

PUBLISHER'S CERTIFICATE

I, Lore Ha Crenshaw,
Advertising Manager of THE EXPONENT
TELEGRAM, a newspaper of general circulation
published in the city of Clarksburg, County and state
aforesaid, do hereby certify that the annexed:

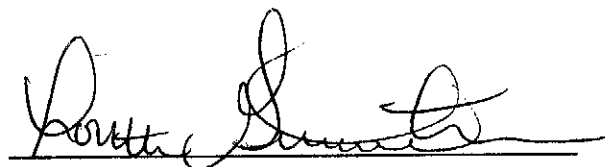
ORDINANCE NO. 14-02

was published in THE EXPONENT-TELEGRAM 2
time(s) commencing on 04/11/2014 and ending on
04/18/2014 at the request of

TOWN OF LUMBERPORT.

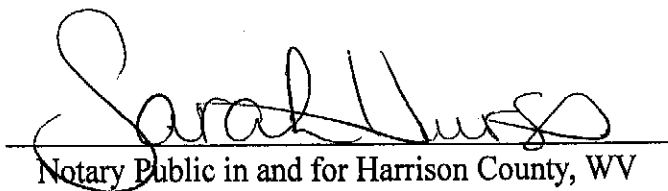
Given under my hand this 04/23/14.

The publisher's fee for said publication is: \$58.30.



Advertising Manager of The Exponent-Telegram

Subscribed to and sworn to before me this 04/23/14


Notary Public in and for Harrison County, WV

My commission expires on

The 29th day of August 20 17

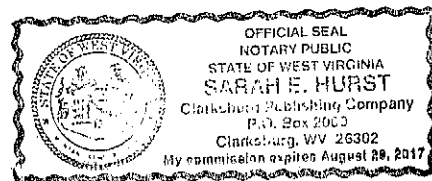
Public Hearing
May 5, 2014
Town of Lumberport
Municipal Building
Lumberport, WV

Pursuant to the provisions of
West Virginia Code § 2-2-1-4
there will be a public hearing
on Ordinance No. 14-02 on
May 5, 2014 at 7:00 p.m. at
the Municipal Building of the
Town of Lumberport located
at 119 George St. Lumber-
port, WV.

**ORDINANCE NO. 14-02
TOWN OF LUMBERPORT
AN ORDINANCE TO
AMEND AND REENACT AN
ORDINANCE ESTABLISH-
ING A MUNICIPAL SERV-
ICES FEE FOR THE PUR-
POSES OF STREET
CLEANING, STREET
LIGHTING, STREET MAIN-
TENANCE, STREET IM-
PROVEMENTS, AND
PARKS AND RECREA-
TIONAL FACILITIES WITH-
IN THE TOWN OF LUM-
BERPORT, WEST VIRGIN-
IA, AND INCREASING THE
RATES AND COLLECTION
OF SUCH FEE IMPOSED
UPON THE USERS OF
SAID SERVICES.**

Any person wishing to speak
for or against said proposed
Ordinances may appear at
said meeting and be heard.
The second and final reading
and a proposed final vote on
whether to adopt said Ord-
inance is scheduled for May
5, 2014 at the regular
Meeting of the Council of the
Town of Lumberport, Lum-
berport Community Center,
Lumberport, WV at 7:00 p.m.
prevailing local time.
Copies of the proposed
ordinance may be obtained
at the Town Hall.

Tom Exline
Mayor



Public Hearing

May 5, 2014

(Date)

Town of Lumberport
Community Center
Lumberport, WV

Pursuant to the provisions of West Virginia Code §8-11-4, there will be a public hearing on Ordinance No. 14- 02 on May 5, 2014 at 7:00 p.m. at the Community Center of the Town of Lumberport located at 119 George St, Lumberport, WV:

ORDINANCE NO. 14- 02

TOWN OF LUMBERPORT

AN ORDINANCE TO AMEND AND REENACT AN ORDINANCE ESTABLISHING A MUNICIPAL SERVICES FEE FOR THE PURPOSES OF STREET CLEANING, STREET LIGHTING, STREET MAINTENANCE, STREET IMPROVEMENTS AND PARKS AND RECREATIONAL FACILITIES WITHIN THE TOWN OF LUMBERPORT, WEST VIRGINIA, AND INCREASING THE RATES AND COLLECTION OF SUCH FEE IMPOSED UPON THE USERS OF SAID SERVICES

Any person wishing to speak for or against said proposed Ordinance may appear at said meeting and be heard.

The second and final reading and a proposed final vote on whether to adopt said Ordinance is scheduled for May 5, 2014, at the regular Meeting of the Council of the Town of Lumberport, Lumberport Community Center, Lumberport, WV at 7:00 p.m. prevailing local time.

Copies of the proposed ordinance may be obtained at the Town Hall.

