

075206220

## HOUSE BILL NO. 2400

Offered January 10, 2007

Prefiled January 9, 2007

*A BILL to amend and reenact § 2, § 7, as amended, § 13, and § 20, as amended, of Chapter 229 of the Acts of Assembly of 1948, and to amend Chapter 229 of the Acts of Assembly of 1948 by adding a section numbered 8.1, relating to the Town of Stephens City.*

Patron—Athey

Referred to Committee on Counties, Cities and Towns

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

**1. That § 2, § 7, as amended, § 13, and § 20, as amended, of Chapter 229 of the Acts of Assembly of 1948 are amended and reenacted, and that Chapter 229 of the Acts of Assembly of 1948 is amended by adding a section numbered 8.1 as follows:**

§ 2. The corporate limits and boundaries of the Town of Stephens City (formerly called Newtown and Stephensburg), within Frederick County, Virginia, shall remain as they now are and have heretofore been established by law, shall be called and constitute the Town of Stephens City be as presently established, subject to boundary adjustment as appropriate and either agreed upon by Frederick County or by court order.

§ 7. There shall be elected by the council at its election, or as soon as practicable thereafter following the election of the council, the council shall appoint a treasurer, a recorder or clerk of the council, and a town sergeant, town attorney, and town manager and may elect a town assessor, whose terms of office shall be coequal with the time the council appointing same shall continue in office, unless sooner removed as provided by this charter or any ordinance of the town. The salaries and compensation to be paid such officers, together with their duties, shall be fixed by the council. The council may appoint or elect such other officers as may be necessary or desirable for the best interests of the town. All officers (except town attorney) shall be residents of the town or of the County of Frederick and shall have resided therein as least three months prior to their election or appointment.

§ 8.1. The Frederick County District Courts shall hear and determine charges of violations of town ordinances. Fines collected for violations of town ordinances shall be paid promptly into the treasury of the town.

§ 13. The mayor may appoint special policemen a chief of police, who may also serve as town sergeant, and through the office of the mayor may appoint additional police officers when in his judgment it is best for the peace and good government of the town. The mayor may, at any time that the welfare and peace of the town require it, direct the police force of the town in the performance of any of its special or regular duties or may delegate this to the town manager.

§ 20. In addition to the right of the town under the general law to negotiate temporary loans and thereby anticipate its income for and during any year, the council, in the name of and for the use of the Town of Stephens City, may contract loans, incur debts and cause certificates of debt or bonds to be issued whenever two-thirds of its members, by a recorded vote, decide that such course is in the best interest of the town and necessary in the acquirement and establishment of some needed public improvement or utility, but such council may borrow money in such manner and for such purposes only to the extent and subject to the provisions prescribed by the Constitution and laws of Virginia. The council shall not have the power to issue any bonds or certificate of debt except such as are to be paid and discharged within one year from date of issue out of the regular income of the town until it shall have first submitted to the qualified voters of the town whether or not such bonds shall be issued and the majority of the qualified voters voting at any election held for such purpose have voted for such issue. Such election shall be held in the manner prescribed and under the provisions of the general laws of the State of Virginia. Any bonds which may be issued under this act may be either registered or coupon bonds and the purposes for which the bonds are issued shall be clearly set forth therein. They shall be issued in such denominations and bear such rate of interest as may be determined by the council and permitted by law. They shall be made payable at such time as the council may prescribe, not exceeding thirty years from their date, and may at the option of the council be made redeemable after such time and in such amounts as the council may prescribe. The interest thereon may be made payable at such place as the council may designate, either annually or semiannually. All bonds issued under this act shall be signed by the mayor and countersigned by the clerk of the council with the seal of the town attached. They shall be sold in such manner as the council may prescribe and the proceeds from such sale used and expended under the orders of the council. *The Council may negotiate temporary*

INTRODUCED

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59 *loans for amounts not exceeding 10 percent of the previous year's total budget revenue and not to*  
60 *exceed a five-year term, whenever two-thirds of its members, by a recorded vote, decide that such*  
61 *course is in the best interest of the town and necessary for the acquirement and establishment of some*  
62 *needed public improvement or utility.*

63 *For any amount of debt greater than 10 percent of the previous year's total budget revenue or for a*  
64 *term greater than five years, or for bonding, the council must first submit to the qualified voters of the*  
65 *town the question of whether or not such debt or bonding shall be incurred, and the majority of the*  
66 *qualified voters voting at any election held for such purpose shall have voted for such question. Such*  
67 *election shall be held in the manner prescribed and under the provisions of the general laws of the*  
68 *Commonwealth of Virginia. Any bonds issued under this section may be either registered or coupon*  
69 *bonds, and the purposes for which the bonds are issued shall be clearly set forth. The council shall*  
70 *have the discretion in determining the bonding denominations, interest rate, time payable, term,*  
71 *issuance, and sale and shall have the discretion to allow for redemption without penalty.*