

CHARTER  
CITY OF  
KENOVA, WEST VIRGINIA

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EDITOR'S NOTE: The Kenova Charter was adopted at an election held June 21, 1986. Dates appearing in parentheses following a section heading indicate those provisions were subsequently amended, enacted or repealed on the date given.

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**ARTICLE ONE POWERS AND FORM OF GOVERNMENT**

**SECTION 1.1 INCORPORATION.**

The inhabitants of the City of Kenova, West Virginia, within the corporate limits as now established or as hereafter established, shall continue to be a Municipal corporation under the name of "The City of Kenova" and in the manner provided by law.

**SECTION 1.2 POWERS OF CITY.**

This City, incorporated under this Charter, shall have all the powers granted to municipal corporations and to cities of its class by the constitution and laws of the State of West Virginia, together with all the implied powers necessary to carry into execution all powers granted.

**SECTION 1.3 CONSTRUCTION.**

The powers of the City under this Charter shall be construed liberally in favor of the City and the specific mention of particular powers in this Charter shall not be construed as limiting in any way the general power stated in this Article.

**SECTION 1.4 FORM OF GOVERNMENT.**

The municipal government provided by this Charter shall be the "strong mayor plan". All powers of the City shall be exercised in the manner prescribed by this Charter or by general law.

**ARTICLE TWO GENERAL PROVISIONS**

**SECTION 2.1 DEFINITION OF RESIDENT.**

As used in this Charter, the term "resident" shall mean any individual who maintains a usual and bona fide place of abode within the corporate limits of the City of Kenova, who has the intent to maintain said usual and bona fide place of abode for an indefinite period of time in the future, and who is eligible to register to vote.

**SECTION 2.2 RESIDENCY REQUIREMENT.**

Any person elected to any City office or any person appointed to any City board or commission under this Charter shall be a resident at the time elected or appointed and shall remain a resident of the City of Kenova during his or her respective tenure in office. Any person employed in or appointed to a full-time position on the City payroll after July 1, 1986 shall be a resident at the time employed or appointed or shall become a resident within ninety days from the date of employment or appointment and shall remain a resident during the period of employment or appointment. There shall be no exception or waiver of the requirements contained in this section and any violation of any requirement contained herein shall result in a forfeiture of the respective office or position.

**SECTION 2.3 CONFLICT OF INTEREST.**

Any City officer or employee who has a substantial financial interest, direct, indirect or by reason of ownership of stock in any corporation, in any contract with the City or in the sale of any land, materials, supplies or services to the City or to any contractor supplying the City, shall make known that interest to the Mayor and Council and shall refrain from voting upon or otherwise participating in his or her capacity as a City officer or employee in the making of such sale or in the making or performance of such contract. Any City officer or employee who willfully conceals such a substantial financial interest or willfully violates the requirements of this section shall be guilty of malfeasance in office or position and shall forfeit the office or position. Violation of this section with the knowledge, express or implied, of the person or corporation contracting with or making a sale to the City shall render the contract or sale voidable by the Mayor or Council. A "substantial financial interest" as used herein, shall be deemed to be an interest amounting to more than five percent of the particular business enterprise or contract.

**SECTION 2.4 BONDS.**

Before entering the duties of their office, each member of Council, the Mayor, the City Clerk-Treasurer and such other personnel as Council may require, shall give bond for the faithful performance of their duties, payable to the City of Kenova, in such amounts and with such corporate surety as may be approved by Council. Council may provide for obtaining a blanket bond covering all City officers and employees. The premiums on all bonds shall be paid by the City; provided, however, that the premiums shall not be in excess of the premium schedule filed by the bonding company with the West Virginia Commissioner of Insurance or successor. If any person elected, appointed or employed shall not be able to give the required bond within ten days after assuming an office or position, said office or position shall, by reason thereof, become vacant.

