

AN ORDINANCE OF THE TOWN OF STAR CITY AMENDING AND REENACTING ARTICLES 131 AND 133 OF THE CODE OF THE TOWN OF STAR CITY, REGARDING THE DUTIES AND POWERS OF THE MAYOR AND RECORDER.

AND NOW, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF STAR CITY, THAT ARTICLES 131 AND 133 OF THE ADMINISTRATIVE CODE OF THE TOWN OF STAR CITY ARE AMENDED AND REENACTED AS FOLLOWS (additions underlined, deletions strike-through):

ARTICLE 131

Mayor

131.01 Chief executive; general responsibilities.

131.02 Powers and duties.

131.01 CHIEF EXECUTIVE; GENERAL RESPONSIBILITIES OFFICER.

~~The Mayor of the Town shall be its chief executive officer and shall take care that its public peace is preserved, and shall enforce obedience to all the Municipal laws, ordinances and regulations.~~ The Mayor shall be the chief executive officer of the Town, with all direct and incidental powers and authority assigned and granted by West Virginia law and this Code, and shall see that all duly enacted ordinances, orders, bylaws, acts, resolutions, rules and regulations of Council are faithfully executed.

131.02 POWERS AND DUTIES.

~~—(a) Annual Report. The Mayor shall submit to Council at a meeting on or before the first regular meeting in July of each year, and at such other times as he may deem necessary, a communication in relation to the interests of the Town generally, with such recommendations touching the management of its affairs for the current year as to him may seem necessary and proper.~~

(~~b~~ a) Supervision of Town Officers. The Mayor, under the advice of Council, shall have general supervision of all Town officers and shall see that they faithfully perform the duties of their respective offices; ~~he,~~ The Mayor shall examine the grounds of all reasonable complaints

made against any of them and cause all their violations of duty to be promptly punished or reported to Council.

~~—(c) Suppression of Civil Disorder. The Mayor shall suppress riots and unlawful assemblies within the Town and proceed against and punish all persons so engaged as prescribed by law.~~

~~—(d) Special Police Force. Whenever the Mayor may deem that the public good demands it, he shall have power to organize a special police force, every member of which shall take an oath of office before entering upon his duties as such and shall receive reasonable compensation therefor as determined by the Mayor per day for twelve hours; he shall report at the first meeting of Council thereafter the names and numbers of such special police, the service rendered and the occasion calling for such service. Council may at any time require the Mayor to discharge any special police officer so appointed by him under the provisions of this section.~~

~~—(e) Watchmen. Whenever any citizen applies to the Mayor to appoint a watchman for the protection of property in the corporation of the person so applying, the Mayor may appoint such watchman and qualify him as a special police officer, and all persons so appointed are hereby invested with all the powers of such officers; provided that such watchmen shall have no claim on the Town for fees, salary or other compensation; and provided, further that such watchmen shall be under the supervision and control of the Chief of Police.~~

~~—(f) Town Seal. The Mayor shall have charge of the seal of the Town and shall affix the same, without fee or reward, to all ordinances and to all contracts, deeds and other writings to which the Town is a party; he shall also affix the same to all official acts and documents where such authentication may be necessary.~~

~~—(g) Justice and Conservator of Peace. The Mayor shall be ex officio a justice and conservator of the peace within the Town and shall within the same have, possess and exercise all the powers and perform all the duties vested by law in a magistrate; except, that he shall have no jurisdiction in civil cases or causes of action arising out of the corporate limits of the Town. Any warrant or other process issued by him may be executed at any place in the county.~~

(h b) Miscellaneous. In addition to the duties of the Mayor herein enumerated, ~~he~~ the Mayor shall perform such other reasonable services as may be required ~~of him~~ by law, by ordinances of the Town and by Council thereof and any duties conferred ~~upon him~~ by the Code of West Virginia.

ARTICLE 133

Recorder

133.01 Powers and duties generally.

~~133.02 Bond required.~~

~~133.03 Duties and responsibilities.~~

133.01 POWERS AND DUTIES GENERALLY.

(a) ~~The Recorder shall, in the absence from the Town or in the event of the sickness or inability of the Mayor, or during any vacancy in the office of Mayor, perform all the duties of the Mayor and be invested with all his powers allowed by law.~~ The Recorder shall, in the absence of the Mayor from the Town or in the event of sickness or inability to serve as Mayor, or during any vacancy in the office of Mayor, perform all the duties of the Mayor and be invested with all lawful executive powers of the Mayor. If the Recorder certifies to Council that she/he is unable to perform these duties, Council shall, by public vote, appoint from its members an Acting Mayor, who shall perform all the duties of the Mayor and be invested with all lawful executive powers of the Mayor.

