

CHAPTER NINETEEN

ARTICLE I - Penalties

19.1.1 Duty of Mayor and Police to Aid in Enforcement of Criminal Laws of State – It shall be the duty of the Mayor and the police of the Town to aid in the enforcement of the criminal laws of the State within the Town, and to arrest or cause the arrest of any offender, and take him before a Magistrate of the County or other proper officer to be dealt with according to law.

19.1.2 Duty of Mayor to Maintain Peace and Good Order – It shall be the duty of the Mayor to see that the peace and good order of the Town are preserved, and that persons and property therein are protected, and to that end he may cause the arrest and detention of all riotous and disorderly persons in the Town by issuing his warrant therefor.

19.1.3 Trials by Mayor; Imposition and Enforcement of Penalties – In addition to his power to try persons for violations of the criminal laws of the State, the Mayor may try persons for the violation of any provisions of this Code. Persons found guilty may be fined, imprisoned, or both fined and imprisoned in accordance with the provisions of this Code. Imprisonment may be in the Jail of the Town or in the County Jail, as the Mayor may direct. The expense of maintaining any person so committed to the County Jail, except it be to answer an indictment or be under the provisions of Sections 8 and 9, Article 18, Chapter 50 of the Code of West Virginia, shall be paid by the Town and taxed as part of the costs of the proceeding.

19.1.4 Recovery of Fines, Penalties, and Costs – The Mayor shall have the power to issue executions for all fines, penalties, and costs imposed by him, or he may require the immediate payment thereof , and, in default of such payment, he may commit the party in default to the Jail of the Town or to the County Jail until the fine or penalty and costs shall have been paid, but the term of imprisonment in such case shall not exceed 30 days.

19.1.5 Penalties for Violations – The violation of any provision of this Code shall constitute a misdemeanor. Except where under a provision of this Code, a specific penalty is prescribed for a specific offense, a person convicted for a violation of any provision of this Code shall, for the first offense, be fined not less than \$10.00 or more than \$100.00 or imprisoned for a term of not less than 24 hours or more than 10 days, or both so fined and imprisoned, and for each subsequent conviction for the same offense, shall be fined not less than \$10.00 or more than \$500.00 or imprisoned for not less than 24 hours, or more than 30 days, or both so fined and imprisoned.