**SECTION 2.5 OATH (AFFIRMATION).**

All elected and appointed officers and such employees as Council may require, shall take and subscribe to the following oath (affirmation) to be filed and kept in the office of the City Clerk-Treasurer:

"I, \_\_\_\_\_, solemnly swear (or affirm) that I will support the Constitution of the United States of America and of the State of West Virginia, and that I will, in all respects, observe the provisions of the Charter, ordinances, resolutions, regulations and rules of the City of Kenova, and will faithfully discharge the duties of \_\_\_\_\_ to the best of my skill and judgment.

Signature \_\_\_\_\_."

**SECTION 2.6 GENERAL ATTENDANCE REQUIREMENT.**

If a member of any City agency, board, commission or Council is absent from forty or more percent of the regularly scheduled meetings in any twelve month period or from three consecutive regularly scheduled meetings of said agency, board, commission or Council, the office, position or appointment shall become vacant and such vacancy shall be filled according to applicable law.

**SECTION 2.7 PUBLIC ACCESS.**

All meetings, records and documents of City departments, agencies, boards, commissions and Council shall be open to the public under reasonable regulations established by Council; provided, however, said regulations and any exclusionary clauses therein shall be subject to the general laws of the State of West Virginia.

**SECTION 2.8 ARTICLE AND SECTION TITLES.**

The article and section titles or headings in this Charter are intended for convenience only to indicate the content of the article or section and shall not be deemed or taken to be a part of the article or section.

**SECTION 2.9 SEPARABILITY CLAUSE.**

If any article, section, subsection, paragraph, sentence, clause or word of this Charter is for any reason held invalid or unconstitutional, such holding shall not affect the validity, constitutionality or application of any other portion of this Charter.

**SECTION 2.10 REFERENCE TO LAW.**

A reference contained in this Charter to general law shall be construed to mean the respective law as it exists on the effective date of this Charter or as it may thereafter be amended. Where additional parts are added to the subject matter of such law referred to in this Charter, the reference shall include such additional parts.

**SECTION 2.11 REMOVAL OF OFFICERS.**

Any elected or appointed City officer may be removed from office as prescribed by the general laws of the State of West Virginia or by this Charter.

**SECTION 2.12 EFFECTIVE DATE.**

This Charter shall become effective on July 1, 1986; provided, however, the Mayor and Council in office on said effective date shall serve, with the Mayor continuing to be the presiding officer for and voting member of Council without veto power, until July 1, 1987.

**ARTICLE THREE ELECTED OFFICER – MAYOR****SECTION 3.1 POWERS AND DUTIES OF MAYOR.**

The Mayor shall be the chief executive officer of the City and shall exercise all powers and perform all duties vested in or imposed upon him or her by this Charter, ordinance, or general law. The Mayor shall exercise directly, or through authorized and duly appointed representatives, supervision over all executive and administrative work of the City and shall supervise the investment of all City funds. The Mayor shall report upon the state of the City in writing at least annually to Council and may recommend to Council such measures as he or she deems to be in the best interests of the City and its inhabitants.

**SECTION 3.2 MAYOR OR REPRESENTATIVE MAY ATTEND COUNCIL MEETINGS.**

The Mayor or a designated representative who must be an employee of the City may attend every meeting of Council and may express views, orally or in writing, on matters pending before Council. The Mayor shall have no right to introduce any motion, resolution, ordinance or amendments thereto, nor to vote on questions before Council.

**SECTION 3.3 ACTING MAYOR.**

In case of the Mayor's temporary absence, the President of Council shall serve as Acting Mayor. A vacancy shall be created in the office of Mayor if the Mayor's temporary absence exceeds sixty days.

**SECTION 3.4 VACANCY OF OFFICE OF MAYOR.**

If a vacancy occurs in the office of Mayor for any reason, the President of Council shall become Mayor after resigning from Council. If the President declines to resign from Council and become Mayor, the other members of Council shall vote by secret ballot during the first Council meeting after the vacancy in the office of Mayor occurs until a new Mayor is selected from the membership of Council or if necessary, from the residents of the City eligible to the office of Mayor. Any Council member so selected must resign from Council prior to assuming the office of Mayor. The new Mayor filling a vacancy shall hold office for the unexpired term or until a successor has been duly elected and qualified.