(b) ~~The Recorder of the Town shall keep a journal of the proceedings of Council and keep the same fully indexed and open to the inspection of any taxpayer of the Town at any time it is not in actual use by him. In such journal shall be kept an accurate minute of every action taken by the Council at any regular or special meeting thereof, upon any matter whatsoever. All papers and documents belonging to the Town shall be in his custody and control, and he shall carefully preserve the same and cause them to be arranged in proper titles and filed so as to be readily accessible. He shall also perform such duties in relation to Municipal elections and other lawful matters as may be imposed upon him by law, by the ordinances of the Town and by the Council thereof.~~

~~(c) The Recorder shall attend all police courts, take in all monies and bonds, issue receipts pertaining thereto, record and document all such transactions on proper forms to be submitted to the Mayor, who in turn turns over all receipts and monies to the Treasurer for deposit.~~

~~—(d) The Recorder shall document in the Police Docket Book of the Town all police tickets in numerical order.~~

~~—(e) (c) The Recorder's signature, in the absence of the Mayor's signature, shall be authorized and accepted on any and all financial documents and dealings of the Town.~~

~~133.02 BOND REQUIRED.~~

~~—The Recorder shall, before proceeding upon the discharge of his duties as such officer and within twenty days from his election, give bond in such penalty as Council shall direct, but in no case less than five hundred dollars (\$500.00) with security to be approved by Council and conditioned as are the bonds required by law of district officers.~~

~~133.03 DUTIES AND RESPONSIBILITIES.~~

~~—(a)(1) The Recorder shall keep a book to be called the "Ordinance Book" and shall make therein a correct record of all ordinances and standing rules which shall be passed by Council. Immediately after the title of each ordinance or rule, he shall record the date of its passage.~~

~~—(a)(2) The Recorder, as soon as practicable after the passage of every ordinance and standing rule, shall cause the same to be published for at least one week in some newspaper of general circulation in the Town, when required to do so by Council, or posted on the front door of the Town Hall. The Recorder shall supervise all printing to be done for the Town, under the direction of Council.~~

~~—(b) The Recorder shall keep in his office a well bound book to be called the "Record of Grades" wherein he shall record all ordinances and resolutions relating to any change of or creating of new or closing of old streets and alleys, as well as all deeds to the Town for any real estate or contracts or other writings relating to the deeds to the dedication of streets or alleys or other real estate to the Town; and he shall also plainly and distinctly enter and record, with~~

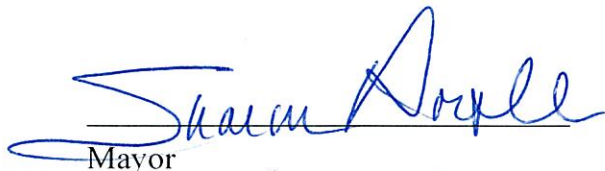
proper references to marks and drafts, all surveys and blueprints, showing in detail the grades and grade lines established by Council from time to time.


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~~—(c) The Recorder shall keep in his office a well bound book to be called the "Record of Sewers" wherein he shall record all ordinances and resolutions relating to any change of or the laying or building of new or abandonment of old sewers within the Town, as well as all contracts or other writings relating to or affecting the Town's right and control over any sewers, either public or private, within the Town. He shall also plainly and distinctly enter and record, with proper reference to marks and drafts, all surveys and regulations; the quantity of descent expressed in inches, to the hundred feet; the size of titles; the depth from street level at its intersection with other streets of the Town and other things pertinent to the public sewers of the Town, with such explanatory notes relating to the whole as he may judge useful.~~

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~~—(d) All licenses shall be attested by the Recorder and no license shall be issued until the person receiving the same shall file with the Recorder the Treasurer's receipt for the amount of the tax payable for such license.~~

First Reading: June 6, 2023

Second Reading and Adoption: July 18, 2023


Mayor

Official: 

Town Recorder