WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1935

ENROLLED

SENATE BILL No. 33

(By Mr. [Signature])

PASSED February 15, 1935

In Effect 90 days from Passage
ENROLLED

Senate Bill No. 33

(BY MR. GREENE)

[Passed February 15, 1935; in effect 90 days from passage.]

AN ACT to amend and reenact sections twelve, thirteen, nineteen and fifty-two, chapter one hundred thirty-six, acts of the Legislature of West Virginia, regular session, one thousand nine hundred thirty-three, relating to the charter of the city of Williamson.

Be it enacted by the Legislature of West Virginia:

That sections twelve, thirteen, nineteen and fifty-two, chapter one hundred thirty-six, acts of the Legislature of West Virginia, regular session, one thousand nine hundred thirty-three, be amended and reenacted to read as follows:

Section 12. City executive committees for each of the two
2 political parties which cast the greatest number of votes in the
3 last regular election held in said city shall be chosen at the
4 ward conventions hereinafter mentioned. Said executive com-
5 mittees shall be composed of one man and one woman from
6 each of the wards in said city, who shall be residents and
7 qualified voters of the wards from which they are elected,
8 respectively, and shall hold office for a period of three years.
9 They shall meet immediately after the adjournment of the city
10 conventions of each of said political parties, nominating candi-
11 dates for mayor of said city, as hereinafter provided, and organ-
12 ize by electing a chairman, a secretary, and a treasurer, from
13 the city at large, and the chairman so elected shall be entitled
14 to cast one vote and that only in the event of a tie vote by the
15 members of said committee upon any matter before them. The
16 present members of the executive committees of said parties
17 shall continue in office until their successors are elected as here-
18 inafter provided.
19 If a vacancy shall occur in the office of committeeman or
20 committeewoman, the remaining members of the committee
21 may elect a successor, who shall fill the unexpired term until
22 the next regular ward convention.
Sec. 13. Candidates of each political party for councilmen shall be nominated by mass conventions of the voters of the several wards of said city. The candidates for mayor shall be nominated by the delegated representatives of the political parties, assembled in a city convention for the entire city. On or before the second Tuesday of April, one thousand nine hundred thirty-seven, and on or before the second Tuesday of April of every third year thereafter, each of said political parties shall hold a mass convention in each of the several wards of said city, for the purpose of nominating a candidate for councilman, selecting committee members from said wards and selecting delegates to the city convention to nominate a candidate for mayor. Said conventions shall be called by the executive committee of the party holding the same, and the date, hour and place of holding such convention shall be published in two separate newspapers, published in said city, once each week for two consecutive weeks prior to the time of holding such conventions. Said ward conventions for the several wards shall be called as herein provided and held on the same date and at the same hour. The male member of the executive com-
22 mittee for said ward of the party holding said convention
23 shall attend and preside thereat until a permanent organi-
24 zation shall be perfected: Provided, however, That should
25 the male member of said committee be absent or from any
26 cause be unable to attend said convention, then it shall be
27 the duty of the female member thereof to preside thereat
28 until a permanent organization shall be perfected.
29 The wards shall be entitled to one delegate for each fifty
30 votes, or fractional part thereof, cast at the last preceding
31 general election in said city for the office of mayor, and
32 the delegates to the city convention shall be apportioned
33 among the several wards of said city for each of said political
34 parties, accordingly.
35 At least thirty-five days before every regular election in
36 said city, the party executive committee shall designate the
37 place, date and hour of the holding of the city conventions,
38 for the purpose of nominating candidates for mayor, which
39 shall be not less than twenty days before said election.
40 Notice of said convention shall be published in two newspapers
41 published in said city once each week, for two consecutive
42 weeks, prior to the date of the holding of said conventions.
The chairman of the executive committee of the party holding said convention shall attend and preside thereat until a permanent organization shall be perfected.

The city executive committee of each party so holding such convention shall have authority to make such rules and regulations governing the holding of such convention as it may deem proper, including all parliamentary rules and regulations governing the deliberation of such convention.

And within five days after the holding of such convention, the city executive committee of each party shall cause to be furnished to the city clerk a complete list of the persons nominated by that party for the offices of mayor and councilman, such list so furnished to be duly sworn to and attested by the chairman and the secretary of such city executive committee.

And in the event that a vacancy occur in the list of such nominees, after such convention has been held, then the said city executive committee shall have authority to designate some other qualified citizen of the city as such nominee, the name of such nominee or nominees to be certified in like manner to the said city clerk.
The first election in said city, to be held under this amendment of the charter of said city, shall be held on the third Tuesday in May, one thousand nine hundred thirty-seven, and on the third Tuesday in May of every third year thereafter.

On the first Tuesday in May, one thousand nine hundred thirty-seven, and on the first Tuesday in May of every third year thereafter, the council shall hold a meeting for the purpose of making arrangements and preparations for the holding of such election. And at such meeting the council of the city shall appoint three qualified voters of the city as commissioners of election for each voting precinct in said city. Said commissioners of election shall be persons of good standing and character, and not addicted to drunkenness, and not more than two of said commissioners of election shall belong to the same political party. If at any time during said meeting, or prior thereto, the city executive committee of the two political parties which cast the greatest number of votes in the last preceding regular city election, shall present to said city council a writing signed by the chairman of such executive committee, giving a list of persons from
that political party as such commissioners of election; then,
in appointing such commissioners of election the city council
shall appoint said commissioners of election from the list or
lists so presented to the city council. Every such writing
so presented shall be filed, preserved, and kept by the clerk
of the council in his office.
The city council shall have authority to provide all neces-
sary and suitable means, equipment, and appliances for the
holding of such elections, and may adopt all necessary rules,
ordinances, and regulations governing the same as may appear
proper.
And in addition to the methods prescribed for the nomina-
tion of candidates, candidates for the offices of mayor and
councilmen may be nominated as follows, that is to say: If,
not less than fifteen days prior to the date of the election, a
petition signed by not less than three hundred of the qualified
voters of the city shall be presented and filed with the clerk of
the city, asking that the name or names of candidates be placed
upon the ballot, then it shall be the duty of the city council to
cause such name or names to be so placed upon the official
ballot to be used in such election.
Sec. 19. The council of the city shall hold regular meetings on the second and fourth Fridays of each month, and shall hold such special meetings as may from time to time be called as hereinafter provided for.