**SECTION 3.5 MAYOR'S POWER OF APPOINTMENT.**

The Mayor shall appoint, with the approval of Council, the City Clerk-Treasurer, the City Judge, and all other City officers, employees and members of agencies, boards and commissions as provided by general law, this Charter or ordinance and may, except where prohibited by general law, this Charter, ordinance or any duly adopted merit or civil service systems, remove any City officer, employee or member of an agency, board or commission at the Mayor's pleasure; provided, however, any officer or employee so removed who is not covered by a duly adopted merit or civil service system shall have a right to appeal the removal to Council, which after holding a hearing at which the officer or employee and the Mayor may testify, may by an affirmative vote of three members of Council retain said officer or employee. Excluding employees, appointments by the Mayor shall be made within ten days after the Mayor takes office or after a vacancy in an office or in membership occurs. The Mayor shall submit the names of designated appointees and prospective employees to Council for approval or disapproval. If Council fails to act within fifteen days from its receipt of the name of any designated appointee or prospective employee, said name shall be deemed approved by Council. If a name is disapproved by Council, the Mayor shall submit a list with the names of three persons to Council (which list may include the original name), and Council shall approve one of those three persons.

If Council fails to act within fifteen days of its receipt of the list, the Mayor shall appoint or employ one of the three persons on said list.

**SECTION 3.6 APPOINTMENT OF LEGAL COUNSEL.**

The Mayor with the approval of Council may contract for the services of general and special legal counsel as required to conduct City business. Any general counsel obtained shall be an attorney licensed to practice law in West Virginia and shall serve as attorney for all elected and appointed City officers; for all City boards, agencies and commissions; and at the direction of the Mayor, for any other officer or employee of the City in connection with their official duties.

**ARTICLE FOUR ELECTED OFFICERS – COUNCIL.****SECTION 4.1 POWERS OF COUNCIL.**

All legislative powers of the City shall be vested in Council which shall be the governing body of the City.

**SECTION 4.2 ORGANIZATION OF COUNCIL.**

Council shall consist of five members elected at large. The President of Council shall be the member of the newly elected Council who received the highest number of votes in the latest City election. If two or more members of Council tied with the highest number of votes in said City election, the other members of Council shall vote by secret ballot during the first Council meeting to determine which of the tied members of Council shall be President. The member of the newly elected Council who received the second highest number of votes in said City election shall be the Vice President of Council. The Vice President shall assume the duties of the President during the temporary absence of the President and shall become President of Council if a vacancy occurs for any reason in that office. A tie among members for the office of Vice President shall be decided as prescribed above for the office of President. If vacancies occur simultaneously in both the offices of President and Vice President, Council shall select its officers from its membership by secret ballot. The President shall be the presiding officer and shall prepare an agenda for each Council meeting which shall be posted at the office of the City Clerk-Treasurer at least twelve hours prior to said meeting. A copy of each agenda shall be delivered to the office of the Mayor at the same time it is posted, and may be delivered to members of Council as they may direct. Each member of Council, including the President and Vice President, shall be entitled to one vote on any matter before Council. Three members of Council shall constitute a quorum, and no business shall be transacted by Council in absence of such quorum. Council shall determine and adopt its own rules for the conduct of its meetings. Council shall hold regular meetings not less than monthly at Council chambers or other suitable public place at a time and on a day to be established by Council. Special meetings may be called at any time, upon reasonable notice given by the President of Council, and shall be so called by the President upon the written request of a majority of all members of Council. The requirement of reasonable notice, may be satisfied by delivering to each member of Council, the Mayor and the City Clerk-Treasurer a written notice of the time, place and purpose of the special meeting in the method provided by general law for the service of process in a civil action at least twelve hours prior to the time set for the meeting or by such other method as Council by ordinance may provide.

**SECTION 4.3 POWER TO CONDUCT INVESTIGATIONS.**

Council shall have power to conduct investigations of the operation of any office, department, division, agency, commission or board of the City and of any subject upon which it may legislate.

