

ORDINANCE NO. 440 OF THE CITY OF BUCKHANNON, AN ORDINANCE  
MODIFYING THE COMPENSATION PAID TO THE CITY RECORDER OR ACTING  
CITY RECORDER FOR PERFORMING THOSE DUTIES RELATED TO HIS OR HER  
OFFICE, AND SETTING AN EFFECTIVE DATE FOR SAID INCREASE

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WHEREAS, West Virginia Code §8-5-12 empowers a municipality to “fix or cause to be fixed the salary or compensation of every municipal officer”, provided that “the salary of any officer shall not be increased or diminished during his term”; and,

WHEREAS, the City of Buckhannon last addressed the issue of the compensation paid to the City Recorder in Ordinance No. 310, which was adopted April 15, 2004; and,

WHEREAS, the Council of the City of Buckhannon recognizes that the salary paid to the City Recorder has not been changed for nearly sixteen years; and,

WHEREAS, the Council of the City of Buckhannon recognizes that the Charter and ordinances of the City of Buckhannon and resolutions of the City Council require the City Recorder to serve as *ex officio* member of virtually every board, committee, and commission of the City, several of which boards, committees, and commissions have been created over recent years, and which service includes duties requiring a significant amount of time in both attendance at meetings and preparation of the minutes thereof; and,

WHEREAS, the Council of the City of Buckhannon has determined that the current salary of the City Recorder of the City of Buckhannon is inadequate to compensate the City Recorder for the increased and myriad responsibilities of the office, and the time required to effectively discharge the responsibilities of the office; and,

WHEREAS, the Council of the City of Buckhannon has determined that an increase in the salary paid to the City Recorder, or to the individual exercising the duties of the City Recorder in the event a vacancy shall arise in that office, is reasonable, prudent, and appropriate, and timely; and,

WHEREAS, the Council of the City of Buckhannon recognizes that state law requires that there shall be an intervening election between the adoption of an ordinance approving a municipal officer’s pay increase and the date upon which such increase shall take effect; and,

WHEREAS, the Council of the City of Buckhannon now desires to increase the salary paid to the City Recorder of the City of Buckhannon, effective following the next election for that office.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF BUCKHANNON, AS FOLLOWS:

ARTICLE I – COMPENSATION TO BE PAID TO CITY RECORDER

(a) The City Recorder, or designated acting City Recorder in case of a vacancy in the office of City Recorder, shall be compensated as follows:

(1) From the General Fund of the City, the sum of Five Hundred Dollars (\$500.00) per month,

(2) From the Water Board of the City, the sum of Two Hundred Dollars (\$200.00) per month,

(3) From the Sanitary Board of the City, the sum of Two Hundred Dollars (\$200.00) per month,

(4) From the Waste Board of the City, the sum of Two Hundred Dollars (\$200.00) per month, and

(5) From the Consolidated Public Works Board of the City, the sum of Two Hundred Dollars (\$200.00) per month.

(b) The provisions of subsection (a) of this Article shall be effective upon the commencement of the unexpired term for the office of City Recorder to be filled at the Municipal Election held on May 12, 2020, to-wit: upon the certification of the results of said election, and thereafter.

ARTICLE II – EFFECTIVE DATE:

This Ordinance shall be deemed effective thirty (30) days following the second (2nd) reading, passage and adoption by the Council of the City of Buckhannon, i.e., February 15, 2020.

FIRST READING: January 2, 2020

SECOND READING, PASSAGE AND ADOPTION: January 16, 2020



David W. McCauley, Mayor

CERTIFICATE OF ENACTMENT

I, Randall Sanders, City Recorder, do hereby certify that the foregoing Ordinance No. 440 was lawfully ordained and enacted by the Council of the City of Buckhannon at a regular session of the said Council assembled on January 16, 2020.

  
Randall Sanders, City Recorder