

***City of Glenville
Glenville, West Virginia 26351***

AN ORDINANCE ADOPTING AND ENACTING CHAPTERS 17, 17A, 17B, 17C, AND 17D, WEST VIRGINIA MOTOR VEHICLE LAWS, OF THE OFFICIAL CODE OF THE STATE OF WEST VIRGINIA, AS AMENDED; PROVIDING FOR MEANS OF ENFORCEMENT AND FURTHER PROVIDING FOR PENALTIES FOR VIOLATIONS; REPEALING ALL OTHER INCONSISTENT OR CONFLICTING ORDINANCES OR PARTS OF ORDINANCES,

WHEREAS, it is deemed necessary by the Common Council of the City of Glenville to regulate and control traffic and enact ordinances therefore to protect the welfare and safety of the citizens of the City of Glenville; and,

HOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GLENVILLE, AS FOLLOWS;

The Common Council of the City of Glenville at 7:00 P.M. on November 2, 1981, in the Glenville City Council chambers, 20 North Court Street, Glenville, W.V., will consider for final vote, and adoption, "an ordinance adopting and enacting chapters 17, 17A, 17B, 17C, and 17D, West Virginia Motor Vehicle Laws, of the Official Code of the State of West Virginia, as amended.

Interested parties may appear at this time and place cited above and be heard with respect thereto. This ordinance shall become effective upon final passage and will be enforced on and after November 2, 1981 if adopted.

Copies of this ordinance can be inspected by the public at the Glenville city hall building, 20 North Court Street, Glenville, W.V., anytime Monday thru Saturday from 8:00 A.M. to 5:00 P.M.

Be it ordained by this governing body of the City of Glenville, West Virginia, by virtue of this ordinance, that chapters 17, 17A, 17B, 17C, and 17D, West Virginia Motor Vehicle Laws, of the Official Code of the State of West Virginia, as amended or may be amended by the legislature of the State of West Virginia, are hereby adopted and enacted and are incorporated in and made part of the ordinances of the City of Glenville as fully and to the same extent and having the same effect as if they were set out herein verbatim and in toto and in full.

The definition of “streets” and “highways” in the Official State Code is hereby changed to include the roads, streets, and alleys of the City of Glenville. Such code shall be applicable throughout the city limits and shall govern and control for the purposes therein set forth. The code adopted by this ordinance shall be known and may be cited as the Motor Vehicles Code.

For state law as to authority of city to regulate and control the use of the city’s streets and ways, see W.V. Code, 8-12-2, 8-12-5, subsec, (4). As to authority of city to regulate traffic and parking generally, see W.V. Code, 17C-2-8. As to motor vehicle registration by state, see W.V. Code, ch. 17A. As to state motor vehicle operators and chauffeurs’s licenses, see W.V. Code, ch. 17B. As to state traffic regulations, laws of the road, vehicle equipment, inspection and size, load and weight regulations, see W.V. Code, ch. 17C.

Authorized emergency vehicle. The term “authorized emergency vehicle” shall mean city police vehicles, vehicles of the fire department, and such public or private ambulances and other emergency vehicles as may be designated by the chief of police as authorized emergency vehicles.

The Municipal Judge shall have the same jurisdiction as Magistrates for all misdemeanors as cited in the Motor Vehicle Code and shall have the same jurisdiction for all misdemeanor cases arising from the enforcement of the Motor Vehicle code as he has for other municipal ordinances and upon a conviction can apply these penalties or jail terms as listed in the Motor Vehicle Code plus the total of fifteen dollars (\$15.00) as court costs in all cases except illegal parking with the court costs then being ten dollars (\$10.00). Court costs will be fifteen dollars (\$14.00) on all municipal ordinance convictions, with the exception of illegal parking convictions. Anyone sentenced to jail will be committed to the city jail or the Gilmer County jail.

On every conviction of a municipal ordinance, with the exception of illegal parking, a three dollar (\$3.00) fee for “Crime Victim’s Reparation Fund” and a two dollar (\$2.00) fee for “Law Enforcement Training Fund” will be assessed and included in the fifteen dollars (\$15.00) court costs and remitted to the State Treasurer each month. This report and money will be remitted on or by the 10th of each month for the previous month.

Copy of code to be maintained. A copy of the Motor Vehicle Code, certified by the Mayor, and updated to include the most recent revision of the Legislature of the State of West Virginia, shall be kept in the office of the Municipal Judge and the Police Chief, and shall be available for inspection by any citizen of the City of Glenville or by an person charged with a violation arising therefrom.

Special penalties for parking violations. The city meter maid or any city police officer may write “parking tickets” and if the meter maid or any city police officer writes a “parking ticket: instead of a “citation” for any illegal parking violation of the Motor Vehicle Code involving the unlawful parking of a vehicle, the maximum fine they may impose is hereby set at ten dollars (\$10.00).

This constitutes a “minor traffic violation” and does not constitute an arrest.

Speed limits on streets or illegal parking zones. Speed limits and illegal parking zones are already posted or painted or marked and may be changed by City Council vote.
City Police Officers. The definitions of “Sheriff”, “Deputy”, “State Police”, “Police Officer” or “Department of Public Safety”, or etc., shall be changed to include City Police Officers of the City of Glenville.

Location. The definitions of “county” or “state” shall be changed to include City of Glenville.

It is the intent of the Common Council of the City of Glenville that each separate provision of this ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the Common Council of the City of Glenville that if any provisions of this ordinance be declared to be invalid, all other provisions therein shall remain valid and in full force and effect, and enforceable.

All ordinances or parts of ordinances, in conflict herewith, or inconsistent herewith, are hereby repealed to that extent and no further.

This ordinance shall be in effect immediately upon final passage by the Common Council of the City of Glenville.

Certificate of Enactment

I, Phyllis M. Starkey, Mayor do hereby certify that the foregoing ordinance was lawfully ordained with the first reading held on October 5, 1981, and the final reading and adoption was held at the regular council session assembled on November 2, 1981, and said ordinance was enacted and adopted by the Common Council of the City of Glenville and said ordinance shall be in force and effect as of November 2, 1981.

Given under our hands for the City of Glenville, this 2nd day of November, 1981.

PHYLLIS M. STARKEY, MAYOR

ATTEST:

EDNA WHITE, RECORDER