**SECTION 4.4 VACANCIES ON COUNCIL.**

If a vacancy on Council shall occur for any reason, Council shall select a resident with the requisite qualifications by a majority vote of its remaining members at a meeting held not less than fifteen nor more than thirty days following the declaration of such vacancy. The person so selected shall hold office for the unexpired term or until a successor has been duly elected and qualified.

**ARTICLE FIVE APPOINTED OFFICERS****SECTION 5.1 CITY CLERK-TREASURER.**

The City Clerk-Treasurer shall give notice of and attend all Council meetings. The City Clerk-Treasurer shall keep in a journal an accurate record of all Council proceedings. The journal shall show the passage of ordinances and resolutions by inserting the title of said ordinance or resolution. The City Clerk-Treasurer shall keep in a well-bound book, separate from the journal of Council proceedings, a record of all adopted ordinances and resolutions, which book shall show the date of the passage of such ordinances or resolutions, and shall contain the full text of such ordinances or resolutions. Both the journal of proceedings and the book of ordinances and resolutions shall be fully indexed and open to inspection by the public. The City Clerk-Treasurer shall be the chief election official for all City elections. The City Clerk-Treasurer shall: collect all taxes, fines and fees due to the City; conduct an annual inventory of all City property which had, at the time of purchase, a value of one thousand dollars or more; prescribe the forms of receipts, requisitions, vouchers, bills or claims to be used by all offices, agencies, boards and commissions of the City; examine all contracts and other documents by which the City incurs financial obligation; inspect and audit before payment all purchase orders, bills, invoices, payrolls and other evidence of claims, demands or charges against the City; inspect and audit any account or record of financial transactions which may be maintained by any office, agency, board or commission of the City; provide Council and the Mayor with a complete financial statement for all City accounts monthly; and perform such other duties as may be required by the Mayor, this Charter, ordinances or general law.

**SECTION 5.2 CITY JUDGE.**

The Judge of the City Court shall be at least twenty-five years of age at the time of appointment, shall have earned a high school or general equivalency diploma, and shall not have been convicted of any felony or of any misdemeanor involving moral turpitude. The Judge shall preside over the City Court and, with respect to offenses over which the City Court has jurisdiction, shall have all the powers and duties which a Magistrate or successor has with regard to violation of the criminal law of the State of West Virginia. The Judge shall have the power to issue warrants, upon complaint under oath of any person or officer, for the arrest of anyone charged with any City offense within the jurisdiction of the Court or for search and seizure in connection with violation of a City ordinance. The Judge shall try and determine all cases over which the City Court has jurisdiction and, within the limits prescribed by ordinance or general law, shall have the power to summon persons or subpoena witnesses for the trial of any case before the Court, to compel the attendance of police officers of the City or to require the Chief of Police to enforce all judgments or orders entered by the Court in the exercise of its powers. In City Court proceedings for the recovery of fines or for the enforcement of penalties fixed by ordinance or other law, the Court shall, so far as applicable, conform to the provisions of general law governing civil proceedings before a Magistrate of the State of West Virginia or successor. The Judge shall have such other powers and duties as Council may by ordinance provide pursuant to general law.

**SECTION 5.3 OTHER APPOINTED OFFICERS.**

Other officers may be appointed as necessary to conduct City business.

**SECTION 5.4 ACTING APPOINTED OFFICERS AND VACANCIES.**

In the event of the temporary absence of any appointed officer, the Mayor shall appoint a person, other than a member of Council, with the qualifications and under the conditions required by this Charter to serve as an acting officer during such absence. A vacancy shall be created in any appointed office if the officer's temporary absence exceeds sixty days. Any vacancy in any appointed office shall be filled in accordance with Section 3.5.

