

ENROLLED BILL

House Bill No. 210.

(By Mr. Campbell.)

Passed March 11, 1931

In Effect from Passage

Originated in the House
.....
Takes effect
.....
Clerk of the House of Delegates.
.....
Passage.

CORRECTLY ENROLLED

.....
Chairman House Committee.
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Chairman Senate Committee.
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ENROLLED BILL

(H. B. No. 210)

[Passed March 11, 1931; in effect from passage.]

AN ACT to amend and re-enact sections four, six, seven, eleven and thirteen, of chapter one hundred eighteen of the acts of one thousand nine hundred seventeen, relating to the charter of the city of St. Albans.

Be it enacted by the Legislature of West Virginia:

That sections four, six, seven, eleven and thirteen, of the charter of the city of St. Albans be amended and re-enacted to read as follows:

Section 4. The officers of said city shall be a mayor, six councilmen, a city manager, clerk, who shall be ex officio collector, a city treasurer, solicitor, police judge and a chief of police. The mayor and six councilmen shall be elected by the qualified voters of the said city. The city manager, clerk, treasurer and solicitor shall be appointed by the council, to serve during the will and pleasure of the council, and the police judge and the chief of police shall be appointed by the mayor and be approved by the

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Chairman House Committee.

9 council, to serve during the will and pleasure of the mayor and
10 council.

11 No person shall be eligible to any elective office unless he is a
12 qualified voter of said city, nor unless he has resided therein for
13 at least one year before his election, and he must be a freeholder
14 of said city, and have paid taxes for the year preceding his elec-
15 tion on at least three hundred dollars' worth of real estate, in his
16 own or his wife's name. And no person shall be elected to any
17 office, or retain and hold the same who shall be or become an
18 officer or employee of any person, firm or corporation holding
19 any franchise or contract under or with said city.

Sec. 6. Elections shall be conducted under the general law
2 of this state.

3 The next election hereunder shall be held on the first Tuesday
4 in April, one thousand nine hundred thirty-one, and biennially
5 thereafter, as hereinafter provided. Every person who has
6 been a bona fide resident of the city for three months next pre-
7 ceding any election, and otherwise a qualified voter under the
8 constitution and laws of this state, shall be entitled to vote at
9 such election. The elections shall be held, conducted and the
10 results thereof be ascertained, returned and determined under

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11 such rules and regulations as may be prescribed by the council
12 which shall not be inconsistent with the general laws of the state
13 governing municipal elections, and shall conform as nearly as
14 practicable to such laws. Contested elections shall be tried by
15 council, and the proceedings therein shall conform as nearly as
16 may be to similar proceedings in the case of the county and dis-
17 trict officers. The council shall be judge of the election returns
18 and qualifications of its own members. In case two or more
19 persons receive an equal number of votes for the same office, if
20 such number be the highest cast for such office, the city council
21 shall decide by vote which of them shall be returned elected, and
22 shall make their return accordingly.

23 The judges of the first election provided for in this section,
24 shall consist of three voters and taxpayers of said city, one of
25 which shall be appointed by the candidates of each of the two
26 principal parties participating in said election, and the third to
27 be chosen by the council of the town of Saint Albans.

Sec. 7. At the first election provided for in section six, there
2 shall be elected a mayor and four councilmen. The mayor shall
3 be elected for a term of two years, or until his successor is duly
4 elected and qualified. The two councilmen receiving the highest

*Joseph D. Smith**Benjamin Harrison*

5 number of votes shall serve for a term of four years, and the
6 councilman receiving the next highest number of votes shall
7 serve for a term of three years, commencing the first Monday in
8 May, one thousand nine hundred thirty-two, and the councilman
9 receiving the next highest number of votes shall serve for a term
10 of one year, commencing the first Monday in May, one thousand
11 nine hundred thirty-two. At the next election held as provided
12 for in section six, there shall be elected a mayor for a term of
13 two years, or until his successor is duly elected and qualified,
14 and three councilmen for a term of four years each; and there-
15 after at each biennial election there shall be elected three council-
16 men to serve for a term of four years each, and the mayor for a
17 term of two years, and their terms of office shall begin the first
18 Monday in May next after said election.

Sec. 11. In the appointment of the city treasurer, clerk and
2 manager, the city council shall receive written applications from
3 all persons seeking to fill such positions, and the council shall in
4 each case appoint such person or persons as in their judgment
5 are competent and qualified to fill the respective positions. The
6 council shall have the right to reject all applicants.

Sec. 13. The council shall have the authority to remove from

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2 office any elective officer of the city for misconduct, drunken-
3 ness or neglect of duty, by an affirmative vote of two-thirds of the
4 members of the council; but only after reasonable notice to such
5 officer, and a hearing of the charges preferred; and any vacancy
6 in office, however occasioned, may be filled by the council for the
7 unexpired term or until the next succeeding election.

James O. Smith
Chairman Senate Committee.

J. Alfred Taylor
Speaker of the House of Delegates.

R. H. Wink
Clerk of the House of Delegates.

W. H. H. H.
President of the Senate.

M. S. S.
Clerk of the Senate.

The within is *Approved*
this *16th* day of *March* 1931.

W. G. G.
Governor.

Clarence W. Meadows
Chairman House Committee.

Filed in the office of the Secretary of State
of West Virginia **MAR 16 1931**
GEORGE W. SHARP,
Secretary of State.