The mayor shall have authority to call any special meeting of the council; and likewise a special meeting of the council may be called upon a joint notice of not less than three members of the council; but before holding such special meeting, the mayor, or if called as aforesaid by not less than three members of the council, then such three members, shall cause the city clerk to post notice thereof at the front door of the municipal building of the city, at least twenty-four hours prior to such special meeting, and to give personal notice to each member of the council at least twelve hours in advance thereof where possible.

All regular and special meetings of the council shall be presided over by the mayor, and in his absence by a mayor pro tem to be chosen from their number by the councilmen present; three members of the council present shall constitute a quorum for the transaction of business.

Each member of the council shall be entitled to one vote.
22 But no member of the council, or the mayor, shall vote upon or
take part in the consideration of any question, measure, or
proposition in which he is or may be interested otherwise than
25 as a resident of the city.
26 The mayor shall be a member of the city council, and shall
27 be entitled to one vote only as a member thereof. The clerk
28 of the city, chosen in the manner hereinafter provided, shall
29 attend upon all meetings of the council, but shall be entitled
30 to no vote, nor shall he take part in any consideration or dis-
31 cussion of the council upon any matter, except when called
32 upon or invited by the council to take part therein. He shall
33 furnish any and all data or information that may be desired
34 by the members of the council relating to the business of the
35 city. The clerk shall have charge of all record books and
36 minute books, of the council and city, and shall also have charge
37 of the council journal. He shall faithfully and accurately
38 record the minutes and proceedings of all meetings of the
39 council, which shall be recorded in the council journal; all
40 such records of the council journal shall be duly authenticated.
41 and attested by the mayor and the city clerk, as hereinafter
provided. And the said clerk shall in all matters act as the
secretary to the council.

All meetings of the council shall be held in the council room
or council chamber provided therefor in the municipal building
of said city, and shall be held at such hour of the day as may
be designated by the council. At its first meeting, after the
qualification of the first mayor and councilmen holding office
hereunder and thence at the first meeting of the mayor and
councilmen taking office after each election hereunder, the
council of the city shall fix upon and adopt a certain hour or
time of the day at which all meetings of the council shall be
held. But such hours so adopted shall be subject to change
by vote of the members of the council. The following schedule
or order of business shall be followed and observed at the coun-
cil at their said meetings:

First: The mayor, or mayor pro tem, shall direct the clerk
of the council to call the roll of the members of the council,
who shall answer to their respective names as called; in the
council journal the clerk shall record the names of the members
present and the names of the members absent.

Second: The mayor, or mayor pro tem, shall call upon the
clerk to read aloud from the council journal the minutes of
the previous meeting of the council, and in no event shall the
full and accurate reading thereof be dispensed with; and after
the reading thereof, the minutes of the previous meeting may
by vote or action of the council be corrected, if proper so to do,
and otherwise the same shall stand approved as read. Imme-
diately after which the said minutes shall be thereupon duly
attested by the mayor and clerk.

Third: The council shall thereupon take up for consideration,
discussion, and action, if necessary, all uncompleted or un-
finished business not previously disposed of or acted upon.

Fourth: The council shall thereupon take up for consider-
ation, discussion, and action, if necessary, such new matters or
new business as may come before the council.

Fifth: The council shall thereupon take up such miscella-
neous matters as may come before it, including any matters
that may be brought before it by any citizen or resident of the
city or other person. And any person desiring to bring any
matter to the attention of the council shall in all cases be given
a full opportunity to present such matter.
Sec. 52. The annual salaries of the officers of the city, to be appointed or elected hereunder, shall be paid by the council out of the city treasury, and the salaries of certain officers and officials shall not exceed the following respective amounts: Mayor of the city, twenty-four hundred dollars; city clerk, eighteen hundred dollars; each councilman other than the mayor, three hundred dollars; city attorney, one thousand dollars; stenographers and bookkeepers, twelve hundred dollars; city health officer, twelve hundred dollars; assistant health officer, six hundred dollars: Provided, however, That no member of the council shall either directly or indirectly receive any other compensation or emolument for any service rendered the said city in any capacity save and except as above provided, nor shall any member of said council be either directly or indirectly interested in the furnishing of any supplies or in the doing or performance of any contract procured or made for or in behalf of the city.

The salaries as above set forth are to be paid out of the city treasury proportionately at the end of each month, but are never to be paid in advance. All fees, fines, commissions, and
21 emoluments, except salaries, shall be taxed and collected, and
22 when so collected shall be paid into the treasury of the city by
23 the officers, respectively, for the absolute use of the city.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

The within...........................................this the.................
day of.......................................................1935.

Governor

Filed in the office of the Secretary of State of West Virginia. FEB 26 1935

Wm. S. O'Brien,
Secretary of State
I certify that the foregoing act, having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the constitution of the state, has become a law without his approval.

This the 26th day of February, 1935.

[Signature]

SECRETARY OF STATE