**ARTICLE SIX OPERATING PROCEDURES.****SECTION 6.1 SUBMISSION OF ORDINANCES AND RESOLUTIONS TO MAYOR.**

Within five days after the adjournment of any Council meeting, the City Clerk-Treasurer shall present to the Mayor the record of proceedings of the meeting and all ordinances and resolutions adopted at the meeting. The Mayor, within seven days of receipt of an ordinance or resolution, shall return it to the City Clerk-Treasurer with his or her approval signature, or with his or her written veto, or the Mayor may not act. If the ordinance or resolution is signed by the Mayor, it shall become effective as specified in the ordinance or resolution. If the ordinance or resolution is disapproved by veto, the Mayor shall attach thereto a written statement explaining the reasons for the veto. If the Mayor does not act, the ordinance or resolution shall become effective at noon on the seventh day after it is received by the Mayor. Ordinances or resolutions vetoed by the Mayor shall be presented by the City Clerk-Treasurer to Council for its consideration at its next regular meeting and should Council then and thereafter adopt the ordinance or resolution by an affirmative vote of at least four of its members, the ordinance or resolution shall be effective on the date specified by Council, but in no event less than fifteen days after the date of final passage. The Mayor's veto power shall extend, in accordance with the above procedure, to disapproving or reducing any individual appropriation item in the budget or any ordinance or resolution.

**SECTION 6.2 BUDGET.**

Annually the Mayor shall submit to Council the budget for the next fiscal year. The budget shall provide a complete financial plan for all City offices, boards, agencies and commissions for the next fiscal year. It shall begin with a clear general summary of its contents, shall show in detail all estimated income, indicate the proposed tax levies, outline all proposed expenditures including debt service and salaries, detail the relationship of the proposed expenditures to a proposed work and activity program, propose capital expenditures and the method of financing such capital expenditures, and display the comparative figures for actual and estimated income and expenditures of the current fiscal year and actual income and expenditures of the preceding fiscal year. The total of proposed expenditures in the budget for any fiscal year shall not exceed the total of estimated income.

**SECTION 6.3 COUNCIL ACTION ON BUDGET.**

Council shall hold a public hearing on the proposed budget annually after publishing an advance notice of said hearing in one or more newspapers of general circulation in the City. After the public hearing, Council may adopt the budget with or without amendment. In amending the budget, Council may add or increase programs and amounts and may delete or decrease programs or amounts, except expenditures required by law or for debt service or for estimated cash deficits; provided, however, no amendment to the budget shall increase the authorized expenditures to an amount greater than the total of estimated income submitted by the Mayor. Council shall adopt the budget on or before the date it enters its order adopting the statutory levy estimate and laying the levies. Adoption of the budget shall constitute appropriation of the amounts specified therein as expenditures from the funds indicated.

**SECTION 6.4 ADMINISTRATION OF BUDGET.**

Within sixty days from the beginning of each fiscal year, the City Clerk-Treasurer shall determine the actual carry-over balance, whether surplus or deficit, of all accounts of the City and shall submit a report of said balance to the Mayor and Council. The Mayor shall submit to Council amendments to the budget, reflecting how surplus funds are to be used or how a deficit is to be eliminated, for approval by Council. At any time the Mayor may propose to Council for its approval the transfer of unencumbered funds within City budget accounts, except as otherwise provided by general law. Annually the City Clerk-Treasurer shall cause to be published in one or more newspapers of general circulation in the City a financial statement of income and expenditures for all City accounts for the previous fiscal year. The requirements of the Tax Department of the State of West Virginia or its successor shall be met in the preparation, submission and administration of the annual budget.

**SECTION 6.5 SALARIES.**

Except as otherwise provided by general law, the Mayor shall in the budget propose the salaries of all City employees, appointed officers, the members of Council and the Mayor; provided, however, any change in the salary of the Mayor or of Council members must also be adopted by ordinance, which ordinance shall not become effective during the current term of any Mayor or Council member. Beginning with the Council elected in 1987 and continuing thereafter, all members of Council shall be paid a fixed sum for each regular or special Council meeting attended not to exceed the annual salary limit which sum and limit shall be set in the adopted budget. In no event shall any Council member receive compensation for any meeting which he or she did not attend. No officer or employee of the City shall be entitled to receive compensation for more than one position in City government even though he or she performs the duties of two or more positions therein. The Mayor and Council in office at the time the budget for the 1987-88 fiscal year is prepared shall, by ordinance adopted prior to the submission of said budget to the State, set the salaries for the Mayor and Council members who will take office July 1, 1987.

