

ORDINANCE 1-607

Councilmember \_\_\_\_\_ introduced the following amendment to the Ordinance and moved for its adoption, which motion was seconded by Councilmember \_\_\_\_\_. The Ordinance being in the following words and figures:

“AN ORDINANCE TO AMEND SECTION 607 OF ARTICLE ONE, CHAPTER ONE, OF THE SUTTON MUNICIPAL CODE, PAID HOLIDAYS.”

WHEREAS, pursuant to the authority granted by W. Va. Code §§ 8-11-1, et seq., and the Ordinances of the Town of Sutton, the Common Council of the Town of Sutton desires to amend certain provisions of the Sutton Municipal Code. All provisions of the Sutton Municipal Code not specifically amended in the attached ordinance shall remain in full force and effect.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE TOWN OF SUTTON that the Sutton Municipal Code shall be AMENDED as fully set forth in the attached ordinance.

This Ordinance shall be effective upon passage.

I, the undersigned Recorder of the Town of Sutton, State of West Virginia, do hereby certify that the foregoing amendment to an Ordinance was duly passed and adopted by the Common Council of the Town of Sutton, and that the proposed Ordinance was read by title at not less than two(2) meetings of the Town Council with at least one (1) week intervening between each meeting, and that the Ordinance is now in full force and effect.

\_\_\_\_\_  
Passed First Reading

\_\_\_\_\_  
Passed Second Reading

\_\_\_\_\_  
Debbie Pierson, Recorder

Chapter 1 – Elections, Administration and Personnel Policies

Article One – Elections, Officers and their Qualifications

...

1-607. Paid Holidays. Employees will receive the following legal holidays at full pay: New Year's Day, January 1; Memorial Day; West Virginia Day; Independence Day, July 4; Labor Day; Presidential Election Day (every four years); Thanksgiving Day; and Christmas Day, December 25; and such additional holidays as council, shall from time to time determine by proper order.

Amended:

Chapter 1 – Elections, Administration and Personnel Policies

Article One – Elections, Officers and their Qualifications

...

1-607 Paid Holidays. Employees will receive full pay for all legal holidays as outlined in the West Virginia Legal Holidays and Special Memorial Holidays Code §2-2-1, and such additional holidays as shall be approved by the Mayor or Council.

## West Virginia Code 2-2-1: Legal Holidays and Special Memorial Holidays

### ARTICLE 2. LEGAL HOLIDAYS; SPECIAL MEMORIAL DAYS; CONSTRUCTION OF STATUTES; DEFINITIONS.

§2-2-1. Legal holidays; official acts or court proceedings.

(a) The following days are legal holidays:

1. January 1 is "New Year's Day";
2. The third Monday of January is "Martin Luther King's Birthday";
3. The third Monday of February is "Presidents' Day";
4. The last Monday in May is "Memorial Day";
5. June 20 is "West Virginia Day";
6. July 4 is "Independence Day";
7. The first Monday of September is "Labor Day";
8. The second Monday of October is "Columbus Day";
9. November 11 is "Veterans' Day";
10. The fourth Thursday of November is "Thanksgiving Day";
11. The day after Thanksgiving Day is "Lincoln's Day";
12. December 25 is "Christmas Day"; New Year's Day

(13) Any day on which a general, primary or special election is held is a holiday throughout the state, a political subdivision of the state, a district or an incorporated city, town or village in which the election is conducted;

(14) General election day on even years shall be designated Susan B. Anthony Day, in accordance with the provisions of subsection (b), section one-a of this article; and

(15) Any day proclaimed or ordered by the Governor or the President of the United States as a day of special observance or Thanksgiving, or a day for the general cessation of business, is a holiday.

(b) If a holiday otherwise described in subsection (a) of this section falls on a Sunday, then the following Monday is the legal holiday. If a holiday otherwise described in subsection (a) of this section falls on a Saturday, then the preceding Friday is the legal holiday: Provided, That this subsection (b) shall not apply to subdivisions (13), (14) and (15), subsection (a) of this section.

(c) Any day or part thereof designated by the Governor as time off, without charge against accrued annual leave, for state employees statewide may also be time off for county employees if the county commission elects to designate the day or part thereof as time off, without charge against accrued annual leave for county employees. Any entire or part statewide day off designated by the Governor may, for all courts, be treated as if it were a legal holiday.

(d) In computing any period of time prescribed by any applicable provision of this code or any legislative rule or other administrative rule or regulation promulgated pursuant to the provisions of this code, the day of the act, event, default or omission from which the applicable period begins to run is not included. The last day of the period so computed is included, unless it is a Saturday, a Sunday, a legal holiday or a designated day off in which event the prescribed period of time runs until the end of the next day that is not a Saturday, Sunday, legal holiday or designated day off.

(e) If any applicable provision of this code or any legislative rule or other administrative rule or regulation promulgated pursuant to the provisions of this code designates a particular date on, before or after which an act, event, default or omission is required or allowed to occur, and if the particular date designated falls on a Saturday, Sunday, legal holiday or designated day off, then the date on which the act, event, default or omission is required or allowed to occur is the next day that is not a Saturday, Sunday, legal holiday or designated day off.

(f) With regard to the courts of this state, the computation of periods of time, the specific dates or days when an act, event, default or omission is required or allowed to occur and the relationship of those time periods and dates to Saturdays, Sundays, legal holidays, or days designated as weather or other emergency days pursuant to section two of this article are governed by rules promulgated by the Supreme Court of Appeals.

(g) The provisions of this section do not increase or diminish the legal school holidays provided in section two, article five, chapter eighteen-a of this code.