

AMENDED
BY-LAWS
—AND—
ORDINANCES
—OF THE—
TOWN OF MOOREFIELD.

ADOPTED BY THE
COMMON COUNCIL
OF THE SAID TOWN, REGULARLY ASSEMBLED, ON THE
29TH DAY OF MARCH, 1895.

WHEELING:
THE WEST VIRGINIA PRINTING COMPANY.
1895.

AMENDED BY-LAWS

—OF THE—

CORPORATION OF MOOREFIELD.

SEC. 1. The regular meetings of the Council shall be on the first Tuesday in every month.

SEC. 2. The annual taxes of the Corporation shall be levied at the first meeting in April of each year.

SEC. 3. If the Mayor, Recorder or any Councilman fail to attend any regular meeting of the Council, he shall pay a fine of one dollar, unless such fine be remitted by the Council.

SEC. 4. The Sergeant, Commissioner of the Revenue and Treasurer shall be elected annually, at the April meeting of the Council.

SEC. 5. The Sergeant and Treasurer, before entering upon the discharge of their duties, shall each give bond with good security, in the penalty of \$1,000, conditioned for the faithful discharge of their duties.

SEC. 6. A fine of not less than one nor more than three dollars shall be imposed upon any officer of the Council who shall fail to discharge a known duty, unless for such failure he be excused by the Council.

SEC. 7. The assessment for taxation shall be upon real and personal property within the corporate limits, and on all male persons, and on all dogs within said limits, and on all male persons, property and dogs moving or moved into said limits before the date fixed for the return of the Assessor's book. And the regular assessment shall be as of the first day of April in each year, and the Assessor's book shall be returned at the first meeting of the Council in May of each year.

SEC. 8. Peddlers, hawkers or vendors of merchandise or patent rights or medicines shall pay a tax of \$2.50 per year or for a fraction thereof for selling in this corporation.

SEC. 9. Any persons who shall sell or expose for sale, or solicit or receive orders for, or keep in his possession for another, spirituous liquors, wine, por-

ter, ale or beer, or any drink of the like nature, (and all mixtures, preparations or liquids which will produce intoxication, whether they be patented or not shall be deemed spirituous liquors within the meaning of this section), without first obtaining the license provided for in these By-Laws, shall be fined by the Mayor for each and every offense not less than twenty nor more than fifty dollars.

SEC. 10. Any person desiring to sell at retail, spirituous liquors, wine, porter, ale &c., shall apply to the town Council for license so to do, and if said Council be satisfied that said applicant is a person of good moral character and not of intemperate habits, a license for such purpose may be granted to said applicant, when he shall have given such bond as the Council may require, and shall have paid a license tax of \$125.00 for a year or a fraction thereof.

SEC. 11. The Town Sergeant, or person authorized by law to collect the taxes levied by the Council, license fees &c., shall be required to collect the same and make settlement of his accounts at the first regular meeting of the Council in January in each and every year, and he shall not be released from the collection of any such taxes, fees &c., unless a delinquent list be returned at said meeting in January, with a reason satisfactory to the Council why the same or any part thereof has not been collected.

SEC. 12. The sum of twenty dollars shall be paid annually to the Mayor as salary.

SEC. 13. The sum of twenty dollars shall be paid annually to the Recorder as salary.

SEC. 14. It shall be the duty of the Mayor to have killed any dog or dogs on which the tax has not been paid by the first day of January of any year.

SEC. 15. The Mayor in all future elections shall appoint three Commissioners of election, one of whom shall act as clerk, and in case of a vacancy, the Commissioner present may fill it, and if two of said Commissioners are not present, the Mayor shall fill said vacancy when it happens.

SEC. 16. When the Mayor commits any person to the county jail for violation of any of the town ordinances, he may order that said person shall be kept on bread and water for the whole or part of the time for which said person is committed to jail.

