

ORDINANCE 274

AN ORDINANCE ENACTING A CODE OF ORDINANCES FOR THE CITY OF ELKINS, REVISING, AMENDING, RESTATING, CODIFYING AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES OF THE CITY OF ELKINS, WEST VIRGINIA, DEALING WITH SUBJECTS EMBRACED IN SUCH CODE OF ORDINANCES

WHEREAS, the present general and permanent ordinances of the City of Elkins, West Virginia are inadequately arranged and classified and are insufficient in form and substance for the complete preservation of the public peace, health, safety, and general welfare of the municipality and for the proper conduct of its affairs; and

WHEREAS, the Acts of the Legislature of the State of West Virginia empower and authorize the City of Elkins, West Virginia to revise, amend, restate, codify and compile any existing ordinances into one Ordinance in book form; and

WHEREAS, the Common Council of the City of Elkins, West Virginia has authorized a general compilation, revision, and codification of the ordinances of the City of Elkins of a general and permanent nature and publication of such Ordinances in book form; and

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate reservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF ELKINS, WEST VIRGINIA.

Section 1. The general ordinances of the City of Elkins, West Virginia as revised, amended, restated, codified, and compiled in book form are hereby adopted as and shall constitute the “Code of Ordinances of the City of Elkins, West Virginia”.

Section 2. Such Code of Ordinances as adopted in Section 1 Shall consist of the following Titles:

TITLE I: GENERAL PROVISIONS

10. General Provisions

TITLE III: ADMINISTRATION

- 30. General Provisions
- 31. Council
- 32. City Officers
- 33. City Organizations
- 34. Police
- 35. Elections
- 36. Taxation and Finance
- 37. Municipal Court

TITLE V: PUBLIC WORKS

- 50. Garbage
- 51. Water
- 52. Sewers and Sewage

TITLE VII: TRAFFIC CODE

- 70. General Provisions
- 71. Stopping, Standing and Parking
- 72. Operation of Vehicles
- 73. Bicycles and Recreational Vehicles
- 74. Pedestrians
- 75. Traffic Schedules
- 76. Parking Schedules

TITLE IX: GENERAL REGULATIONS

- 90. Animals
- 91. Nuisances
- 92. Fire Prevention
- 93. Streets, Sidewalks and Public Places

TITLE XI: BUSINESS REGULATIONS

- 110. Business Licenses, Regulations and Taxes
- 111. Alcoholic Beverages
- 112. Solicitors and Canvassers
- 113. Farmers' Market
- 114. Sexually Oriented Businesses

TITLE XV: GENERAL OFFENSES

- 130. General Offenses
- 131. Minors

TITLE XV: LAND USAGE

- 150. Buildings
- 151. Flood Damage Preventions
- 152. Zoning

TABLE OF SPECIAL ORDINANCES

Table

- I. Agreements
- II. Annexations
- III. Franchises
- IV. Vacations
- V. Zoning
- VI. Renaming of Streets and Alleys
- VII. Property Transactions
- VIII. Easements

PARALLEL REFERENCES

References to West Virginia Code
References to 1991 Code
References to Ordinances

- Section 3. All prior ordinances pertaining to the subjects treated in such Code of Ordinances shall be deemed repealed from and after the effective date of this ordinance except as they are included and reordained in whole or in part in such Code; provided, such repeal shall not affect any offense committed or penalty incurred or any right established prior to the effective date of this ordinance, nor shall such repeal affect the provisions of ordinances levying taxes, appropriating money, annexing or detaching territory, establishing franchises, or granting special rights to certain persons, authorizing public improvements, authorizing the issuance of bonds or borrowing of money, authorizing the purchase or sale of real or personal property, granting or accepting easements, plat or dedication of land to public use, vacating or setting the boundaries of streets or other public places; nor shall such repeal affect any other ordinances of a temporary or special nature or pertaining to subjects not contained in or covered by the code.
- Section 4. Such code shall be deemed published as of the day of its adoption and approval by the Common Council of the City of Elkins, West Virginia is hereby authorized and ordered to file a copy of such Code of Ordinances in the Office of the City Clerk.
- Section 5. Such code shall be in full force and effect as provided in Section 6, and such Code shall be presumptive evidence in all courts and places of the Ordinance and all provisions, sections, penalties and regulations therein contained and of the date of passage, and that the same is properly signed, attested, recorded, and approved and that any public hearings and notices thereof as required by law have been given.

If any portion of this Ordinance shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not effect the remaining provisions hereof and the Common Council determines that it would have adopted this Ordinance without the invalid provision.

This ordinance shall become effective upon passage.

PASSED AND AROVED ON FIRST READING: 6th day of August, 2020.

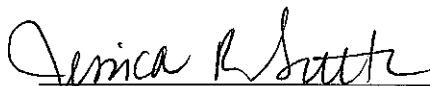
PASSED AND APPROVED ON SECOND AND FINAL READING THE 20th day of August, 2020.

CITY OF ELKINS, WEST VIRGINIA



Van T. Broughton, Mayor

Attest:



Jessica R. Sutton, City Clerk