**SECTION 6.6 COMPETITIVE BIDDING.**

Before any employee or any elected or appointed officer of the City shall make any purchase of or contract for supplies, materials, equipment or services for more than one thousand dollars, he or she shall give ample opportunity for competitive bidding or quotations by qualified vendors under such rules and regulations as Council shall prescribe; provided, however, Council shall not exempt any contract, purchase or sale of more than one thousand dollars from the requirement of competitive bidding.

**SECTION 6.7 PERSONNEL POLICY.**

Employment, appointments and promotions in City government shall be made according to merit and fitness. No person in the employment of the City or seeking employment with the City shall be appointed, employed, compensated, promoted, reduced, removed or in any way favored or discriminated against because of race, sex, religion, age, handicap, national origin, or kinship.

**SECTION 6.8 PROHIBITIONS.**

Except as otherwise provided by general law, no person in City government shall directly or indirectly solicit any assessment, subscription or contribution for any political purpose whatever from any officer or employee of the City. Except for the Mayor and members of Council, no officer or employee of the City shall take any active part in the management or promotion of any City Political campaign. No person who holds an elected public office shall, at the same time, be an employee or appointed officer of the City. Any person who willfully violates any of the provisions of this section shall be subject to such punishment as Council shall, by ordinance, prescribe and such person shall forfeit the City office or position he or she holds and shall, for a period of five years, be ineligible for any City appointment or employment. Neither Council nor any member thereof shall direct, interfere or obstruct the appointment or removal of any City employee, except as provided by this Charter or general law. Neither Council nor any member thereof shall give orders to any subordinate of the Mayor either publicly or privately, except as provided by this Charter or general law. Violation of the provisions of this section by any Council member shall constitute official misconduct. Nothing herein contained however, shall prohibit any Council member from bringing to the attention of the Mayor any fact or circumstance which may indicate misconduct or deficiency on the part of any City personnel.

**ARTICLE SEVEN NOMINATIONS AND ELECTIONS.****SECTION 7.1 GENERAL ELECTION LAWS TO CONTROL.**

Except as otherwise provided herein, the provisions of general law with respect to primary, general and special elections, so far as applicable, shall govern the nomination and election of the Mayor and members of Council and shall govern any special City elections.

**SECTION 7.2 BALLOTS FOR CITY ELECTIONS.**

The ballot for all City elections shall contain the names of all candidates and issues to be presented to the voters. All candidates shall run as individuals without party affiliation and shall be listed on the ballot by name only. The order in which the names of candidates appear on the ballot shall be determined by a drawing of lot conducted by the City Clerk-Treasurer in accordance with general law. Not less than ten days prior to any election, the City Clerk-Treasurer shall cause a sample ballot to be published in one or more newspapers of general circulation in the City.

**SECTION 7.3 FILING AS A CANDIDATE.**

Any person eligible to the office of Mayor or member of Council of the City shall be placed on the primary ballot after filing a certificate of candidacy, a petition and a filing fee in a timely manner with the City Clerk-Treasurer. The certificate, the petition and the fee must be delivered to the City Clerk-Treasurer during the month of January next preceding the primary election day or if mailed, shall be postmarked before midnight on the thirty-first day of said January.

(a) The certificate of candidacy shall be in the following form:

" Certificate of Candidacy

I hereby certify that I am a candidate for election as \_\_\_\_\_ Mayor or \_\_\_\_\_ Member of Council (check one) of the City of Kenova, West Virginia, and desire my name be printed on the ballot for the primary election of said City to be held on the \_\_\_\_\_ day of April, \_\_\_\_\_; that my residence is in Kenova at \_\_\_\_\_; that my occupation is \_\_\_\_\_; that I am eligible to hold the office I am seeking and that I would accept nomination and election to that office if nominated and/or elected.