SEC. 17. All racks and posts where horses are hitched shall be kept at all times in a cleanly condition and properly disinfected; and shall be paved with cobble stone at least eight feet beyond the ends. Any person violating this ordinance shall be fined five dollars.

SEC. 18. Any person who shall hitch a horse to any tree on the street shall be fined two dollars.

SEC. 19. It shall be unlawful for any person to keep open his place of business or furnish or sell any article of merchandise on Sunday; and any one violating this section shall be fined by the Mayor, not exceeding five dollars for each offense.

SEC. 20. If any person shall, on being required by the Sergeant, or Mayor,

refuse or neglect to assist them or either of them in the execution of their office or in the preservation of the peace and good order of said town, such person or persons so refusing or neglecting shall be fined by the Mayor not less than \$2.50 nor more than \$5.00.

SEC. 21 No person shall be allowed to vote at any election held in this Corporation who has not been a bona fide resident of the town for at least 30 days preceding the day of election.

SEC. 22. The occupants, (if none, the owners) of lots shall keep the pavements and gutters in front thereof clean of dirt, water, snow, grass and weeds, or other obstructions, and for every failure so to do shall be fined not less than 25 cents, nor more than one dollar, for every 24 hours the same shall be permitted to remain.

SEC. 23. All dwelling houses, kitchens, public buildings and business houses, that are erected or reroofed, shall be covered with metal roofing or slate, under a penalty of \$25.00, and for violation of this ordinance the penalty shall be imposed by the Mayor.

SEC. 24. If any person or persons cause to be placed porches, wood, timber, stones, dirt or any other thing calculated to obstruct the free passage of man, beast, wagon or any other thing in the streets, he or they so offending shall be fined one dollar for every 24 hours such obstruction is allowed to remain, and at that rate for a less time unless permission is given by the Council.

SEC. 25. Every occupant of a house shall keep the chimney or chimneys thereof free from combustible matter, and for every omission herein the party offending shall pay a fine of two dollars.

SEC. 26. Occupants of lots shall keep their privies clean and well limed, and for every failure so to do shall be fined two dollars for every 24 hours such nuisance shall continue after being notified thereof by the Sergeant, and the occupants, (if none, the owners) of a lot shall not permit the carcass of any dead animal to remain upon it, nor shall any person or persons leave or cause to be left any dead animal or thing within the limits of the corporation or so near as to be offensive to the inhabitants thereof, and for every offense herein the party so offending shall be fined not less than one dollar nor more than five dollars. The owners of Horse Racks shall so erect them as to prevent the horses hitched thereto from injuring the pavements and sidewalks and obstructing the same and the crossings, and for every failure so to do the party so offending shall be fined two dollars and fifty cents. The Sergeant shall give notice to the parties interested of all nuisances on the streets or within the enclosures and report them to the Mayor.

SEC. 27. If any person or persons ride or drive upon the sidewalks or injure them in any way, he or they so offending shall be fined not less than 25 cents nor more than two dollars.

SEC. 28. If any person or persons permit their hog or hogs to run at large in the streets within the limits of the Corporation, he or they so offending shall be fined 25 cents for each hog so permitted to run at large, and every 24 hours or less time shall be construed a separate offense, and any hog or

hogs so permitted to run at large shall be held liable and if necessary sold, after ten days notice, to satisfy such fine or fines.

SEC. 29. It shall be unlawful for any person or persons to permit a bitch, when in heat, to run at large within the Corporation, and for every bitch so unlawfully running at large the owner thereof shall be fined \$5.00.

SEC. 30. It shall be unlawful for any person or persons (unless by the authority of the Council) to fire rockets or any other fire works within the limits of the Corporation; and he or they so offending shall be fined \$1.00 each and for each offense, and every person engaged therein, directly or indirectly, shall be fined \$1.00 for each and every offense.

SEC. 31. In every violation of the By-Laws by a minor or minors, the parents or guardians shall be held accountable and pay the fine imposed.

