

ORDINANCE NO. 1-601

CHAPTER 1, ARTICLE 6 Section 601

OF THE CODE OF THE TOWN OF SUTTON

WHEREAS, the Town Council of the Town of Sutton, West Virginia, is authorized under West Virginia Code §§ 8-11-3, 8-11-4, and 8-12-5, and other applicable provisions of state law, to adopt, amend, repeal, and reenact ordinances governing municipal affairs; and

WHEREAS the Town Council finds that the existing provisions of Chapter 1, Article 6, Section 601 contain outdated, unclear, or fragmented language that no longer reflects current Town policy or best practices; and

WHEREAS the Town Council finds it in the best interest of the Town and its residents to repeal the existing provisions and adopt a consolidated, modernized replacement that is clear, enforceable, and consistent with current West Virginia law;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SUTTON, WEST VIRGINIA, THAT:

Section 1. Repeal

Chapter 1, Article 6, Section 601 of the Code of the Town of Sutton, as previously enacted and amended, is hereby repealed in its entirety.

Section 2. Reenactment and Replacement

Chapter 1, Article 6, Section 601 of the Code of the Town of Sutton is hereby reenacted in its entirety to read as follows:

1-601. Applicability

This article applies to all municipal officers and employees of the Town who are classified as full-time employees by the Town through ordinance, resolution, or personnel policy, unless otherwise excluded by law.

For the purposes of this article, "full-time" is defined as a permanent municipal position requiring regular service for the Town and meeting the minimum service requirements whose employment, if continued past the 90-day probationary period, accumulates to a minimum total of one thousand forty hours or twenty hours a week during a calendar year and extends over at least nine months of a calendar year. The governing body shall not reclassify an employee's position for the purpose of avoiding the provisions of this article.

Section 3. Repealer

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section 4. Severability

If any section, subsection, clause, phrase, or provision of this ordinance or the reenacted provisions is held invalid or unenforceable, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect.

Section 5. Effective Date

This ordinance shall take effect upon adoption, following required readings, approval, and publication as provided by law.