

**CODIFIED ORDINANCES
OF
CHESTER,
WEST VIRGINIA**

Complete to November 1, 2012

I, Ken Morris, Mayor of Chester, West Virginia, pursuant to West Virginia Code 8-11-4(b), hereby certify that the general and permanent ordinances of the City of Chester, West Virginia, as revised, rearranged, compiled, renumbered as to sections, recodified and printed herewith in component codes are correctly set forth and constitute the Codified Ordinances of the City of Chester, West Virginia, 2012.

/s/ Ken Morris
Mayor

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

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CITY OF CHESTER
ROSTER OF OFFICIALS
(2012)

COUNCIL
Mike Dotson, Sr.
Brian Handley
Dennis Murray
Steve Shuman
John Woodruff

ADMINISTRATION

Ken Morris
Sandra Parkins

Mayor
City Clerk

The publisher expresses his appreciation

to

SANDRA PARKINS
City Clerk

and to all other City officials
who gave time and counsel in
the 2012 recodification
of the Chester City Ordinances

AN ORDINANCE TO APPROVE THE 2012 CODIFIED ORDINANCES; TO ADOPT NEW MATTER; AND TO AMEND AND REPEAL CERTAIN OBSOLETE AND CONFLICTING LEGISLATIVE PROVISIONS.

WHEREAS, a determination has been made that the ordinances of the City of a permanent and general nature should be recodified, and

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

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of such ordinances, together with the new matter to be adopted, the matters to be amended and those to be repealed are before Council,

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHESTER, WEST VIRGINIA, that

Section 1. The ordinances of Chester, West Virginia, of a general and permanent nature, as revised, codified, rearranged and consolidated into component codes, chapters, articles and sections are hereby approved, adopted and enacted as the Codified Ordinances of Chester, West Virginia, 2012.

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 at the earliest time permitted by law. All ordinances or parts thereof enacted to August 30, 2012, 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 August 30, 2012.

Section 4. Each section of the Codified Ordinances without an ordinance or resolution history at the end thereof indicates that the section contains new material which is hereby enacted by this adopting ordinance.

Section 5. Through authentication and approval of this Ordinance the Mayor shall certify that the permanent and general ordinances of the City as codified therein are correctly set forth and constitute the Codified Ordinances of Chester, West Virginia, 2012.

SPONSORED BY: _____

APPROVED AS TO FORM: /s/ _____

DATE _____

1ST READING: _____

2ND READING: _____

/s/ _____
Mayor

Date

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CODIFIED ORDINANCES OF CHESTER, WEST VIRGINIA

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EDITOR'S NOTE

The arrangement and numbering of the Codified Ordinances into component codes, chapters, articles and sections are based on an adoption of the decimal numbering system which is in accord with the best accepted practice in instituting a codification. Each section is self-identifying as to code, article and section number. For example, 305.06 indicates that the code number is 3, the article number is 305 (or the 5th article within code 3), and the section number is .06. The code and article numbers appear left of the decimal, with the code number preceding the first two digits left of the decimal, and the article number being all digits left of the decimal. The section number appears right of the decimal. As another example, 113.10 indicates the code number is 1, the article number is 113 (or the 13th article within code 1), and the section number is .10.

This numbering system has the advantage of inherent flexibility in allowing for an almost endless amount of expansion. Codes, chapters, and articles initially are odd-numbered, thus reserving the use of even numbers for future legislation. Sections within articles are consecutively numbered, except that penalty provisions are usually assigned the number .99. Newly created sections subsequent to the original codification may be indicated by three digits right of the decimal in the event the law properly belongs between two consecutively numbered sections. For example, newly created 575.061, 575.062 and 575.063 follow 575.06 and precede 575.07 to be placed in their logical position.

Section histories enable a user to trace the origin of the law contained in the section. The history indicates the derivation by reference to either its passage date and the ordinance number originally assigned to it at that time, or to its inclusion in any prior code. Sections without histories indicate that the section contains new matter which was ordained by the Adopting Ordinance which enacts the Codified Ordinances.

The Comparative Section Table is included to show the disposition of every ordinance included in the Codified Ordinances. It indicates whether a given ordinance was consolidated with another into one section or split into two or more sections. Cross references direct the user to subject matter reasonably related to material contained within a given article.

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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