SEC. 32. It shall be the duty of all occupants (if none, the owners) of any lot or lots to keep or cause to be kept open and free from all obstructions the gutters on the fronts or sides of said lots so as to secure the free passage of the water therein; and he or they so failing therein shall pay a fine of 25 cents for every 24 hours such obstruction is permitted to remain, and every other person placing or causing such obstruction shall pay a fine of 25 cents.

SEC. 33. It shall be the duty of the Sergeant to report all violations of the By-Laws and ordinances of the Corporation to the Mayor, and take all necessary steps to obtain judgments for fines.

SEC. 34. It shall be unlawful for any person or persons to ride or drive through the streets of this town, at a greater rate of speed than six miles per hour, or at a gait deemed dangerous, and every one or more so offending shall be fined not less than \$1.00 nor more than \$5.00. It shall be unlawful for any person or persons to permit their horse or horses to run at large in the streets or within the limits of the Corporation, and he or they so offending shall be fined 25 cents for the first offense, \$1.00 for the second offense and \$2.00 for the third offense.

SEC. 35. It shall be unlawful for any wagoner or owner of a team to permit the same to stand in any of the streets of the town while the horses are feeding, or permit the wagon to stand alone after night, and any one guilty of such an offense shall be fined \$1.00 for each offense. It shall also be unlawful for any wagoner or owner of a team to permit the same to stand unguarded in any of the streets of the town, unless so secured that no danger may result therefrom, and any one guilty of the same shall be fined \$1.00.

SEC. 36. It shall be the duty of the Sergeant at any time within the limits of the Corporation to disburse all disorderly or unlawful assemblages of persons, or assemblages which block up the streets, or sidewalks, or interfere with persons passing, and if necessary, take them into custody and have them dealt with according to law, and he shall so take and dispose of any person or persons found about the streets in a state of intoxication, disorderly, or lying in the streets drunk. All such shall be fined not less than \$1.00 nor more than \$5.00.

SEC. 37. Every person keeping one dog within the Corporation shall pay a tax of \$1.00 therefor, and for every additional dog so kept shall pay a

tax of \$2.00; and any person who has failed to give in his dog to the Assessor, or who shall bring a dog within said limits, any time within the year, after the assessment is made, and fails to report the same to the Recorder, and have it registered, shall be fined \$1.00.

SEC. 38. It shall be unlawful for any person within the limits of the Corporation to kindle or permit any fire to be kindled about any premises, for light in chopping wood, and any one so offending herein shall be fined \$2.00 for such offense. It shall also be unlawful for any person or persons to gig with torch lights in the Town Run within the limits of this Corporation, and any one or more so offending shall be fined \$2.00 for such offense.

SEC. 39. It shall be the duty of the Sergeant to collect from all exhibitors of public shows, liable to state license tax, 20 per cent. on the amount of State license tax imposed upon them, and any exhibitor or exhibitors within this Corporation refusing or failing to pay said 20 per cent. shall be fined double the amount thereof, provided such fine does not exceed \$5.00.

SEC. 40. It shall be unlawful for any person or persons to permit their cow or cows to run at large within the limits of the Corporation, either in the day time or at night; and any one so offending shall be fined 25 cents for each cow so permitted to run at large.

SEC. 41. It shall be unlawful to unload wagons of merchandise or other goods in the Corporation on the Sabbath day, and for any violation of this ordinance a fine of one dollar shall be imposed.

SEC. 42. It shall be unlawful for any persons to discharge a gun or other fire arms on the streets of the Corporation and every one so offending shall be fined \$1.00 each for each offense; and every one engaged therein directly or indirectly shall be fined \$1.00 each for every offense.

SEC. 43. No porch, steps or other fixtures on the public streets within the corporate limits shall be so erected as to extend more than three and one-half feet on the pavement from the building (where such building is out upon the street) to which such porch, steps or other fixtures may be attached and in all cases where it may be necessary to repair or reconstruct such porches, steps or other fixtures, they shall after such repair or reconstruction, not extend further over the pavement than three and one-half feet, and any one violating this ordinance shall be fined \$1.00. Every 24 hours continuance of such obstruction shall be construed a separate offense.

