

VIRGINIA ACTS OF ASSEMBLY -- 2004 SESSION

CHAPTER 599

An Act to amend and reenact § 7 of Chapter 662 of the Acts of Assembly of 1966, which provided a charter for the City of Lexington, relating to council vacancies.

[S 522]

Approved April 12, 2004

Be it enacted by the General Assembly of Virginia:

1. That § 7 of Chapter 662 of the Acts of Assembly of 1966 is amended and reenacted as follows:

§ 7. Mayor and Council generally.

In addition to a mayor, the city of Lexington shall be governed by a city council which shall be composed of six (6) members elected at large and who shall be qualified voters and bona fide residents of the city.

Vacancies in either the office of mayor or in the council shall be filled within ~~thirty (30)~~ 30 days by a recorded majority vote of the council. Such appointment shall be for the unexpired term *subject to the following: In the case of an unexpired term that exceeds two years and such vacancy occurs in the first 18 months of the term, a petition shall be filed within 15 days of the occurrence of the vacancy with the Circuit Court to issue a writ of election to fill the remaining term of the vacancy, such election to coincide with the next general election in an even-numbered year. In such case any appointee shall serve until the duly elected council member or mayor has qualified.*

In absence, or in the case of disability of both the mayor and vice mayor, one of the other members of council selected by a majority vote of the council shall have all of the powers heretofore conferred upon the mayor and vice mayor.

The council shall have the right to fix salaries for the members thereof, and the same shall not be increased or diminished during their respective terms of office except as governed by § 15.2-1414.6.