Tom Exline
Mayor

Exponent-Telegram: _____

Public Hearing

May 5, 2014

(Date)

Town of Lumberport
Community Center
Lumberport, WV

Pursuant to the provisions of West Virginia Code §8-11-4, there will be a public hearing on Ordinance No. 14- 02 on May 5, 2014 at 7:00 p.m. at the Community Center of the Town of Lumberport located at 119 George St, Lumberport, WV:

ORDINANCE NO. 14- 02

TOWN OF LUMBERPORT

AN ORDINANCE TO AMEND AND REENACT AN ORDINANCE ESTABLISHING A MUNICIPAL SERVICES FEE FOR THE PURPOSES OF STREET CLEANING, STREET LIGHTING, STREET MAINTENANCE, STREET IMPROVEMENTS AND PARKS AND RECREATIONAL FACILITIES WITHIN THE TOWN OF LUMBERPORT, WEST VIRGINIA, AND INCREASING THE RATES AND COLLECTION OF SUCH FEE IMPOSED UPON THE USERS OF SAID SERVICES

Any person wishing to speak for or against said proposed Ordinance may appear at said meeting and be heard.

The second and final reading and a proposed final vote on whether to adopt said Ordinance is scheduled for May 5, 2014, at the regular Meeting of the Council of the Town of Lumberport, Lumberport Community Center, Lumberport, WV at 7:00 p.m. prevailing local time.

Copies of the proposed ordinance may be obtained at the Town Hall.

Tom Exline
Mayor

Exponent-Telegram: _____

ORDINANCE NO. 14- 02

TOWN OF LUMBERPORT

AN ORDINANCE TO AMEND AND REENACT AN ORDINANCE ESTABLISHING A MUNICIPAL SERVICES FEE FOR THE PURPOSES OF STREET CLEANING, STREET LIGHTING, STREET MAINTENANCE, STREET IMPROVEMENTS AND PARKS AND RECREATIONAL FACILITIES WITHIN THE TOWN OF LUMBERPORT, WEST VIRGINIA, AND INCREASING THE RATES AND COLLECTION OF SUCH FEE IMPOSED UPON THE USERS OF SAID SERVICES

WHEREAS, the Town of Lumberport enacted an "An ordinance to establish a municipal services fee for the purposes of street cleaning, street lighting, street maintenance, street improvements and parks and recreational facilities within the Town of Lumberport, West Virginia, and providing for the rates and collection of such fee imposed upon the users of said services" on the 22nd day of May, 1996; and

WHEREAS, said Ordinance has been in effect continuously since the day of passage without any increase; and

WHEREAS, the Town of Lumberport has experienced increased costs and expenses associated with its street cleaning, street lighting, street maintenance, street improvements, and other municipal costs; and

WHEREAS, it is necessary for the Town to increase its fees to provide such services to the citizens of the Town as is authorized by West Virginia Code, as amended; and

WHEREAS, the Town of Lumberport is empowered under the provisions of Chapter 8, Article 13, Section 13 of the Code of the State of West Virginia, as amended, to impose, by ordinance, upon the users of essential and special municipal services reasonable rates, fees and charges to be collected in the manner specified in the ordinance; and

WHEREAS, it is the judgment of the Council of the Town of Lumberport that the

public health, safety and general welfare of the residents of the Town of Lumberport demand the continuance, extension and improvement of the municipal services of street cleaning, street lighting, street maintenance, street improvements and parks and recreational facilities; hereby finding and declaring said services to be essential and special; and

WHEREAS, it is the belief of the Council of the Town of Lumberport that it is in its best interest to increase the municipal services fee, providing for a reasonable fee to be collected from the users of such services hereinabove identified; and

WHEREAS, the general revenues of the Town of Lumberport, as derived from sources other than those provided in this ordinance, are not adequate or sufficient, having a regard to other necessary costs and expenses of the town government for the purposes of providing and maintaining such services hereinabove identified within the Town; and

WHEREAS, in order to provide additional revenues for the provisions of the services hereinabove identified, that there be imposed upon the users of such essential and special services, a single monthly fee to pay a part of the cost of said services.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF LUMBERPORT:

That an ordinance relating to such services hereinabove identified be and the same is hereby enacted to read as follows:

CHAPTER MUNICIPAL SERVICES FEE

Section 1: DEFINITIONS

Unless the context specifically indicates otherwise, the words or phrases when used in this ordinance shall for the purposes of this ordinance have the following respective meanings:

- (a) "Town" shall mean the Town of Lumberport;
- (b) "Persons", "Occupants", or "Owner" shall mean and include individuals, firms, partnerships, boards, associations, companies, corporations and combinations thereof, of

whatever form, character, kind or description who own or occupy a family and/or mercantile unit.

(c) "Family Unit" shall mean any dwelling, rooms and apartment owned or occupied by any person within the Town of Lumberport, which may use or require the municipal services hereinabove identified;

(d) "Mercantile Unit" shall mean any business, commercial, industrial or otherwise, including, but not limited to, any store, service station, garage, rest home, school, beauty shop, pool room, fraternal organization, lodge, service organization, restaurant and any other undefined structure owned or occupied by any person within the Town of Lumberport, which may use or require the municipal services hereinabove identified; and

(e) "Shall" is mandatory, "may" is permissive.