SEC. 44. It shall be unlawful for any person or persons to cut, mark, disfigure or destroy in any way whatever any property or trees within this Corporation without lawful authority; and any one so offending shall be fined not less than \$1.00 for every such offense.

SEC. 45. It shall be unlawful for any person or persons to remove stock impounded by the Town Sergeant, without they have lawful authority for so doing, and any one guilty of such an offense shall be fined not less than \$5.00 nor more than \$10.00.

SEC. 46. It shall be unlawful for any person or persons to tamper with in any way, or open the head of the Town Run, and any one guilty of violating this ordinance shall be fined \$50.00 for each offense unless they have permission from the Council so to do.

SEC. 47. Any person who shall so conduct himself or herself, within the limits of the Corporation, as to disturb the peace, quiet and good order of the Town by fighting, quarreling, swearing or otherwise, shall be fined not exceeding \$10.00, and imprisoned not exceeding 30 days, or both in the discretion of the Mayor.

SEC. 48. It shall be the duty of the Sergeant to take up and impound all stock running at large within the limits of the Corporation; if necessary he shall provide for and feed said stock, for which he shall be allowed, for a horse per day, 40 cents, for a cow per day, 25 cents, and for a hog per day, 15 cents.

SEC. 49. It shall be unlawful for any one to move or tamper with the fire ladders and hooks, belonging to the Corporation; any one violating this ordinance shall be fined \$5.00.

SEC. 50. Ordered by the Council of Moorefield that when a majority of the whole Council shall declare any hog pen, privy, or anything else within the limits of the Corporation, to be a nuisance, it shall be the duty of the Sergeant to notify the owners, or in their absence, the occupants of the property, on which such nuisance is situated, to remove the same; and if the same be not removed within twenty-four hours after such notice, the owners or occupants shall be fined \$2.00 for every twenty-four hours the said nuisance shall remain; and if the same is not removed within five days from the time the said notice is given, the Sergeant shall cause the same to be removed at the expense of the owners.

SEC. 51. It is ordered that the Town Sergeant be, and he is hereby directed to take possession of the old Church lot, and the same shall be by him kept as a pound, in which to keep stock taken up under the By-Laws and ordinances of this Corporation.

SEC. 52. Any one tampering, in any way, with the ditch now being constructed through the bed of the Town Run, shall be fined \$5.00 for each and every offense; and also, any one placing refuse matter of any kind, or any dead animal in said ditch, or in the former bed of the Town Run, shall be fined not less than \$1.00 nor more than \$5.00 for each and every such offense.

SEC. 53. Ordered that what is known by the boys as gravel shooting, throwing stones, lead or other missile, by means of gum shooters, slugs, or other instruments be and the same is hereby prohibited within the Corporate limits of this town; any one violating this ordinance shall be fined not less than \$1.00, nor more than \$5.00 for each offense.

SEC. 54. It shall be unlawful for any person or persons to strike or light a match or matches, or to light any lamp, lantern or candle, cigar, pipe, or cigarette, or to smoke a pipe, cigar, cigarette or other thing in, or carry a lighted cigar, match, candle, fagot or anything containing fire, except a lanlighted cigar, pipe, cigarette, match, candle, fagot or other thing containing fire, except a lantern well secured and protected by glass, into any stable, barn, cow house or other place within the limits of this Corporation in which straw, hay or fodder are stowed. Any person violating this ordinance shall be fined not less than \$1.00 nor more than \$10.00 (one-half of which shall go to the informer), or imprisoned not exceeding 10 days, or both at the discretion of the Mayor.

Ordered by the Town Council, regularly assembled on the 29th day of March, 1895, of the town of Moorefield, that the foregoing By-Laws and ordinances be the laws governing the said town, and that they be published in pamphlet form and circulated among the inhabitants of said town.



