

ORDINANCE 323

AN ORDINANCE OF THE COMMON COUNCIL OF ELKINS, WEST VIRGINIA, ELIMINATING SECTIONS OF THE CITY CODE, CHAPTER 112, SOLICITORS AND CANVASERS

WHEREAS, the Common Council of the City of Elkins has previously enacted an ordinance which is codified in Elkins City Code, Chapter 112, Solicitors and Canvassers, specifically §112.15 through §112.19; and

WHEREAS, the Rules and Ordinances Committee has reviewed the City Code sections referred to herein, considered the issues of enforceability, the public perception that an issuance of a permit by the City is an endorsement or an approval of a solicitor and the possible liability associated with the issuance of a permit ; and

WHEREAS, the Rules and Ordinance Committee, upon consideration of these issues, has recommended that these specific sections of Chapter 112, Solicitors and Canvassers, § 112.15 through § 112.19 be repealed; and

WHEREAS, the Common Council has reviewed the Committee's recommendation and the specific sections referred to herein of Chapter 112, Solicitors and Canvassers, and believes that it would be in the best interest of the citizens of Elkins to repeal Elkins City Code, Chapter 112, Solicitors and Canvassers, §112.15 through §112.19.

NOW THEREFORE, be it Ordained and Enacted by the Common Council of the City of Elkins that Elkins City Code, Chapter 112, Solicitors and Canvassers, §112.15 through §112.19 be REPEALED. All other sections of Chapter 112, Solicitors and Canvassers shall remain in full force and effect.

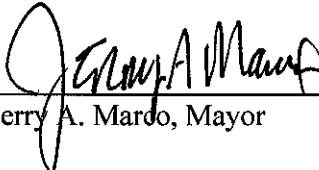
If any portion of this Ordinance shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and Common Council determines that it would have adopted this Ordinance without the invalid provision.

This Ordinance shall become effective upon passage.

PASSED AND APPROVED ON THE FIRST READING: February 15, 2024.


PASSED AND APPROVED ON THE SECOND READING: March 7, 2024.

CITY OF ELKINS, WEST VIRGINIA



Jerry A. Mardo, Mayor

Attest:



Sutton Stokes, City Clerk