Section 2: FEES, COLLECTION AND PENALTIES

(a) A monthly municipal services fee of Ten Dollars (\$10.00) shall be imposed and levied for each family unit for the services hereinabove identified and related equipment or facilities thereto of the Town of Lumberport, such charge to be paid by the occupants or persons occupying each such family unit or if unoccupied, then said charge to be paid by the titled owner of said unit.

(c) A monthly municipal services fee of Ten Dollars (\$10.00) shall be imposed and levied for each mercantile unit, for the use of the services hereinabove identified and related equipment or facilities thereto of the Town of Lumberport, such charge shall be paid by the occupants or persons of each mercantile unit or, if unoccupied, said charges are to be paid by the owner of said mercantile unit.

(d) Such monthly fee shall be and become due and payable at the same times and in the same manner as charges for water sold and furnished by the Town of Lumberport to its water customers.

(e) Any such monthly fee due and unpaid under this ordinance shall be a debt due the Town of Lumberport and shall be a personal obligation of the occupant, person or owner which shall be enforceable as provided under the Code of the State of West Virginia, as amended, or in any other manner now or hereafter provided by law for compelling the payment of fees due municipalities.

(f) Any person, occupant or owner failing or refusing to pay the municipal services fee hereby imposed and levied shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than One Hundred Dollars (\$100.00), along with costs incurred in prosecution thereof; said failure or refusal to pay any such monthly fee shall constitute a separate and distinct offense.

Section 3: APPORTIONMENT AND EXPENDITURE OF REVENUES

(a) The monthly municipal services fees collected under this ordinance shall be apportioned by the Council of the Town of Lumberport for the continuance, extension and improvement of the essential and necessary services hereinabove identified.

(b) The revenues received from such fees and collected under the provisions of this ordinance shall be expended in the continuance, extension and improvement of the essential services hereinabove identified and for no other purpose.

(c) The revenues received under this ordinance shall be deposited into an account designated as Town of Lumberport Municipal Services Fee Account.

Section 4. EFFECTIVE DATE

This ordinance shall become effective after the second and final reading and passage by Council and beginning with the first water billing statement issued with payment due after the 1st day of July, 2014. Every other fiscal year hereafter this ordinance may be subject to revision and reevaluation, beginning the 1st day of July, 2014.

Section 5. VALIDITY AND SEVERABILITY

If any section, clause, sentence or provision of this ordinance or application thereof to any person or circumstance be held unconstitutional or for any reason invalid or unenforceable by a court of competent jurisdiction thereof, such holding shall not affect the validity of any other part or application of this ordinance which can be given effect without such

invalid part or application and to this end, the provisions of this ordinance are hereby declared to be severable.

Section 6. PUBLICATION


Pursuant to the applicable provisions of the Code of the State of West Virginia, it is necessary, in order to establish these fees, that a public hearing be held prior to charging these fees, that the Recorder of the Town of Lumberport is hereby directed to publish a notice, pursuant to Chapter 8, Article 13, Section 13 of the Code of the State of West Virginia, as amended.

INTRODUCED and PASSED at a regular meeting by the Council of the Town of Lumberport on FIRST READING, this 7th day of April, 2014.

PASSED and ADOPTED at a special meeting by the Council of the Town of Lumberport on SECOND READING and public hearing held this 7th day of April, 2014, which public hearing notice was given by publication.



TOM EXLINE, MAYOR



SHERRY EXLINE, RECORDER

Public Hearing

June 9, 2014
(Date)

Town of Lumberport
Community Center
Lumberport, WV

Pursuant to the provisions of West Virginia Code §8-11-4, there will be a public hearing on Ordinance No. 14- 03 on June 9th, 2014 at 7:00 p.m. at the Community Center of the Town of Lumberport located at 14 George St., Lumberport, WV:

ORDINANCE NO. 14- 03

TOWN OF LUMBERPORT

**AN ORDINANCE OF THE TOWN OF LUMBERPORT
PROHIBITING THE ACCUMULATION AND REQUIRING
THE DISPOSAL OF GARBAGE, REFUSE, DEBRIS,
WASTES, ASHES, TRASH AND OTHER SIMILAR
ACCUMULATIONS WHETHER ON PRIVATE OR PUBLIC
PROPERTY; PENALTIES.**

Any person wishing to speak for or against said proposed Ordinance may appear at said meeting and be heard.

The second and final reading and a proposed final vote on whether to adopt said Ordinance is scheduled for June 9th, 2014, at the regular Meeting of the Council of the Town of Lumberport, Lumberport Community Center, Lumberport, WV at 7:00 p.m. prevailing local time.

Copies of the proposed ordinance may be obtained at the Town Hall.

Tom Exline
Mayor

Exponent-Telegram: _____