\_\_\_\_\_  
Signature of Candidate

State of West Virginia

County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by \_\_\_\_\_.

My commission expires \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

"(b) The petition to be filed shall be in the following form:

"We, the undersigned qualified registered voters of the City of Kenova hereby petition that the name of \_\_\_\_\_, whose residence is at \_\_\_\_\_ in Kenova, be placed on the ballot for the primary election to be held on the \_\_\_\_\_ day of April, \_\_\_\_\_ as a candidate for \_\_\_\_\_.

Name                                      Address                                      Princinct                                      Date of Signing"

A petition shall be filed separately for each candidate and shall be signed by at least twenty-five qualified registered voters of the City to be valid. Each such voter shall be entitled to sign only the petition for one candidate for Mayor and only the petitions for five different candidates for Council prior to any primary election.

(c) The filing fee for the office of Mayor shall be a minimum of fifty dollars; the filing fee for the office of member of Council shall be a minimum of twenty-five dollars. Council may by ordinance increase the filing fees; provided, however, that the respective filing fee for an office shall never exceed one-twelfth of the annual salary for that office in effect at the time of passage of said ordinance. In accordance with general law, Council may by ordinance provide for the waiver of such filing fees only in the case of a candidate who files a certificate of indigence.

The City Clerk-Treasurer shall receive the certificate of candidacy properly completed, shall verify the signatures on each petition through comparison with voter registration records, and shall collect the filing fee prior to placing the name of a candidate on the primary ballot.

**SECTION 7.4 VOTER REGISTRATION RECORDS; SUPPLIES AND DEVICES;  
POLL WORKERS.**

In all City elections, the permanent registration of voters used in county and state elections shall be used. Council may by resolution contract with the Wayne County Commission or its successor to provide necessary supplies and devices for City elections. Council shall by resolution appoint a sufficient number of poll workers to conduct any City election and set the level of compensation for said workers not to exceed the limits of compensation established by general law.

**SECTION 7.5 ELECTION DATES.**

The primary election shall be held on the first Tuesday of April, 1987 and on such day in each fourth year thereafter. The general election shall be held on the first Tuesday of June, 1987 and on such day in each fourth year thereafter except as provided below. The names of the two candidates for Mayor and the names of the ten candidates for Council which receive the highest number of votes in any primary election shall be placed on the general election ballot; provided, however, if in any primary election, the names of two or fewer candidates for Mayor and of ten or fewer candidates for council appear on the primary ballot, the candidate for Mayor and the five Council candidates receiving the highest number of votes in the primary shall be declared elected and the general election for that year will not be held.

**SECTION 7.6 CANVASS AND CONTESTS.**

On the first Monday following any election, Council shall canvass the returns of the election and declare and certify the result within five days thereafter. In case of a contest, Council shall be the judge of the nomination, election and qualification of all candidates.

**SECTION 7.7 TERMS.**

The terms of Mayor and Council shall run concurrently and shall be four years beginning on July first of each election year. No individual who has been elected to two full and consecutive four-year terms in a particular office shall be eligible for reelection to said office, unless a period of four years shall have passed since the expiration of said individual's last previous term in said office.

**SECTION 7.8 QUALIFICATIONS OF MAYOR AND COUNCIL.**

Prior to becoming a candidate for Mayor or for Council, a person shall be a citizen of the United States and the State of West Virginia, shall be a resident of the City of Kenova, and shall be at least twenty-five years of age.

**SECTION 7.9 RECALL.**

The question of the recall of the Mayor or a member of Council shall be submitted to the qualified registered voters of the City at a special election to be held not less than thirty nor more than ninety days after a petition bearing the signatures of not less than twenty percent of the qualified registered voters of the City is delivered to the City Clerk-Treasurer, who shall verify the signatures through comparison with voter registration records within seven days after receipt. Upon certification of the results of said election, if a majority of those voting on the question have favored recall, the office of the individual so recalled shall be vacant. No recall petition shall be filed against any officer within six months after he or she takes office nor within six months prior to the end of his or her term. No officer shall be subjected to more than one recall election during a term of office.