

# VIRGINIA ACTS OF ASSEMBLY -- 2007 SESSION

## CHAPTER 725

*An Act to amend and reenact §§ 3.02:1, 3.02:2, and 16.04, as amended, of Chapter 147 of the Acts of Assembly of 1962, which provided a charter for the City of Virginia Beach, relating to elections.*

[S 1141]

Approved March 21, 2007

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 3.02:1, 3.02:2, and 16.04, as amended, of Chapter 147 of the Acts of Assembly of 1962 are amended and reenacted as follows:**

**§ 3.02:1. ELECTION OF COUNCIL MEMBERS.**

There shall be a general election ~~on the first Tuesday in May in even-numbered years for the election of council members to replace those whose terms expire at the end of June of that year.~~ Pursuant to an ordinance adopted by city council on June 27, 2006, city council elections shall take place during the general election in November 2008, and during the November general election in even years thereafter, for council members whose terms expire at the end of December of that year. Council members, including the mayor, whose terms expire as of June 30, 2008, or June 30, 2010, shall continue in office until their successors have been elected at the November election and take office on January 1. The term of office for each council member shall commence on ~~July~~ January 1 next following the date of election and shall continue until his successor has been duly elected and qualified. Each candidate shall state, at the time of filing, whether he is running at-large, from the district of his residence or for mayor. Candidates for council shall be nominated only by petition in the manner prescribed by general law.

**§ 3.02:2. ELECTION OF MAYOR.**

The mayor shall be elected at the general election ~~on the first Tuesday in May 1988 in November 2008~~, and each fourth year thereafter, to serve for a term of four years. Candidates for mayor shall run for one of the at-large seats. A candidate running for mayor shall not run for any other seat.

In the event any councilman, including the mayor, shall decide during his term of office to be a candidate for mayor, he shall tender his resignation as a councilman not less than ten days prior to the date for the filing of petitions as required by general law. Such resignation shall be effective on ~~June 30~~ December 31, shall constitute the councilman's intention to run for mayor, shall require no formal acceptance by the remaining councilmen and shall be final and irrevocable when tendered.

The unexpired portion of the term of any ~~councilman~~ council member who has resigned to run for mayor shall be filled at the same general election.

**§ 16.04. ELECTION OF THE SCHOOL BOARD.**

A. ~~Beginning with the general election held in May of 1998, all~~ All board members shall be elected in the same manner and according to the same schedule that council members are elected. ~~All board members shall be elected for terms of four years. Every two years thereafter, there shall be a general election in May for the election of board members to replace those whose terms expire at the end of June of a given election year.~~ The term of office for each elected board member shall commence on the first day of ~~July~~ January next following the date of election and shall continue until a successor has been duly elected and qualified. Pursuant to an ordinance adopted by city council on June 27, 2006, board members whose terms expire as of June 30, 2008, or June 30, 2010, shall continue in office until their successors have been elected at the November election and take office on January 1. Each candidate shall state at the time of filing whether he is running at large or from the district of his residence.

B. Each of the 11 elected board members shall be elected by the voters of the city at large.