ENROLLED BILL

House Bill No. 28

(By Mr. Myers)

Passed March 14, 1931

In Effect Ninety days from Passage
ENROLLED BILL
(H. B. No. 28)

[Passed March 14, 1921; in effect ninety days from passage.]

AN ACT to amend and re-enact sections four and seven of chapter eighty-two of the acts of the legislature of West Virginia, for the year one thousand nine hundred eleven, as amended and re-enacted by chapter sixteen, acts one thousand nine hundred twenty-one, and as amended and re-enacted by chapter seventy-six, acts one thousand nine hundred twenty-three, relating to the charter of the city of Moundsville, in the county of Marshall; making the offices of clerk, chief of police and solicitor elective.

Be it enacted by the Legislature of West Virginia:

That sections four and seven of chapter eighty-two of the acts of the legislature of West Virginia for the year one thousand nine hundred eleven, as amended and re-enacted by chapter sixteen, acts one thousand nine hundred twenty-one, and as amended and re-enacted by chapter seventy-six, acts one thousand nine hundred twenty-three, be amended and re-enacted so as to read as follows:
Section 4. The officers of said city shall be a mayor, clerk, who shall be ex-officio collector, solicitor, chief of police, health officer, treasurer, street commissioner, city engineer, sewer inspector, and two councilmen from each ward. The mayor, clerk, solicitor, and chief of police shall be elected by the qualified voters of said city.

The health officer, street commissioner, treasurer, sewer inspector and city engineer shall be appointed by the council, and the councilmen shall be elected by the qualified voters of their respective wards. No person shall be eligible to the office of mayor unless he is a qualified voter thereof, nor unless he has resided therein for at least six months before his election; and in case of a councilman, unless he is a bona fide resident of the ward from which he is elected and a freeholder of said city; and a removal of a councilman from the ward in which he was elected or his ceasing to be a freeholder in the said city shall vacate his office, and no person shall be eligible to any city office unless he be a taxpayer and a qualified voter thereof.

In addition to the municipal authorities mentioned in this section the council may from time to time create and employ
other officers and agents and fix their salaries and compensa-
tion.

Sec. 7. The terms of office of the mayor, clerk, chief of police
and solicitor shall begin on the first Monday in April next suc-
ceeding his election and shall be for the term of two years, and
until his successors shall have been elected and qualified. The
treasurer, health officer, street commissioner, city engineer and
sewer inspector shall be appointed by the council and shall hold
their offices during the pleasure of the council. Any former
incumbent shall be ineligible for a second appointment unless he
shall have fully settled up the business of his former term or
terms. At the first election held after this act goes into effect,
there shall be elected a mayor, clerk, chief of police and solicitor,
whose term of office shall begin on the first Monday in April next
succeeding his election and shall be for the term of two years,
until his successor is elected and qualified; and one council-
man from each ward, whose term of office shall begin on the first
Monday in April next succeeding two years; one councilman
from each ward shall be elected and shall hold office for four
years from the first Monday in April next succeeding his elec-
tion and until his successor is elected and qualified. But noth-
Section 8. The provisions of this act shall not be effective, unless and until at a special election in said city of Moundsville held within two years after the date of the passage of this act and called by the council thereof, a majority of the legally qualified voters of said city shall favor such enactment. At such election the ballot to be used shall be in the following form:

8 □ For charter amendment.
9 □ Against charter amendment.

Such election shall be conducted and the returns thereof
11 made and the result declared in the same manner provided for
12 holding, ascertaining, and declaring the result of other munici-
13 pal elections within said municipality.
14 All acts or parts of acts inconsistent herewith are hereby
15 repealed.

J. Alfred Taylor
Speaker of the House of Delegates.

Clerk of the House of Delegates.

President of the Senate.

Clerk of the Senate

The within is 18th day of March 1931.

Governor.