**Tenant or occupant.** The word "tenant" or "occupant," applied to a building or land, shall include any person holding a written or an oral lease of, or who occupies the whole or a part of, such building or land, either alone or with others.

any penalty or punishment incurred or any proceeding commenced before the repeal took effect or the ordinance expired. When any ordinance which repealed another shall itself be repealed, the previous ordinance shall not be revived without express words to that effect.

*For similar state law as to repeal of act repealing statute, see W. Va. Code, §§ 2-2-8, 2-2-9.*

Sec. 1-7. General penalty; continuing violations.

Wherever in this Code or in any ordinance or resolution of the city council, or in any rule, regulation, notice or order promulgated by any officer or agency of the city under authority duly vested in him or it, any act is prohibited or is declared to be unlawful or an offense or misdemeanor, or the doing of any act is required or the failure to do any act is declared to be unlawful or an offense or a misdemeanor, and no specific penalty is provided for the violation thereof, the violation of any such provision of this Code or of any such ordinance, resolution, rule, regulation, notice or order shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding thirty days, or by both such fine and imprisonment.

Each day any violation of this Code or any such ordinance, resolution, rule, regulation, notice or order shall continue shall constitute, except where otherwise provided, a separate offense.

*For state law as to penalties to be imposed for violation of municipal ordinances, see W. Va. Code, §§ 8-11-1, 8-12-5(55), 62-4-16.*

*As to arrest or appearance in answer to charge of Code or ordinance violation, see § 2-16 of this Code. As to violations and penalties relative to business and occupation tax, see § 6-19.*