

Rec. Mar. 11, 1933

282

# ENROLLED BILL

(REGULAR SESSION, 1933)

House Bill No. 282

(By Mr. Wells)

Passed March 9, 1933

In Effect from Passage

Originated in the.....*C. H. H. H.*.....Takes effect.....*From*.....Passage  
*James H. Hall*.....Clerk.....*John L. Hall*.....Clerk of the House of Delegates.

CORRECTLY ENROLLED

*James H. Smith*.....Chairman House Committee.  
*Thomas D. Hays*.....Chairman Senate Committee.

## ENROLLED BILL

(H. B. No. 282)

[Passed March 9, 1933; in effect from passage.]

AN ACT to amend and reenact section three, chapter twenty-five, acts of the legislature, one thousand nine hundred twenty-one (municipal charters), being senate bill number fifty-eight, entitled "a bill creating the municipal corporation of the City of Spencer, defining the boundaries thereof and providing for the government of such city, and defining its powers and liabilities," relating to the tenure of office of the mayor and councilmen of the City of Spencer in the county of Roane.

*Be it enacted by the Legislature of West Virginia:*

That section three, chapter twenty-five, acts of the legislature, one thousand nine hundred twenty-one (municipal charters), being senate bill number fifty-eight, be amended and reenacted to read as follows:

CORRECTLY ENROLLED

*James L. Smith*  
*Henry A. Rogers*

*Chairman Senate Committee.*

*Chairman House Committee.*

Section 3. Said city shall be governed in the same manner,  
2 by the same laws, have the same powers, and perform the same  
3 duties and functions as "The Town of Spencer" immediately  
4 before this act shall take effect was governed by, had, could do  
5 or might perform; and the powers, duties and liabilities, includ-  
6 ing the election of officers and the selection, appointment and  
7 qualification thereof, of and for said city, shall in all respects  
8 be the same as those exercised by "The Town of Spencer," and  
9 which it is liable for under the charter and laws defining all  
10 such duties, powers, and liabilities thereof, immediately before  
11 this act shall take effect. And said city is also vested with all  
12 of the powers contained in the charter for "The Town of  
13 Spencer," and amendments thereto, and with those contained  
14 in chapter forty-seven of the code of West Virginia and the  
15 general laws of said state relating to the powers, duties and  
16 liabilities of municipal corporations, insofar as the same are  
17 not in conflict with said charter and amendments thereto; and  
18 said city shall be governed by said charter and laws and derive  
19 its powers therefrom, and from the ordinances and by-laws of  
20 said town now in force which are not in conflict with or repug-  
21 nant to said charter and the laws of said state relating to mu-

CORRECTLY ENROLLED

*James L. Smith*  
*Anna D. Hyman*

*Chairman Senate Committee.*

*Chairman House Committee.*

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22 nicipal corporations. And said city may, at any time, by resolu-  
23 tion duly adopted by its council, change any and all of its ordi-  
24 nances and by-laws or repeal the same, and adopt any others  
25 and be governed by and enforce the same, provided the same  
26 are not in conflict with or repugnant to said charter and amend-  
27 ments thereto, or of the laws of said state.

28 And the duties, powers and liabilities of the officers of the  
29 City of Spencer shall be the same as the officers of "The Town  
30 of Spencer," which were in office immediately before the passage  
31 of said act, and the mayor and councilmen shall be elected by  
32 the registered voters of said city, and (except when elected to  
33 fill vacancies) for the term of two years and until their succes-  
34 sors shall have been elected and qualified, and said mayor and  
35 councilmen shall be residents of said city and shall be entitled  
36 to vote for members of its common council at the time of their  
37 respective election. The first election under this act shall be  
38 held on the fourth Thursday in March, one thousand nine hun-  
39 dred thirty-three, in the city hall in said city under the super-  
40 vision of the present mayor and councilmen of said city; and  
41 each two years thereafter there shall be held an election on the  
42 same day at the same place and under the supervision of the

CORRECTLY ENROLLED

*James L. Smith*

*James L. Smith*

.....  
Chairman Senate Committee.

.....  
Chairman House Committee.

43 councilmen of said city, the mayor and councilmen conducting  
44 said elections shall grant certificates to the officers elected, which  
45 shall be entered upon the records with the ordinances of said  
46 council, and the term of office of said mayor and councilmen so  
47 elected shall commence on the first day of April, next after  
48 their election, and shall continue for a term of two years there-  
49 after, or until their successors are elected; and said officers,  
50 when elected, shall have the same duties and have the same  
51 powers as the mayor and councilmen of said city had prior to  
52 the passage of this act.

53 This bill shall be ratified by the voters of the City of Spencer.

54 There shall be printed on the bottom of each ticket:

55 ☐ For two-year term.

56 ☐ Against two-year term.

57 And a majority vote shall determine the time.

CORRECTLY ENROLLED

*Amos D. Ogden*  
Chairman Senate Committee.

*James L. Smith*  
Chairman House Committee.

*Wm. L. Shirer*  
Speaker of the House of Delegates.

*John S. Hall*  
Clerk of the House of Delegates.

*A. G. Matthews*  
President of the Senate.

*Paul D. Dwyer*  
Clerk of the Senate.

The within is.....

this..... day of..... 1933.

.....  
Governor.

Filed in the office of the Secretary of State  
of West Virginia. **MAR 18 1933**  
Wm. S. O'BRIEN,  
Secretary of State