

ORDINANCE 338

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF ELKINS, WEST VIRGINIA AMENDING THE CITY CHARTER, SECTION 3.01 APPOINTMENT, POWERS AND DUTIES OF THE MAYOR

WHEREAS, by Ordinance 276, adopted November 19, 2020, effective April 1, 2021, the City Charter was amended, and the new revised Charter was adopted; and

WHEREAS, since its adoption, certain questions have arisen which call for clarification by an amendment of the current Charter; and

WHEREAS, the Common Council finds and determines that it would be in the best interest of the City and its citizens and deems it expedient to amend Section 3.01 Appointment, Powers and Duties of the Mayor as set forth below, to attain these stated goals; and

WHEREAS, West Virginia Code §8-4-8 provides that whenever the governing body of a municipality shall deem it expedient to amend the charter of the City, it shall propose the amendment by ordinance;

NOW THEREFORE BE IT ORDAINED and ENACTED that the City Charter is amended and shall read as follows:

SECTION 3.01 APPOINTMENT, POWERS AND DUTIES OF THE MAYOR

The Mayor shall be elected at large by the qualified voters of the City, and shall serve a term of four years, beginning on the first day of July following election.

- (a) The Mayor shall be recognized as the chief executive officer and head of government of the City. The Mayor shall exercise ~~all~~only those powers and perform ~~all~~only those duties vested in or imposed by this Charter, ordinance, general law, or other rule or order of Council. ~~necessarily implied therefrom, to carry out the functions of the office. The mayor shall have only such~~ additional powers and perform such additional duties as may be prescribed

for mayors and other chief executive officers of municipalities by provisions of city, state, or federal law that are applicable to Mayors of municipalities chartered under the Mayor-Council Plan.

The changes to the City Charter are only to the Section referred to herein and all other Sections of the City Charter shall remain unchanged and 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 on December 1, 2024.

**PASSED AND APPROVED ON THE FIRST READING: _____,
2024.**

**PASSED AND APPROVED ON THE SECOND AND FINAL READING:
_____, 2024.**

CITY OF ELKINS, WEST VIRGINIA

Jerry A. Marco, Mayor

Attest:

Sutton Stokes, City Clerk