

# Town of Bath

## ORDINANCE 2009-01

**AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE TOWN OF BATH, WEST VIRGINIA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.**

**BE IT ORDAINED BY THE TOWN COUNCIL:**

**Section 1.** *The Code entitled "The Code of the Town of Bath, West Virginia," published by Municipal Code Corporation, consisting of chapters 1 through 82, each inclusive, is adopted, with the following changes:*

1. **Section 26...***The Town of Bath Council has adopted the West Virginia Secretary of States Rules and Regulations regarding Municipal Elections.*
2. **Section 2-43...***The Town of Bath Recorder does have a vote in all matters before the Town of Bath Council.*

**Section 2.** *All Ordinances of a general and permanent nature enacted on or before September 4, 2007, and not included in the Code or recognized and continued in force by reference therein, are repealed.*

**Section 3.** *The repeal provided for in section 2 hereof shall not be construed to receive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this Ordinance.*

**Section 4.** *Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any Ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine not exceeding \$500.00, or the maximum to be imposed under state law. Each act of violation and each day upon which any such violation shall continue to occur shall constitute a separate offense. The*

penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the town may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

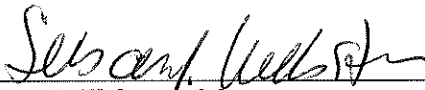
**Section 5.** Additions or amendments to the Code when passed in such form as to indicate the intention of the town to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

**Section 6.** Ordinances adopted after September 4, 2007, that amend or refer to ordinances that have been codified in the Code, shall be construed as if they amend or refer to like provisions of the Code.

**Section 7.** **THIS ORDINANCE SHALL BECOME EFFECTIVE UPON THE PASSAGE OF THE SECOND READING BY THE TOWN OF BATH COUNCIL**

Passed for First Reading November 18, 2008  
Passed for Second Reading January 7, 2008

Passed and adopted by the Town of Bath Council this 7<sup>th</sup> day of January, 2009.

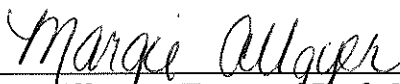
  
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Susan J. Webster, Mayor

ATTEST:

  
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Margie Allgyer, Town of Bath Municipal Clerk

## *Certificate of Adoption*

*I hereby certify that the foregoing is a true copy of the Town of Bath Ordinance 2009-01 passed for the second reading at the meeting of the town council, held on Wednesday, January 7<sup>th</sup>, 2009.*

  
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*Margie Allgyer, Town of Bath Municipal Clerk*