

**CODIFIED
ORDINANCES
OF THE
CITY OF
CLARKSBURG
WEST VIRGINIA**

Complete to January 1, 2009

CERTIFICATION

I, Dan Thompson, Mayor of Clarksburg, West Virginia, pursuant to West Virginia Code 8-11-4(b), hereby certify that the general and permanent ordinances of the City of Clarksburg, West Virginia, as revised, rearranged, compiled, numbered as to sections, recodified and printed herewith in component codes are correctly set forth and constitute the Codified Ordinances of the City of Clarksburg, West Virginia, as amended to January 1, 2009.

/s/ Dan Thompson
Mayor

Codified, edited and prepared for
publication by
THE WALTER H. DRANE COMPANY
Cleveland, Ohio

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CITY OF CLARKSBURG
DIRECTORY OF OFFICIALS
(2009)

COUNCIL

Dan Thompson
B. K. Vanhorn
James C. Hunt
Patsy Trecost, II
Sam Lopez
Margaret Bailey
Martin Shaffer

Mayor
Vice Mayor

OFFICERS

Martin G. Howe
Annette M. Wright
Gregory A. Morgan
Frank L. Ferrari
Darrell McCune
MSES Consultants
Rick Scott
Marshall Goff
William Goodwin

Frank Scarcelli

Anthony Bellotte

John Cooper
James Marino

City Manager
City Clerk
City Attorney
Finance Director
Ass't. Finance Director
Engineer
Fire Chief
Police Chief
Superintendent, Wastewater
Treatment Plant
Superintendent, Sewer
and Waste Departments
Superintendent, Street
Department
Superintendent of Parks
Personnel Director

The publisher expresses
his appreciation to

ANNETTE M. WRIGHT
City Clerk

and all other officers and employees who
gave time and counsel in the preparation
of the 1981 recodification and
current replacement pages.

A RECODIFICATION ORDINANCE TO APPROVE, ADOPT AND ENACT THE 1981 CODIFIED ORDINANCES FOR THE CITY OF CLARKSBURG; TO REPEAL ORDINANCES IN CONFLICT THEREWITH; TO DIRECT THAT THE STATUTORY REQUIREMENTS FOR THE CODIFICATION OF ORDINANCES BE COMPLIED WITH; TO ADD CERTAIN NEW MATTER WITHIN THE 1981 CODIFIED ORDINANCES BY INCORPORATING LANGUAGE FROM APPLICABLE STATE LAW FOR THE PURPOSE OF MAKING UPDATES IN CLARKSBURG MUNICIPAL LAW; AND TO ADOPT AND ENACT CERTAIN AMENDMENTS TO THE 1969 CLARKSBURG CITY CODE AT THIS TIME IN ORDER THAT SUCH MAY THEREAFTER APPEAR IN THE 1981 CODIFIED ORDINANCES GREEN-BOUND BOOK OF THE CITY OF CLARKSBURG BY APPROPRIATE ARTICLE AND SECTION.

WHEREAS, the Council of the City of Clarksburg, West Virginia, has had the matter of recodification and general revision of the ordinances before it for some time;

WHEREAS, it has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such recodification;

WHEREAS, the recodification of such ordinances, together with the new matter to be adopted, the matters to be amended and those to be repealed are before the Council;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSBURG; that:

Section 1. The ordinances of the City of Clarksburg, West Virginia, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, chapters, articles and sections are hereby approved, adopted and enacted as the Codified Ordinances of Clarksburg, West Virginia, 1981.

Section 2. Pursuant to West Virginia Code 8-11-4(b):

- (a) Notice of the proposed adoption of the Codified Ordinances shall be given by publication as provided in West Virginia Code 8-11-4(a)(2);
- (b) One book-form copy of the Codified Ordinances shall be certified as correct by the Mayor and filed as a permanent record in the office of the City Clerk.

Section 3. The provisions of this ordinance, including all provisions of the Codified Ordinances, shall be in full force and effect as provided in Section 5 of this Ordinance. All ordinances and resolutions or parts thereof enacted prior to February 15, 1981, which are inconsistent with any provision of the Codified Ordinances, are hereby repealed as of the effective date of this Ordinance except as follows:

- (a) The enactment of the Codified Ordinances shall not be construed to affect a right or liability accrued or incurred under any legislative provisions prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in the violation of any such legislative provisions, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provisions shall continue in full force notwithstanding its repeal for the purpose of revision and recodification.
- (b) The repeal provided above shall not affect:
 - (1) The grant or creation of a franchise, license, right, easement or privilege.
 - (2) The purchase, sale, lease or transfer of property.
 - (3) The appropriation or expenditure of money or promise or guarantee of payment.
 - (4) The assumption of any contract or obligation.
 - (5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness.
 - (6) The levy or imposition of taxes, assessments or charges.
 - (7) The establishment, naming, vacating or grade level of any street or public way.
 - (8) The dedication of property or plat approval.
 - (9) The annexation or detachment of territory.
 - (10) Any legislation enacted subsequent to February 15, 1981.

Section 4. New legislative matters to be adopted as part of the 1981 Codified Ordinances, i.e. those matters which are not mere compilations of amendments, rearrangements, or consolidations pertaining to previously-enacted ordinances, are set forth by reference in original ordinance 81-10.

Section 5. This Ordinance shall become effective from the date of its adoption.

PASSED by the Council of the City of Clarksburg, West Virginia, on FIRST READING this 2 day of April, 1981

PASSED by the Council of the City of Clarksburg, West Virginia, on SECOND and FINAL READING this 16 day of April, 1981.

/s/ Arch N. Benninger
Mayor

ATTEST:

/s/ Mildred A. Zink
City Clerk

Approved as to Form:
/s/ John L. DePolo
City Attorney

GENERAL INDEX

EDITOR'S NOTE: References are to individual code sections. As additional aids for locating material, users are directed to:

- (a) The comparative Section Table which indicates in the Codified Ordinances the disposition of the ordinances or resolutions integrated therein.
- (b) The table of contents preceding each component code, and the sectional analysis preceding each chapter.
- (c) The cross references to related material following each chapter analysis.

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