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HOUSE BILL NO. 2366

Offered January 14, 2009

Prefiled January 14, 2009

A BILL to amend and reenact §§ 16, 18, and 19, as severally amended, of Chapter 69 of the Acts of Assembly of 1922, which provided a charter for the Town of Strasburg, relating to council and town officers.

Patron—Gilbert

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That §§ 16, 18, and 19, as severally amended, of Chapter 69 of the Acts of Assembly of 1922 are amended and reenacted as follows:

§ 16. 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 said Town of Strasburg, 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. If it is proposed by the town to borrow money and issue bonds under the provisions of the Constitution and laws of Virginia for any revenue producing undertaking, the council shall adopt an ordinance, reciting the expediency of borrowing money by the town and the issuance of bonds therefore, the amount of such issue, the length of time for which they are to run, the maximum rate of interest to be paid thereon, and the purpose for which the money realized therefrom is to be used, and if, under the Constitution and laws of Virginia, the purpose of borrowing money and issuing bonds qualifies such indebtedness so that it is not to be included within the otherwise authorized indebtedness of the town, the ordinance shall state that fact, as well as the specific undertaking for which the money is proposed to be borrowed and the bonds are to be issued. Any such ordinance must be passed upon the recorded affirmative vote of a two-thirds majority of all the members elected to the council. After adoption of such ordinance a certified copy thereof shall be forthwith presented to the circuit court having jurisdiction over the town, or to the judge thereof in vacation.

If the proposed bond issue be pursuant to Article VII, Section 10 (a) (3) of the Constitution of Virginia, whereby the principal and interest on such bonds are payable exclusively from the revenues and receipts of a specific undertaking or undertakings from which the town may derive a revenue or secured, solely or together with such revenues, by contributions of other units of government, the council shall thereupon authorize and issue such bonds in accordance with the Constitution and laws of Virginia without submission of the question of such bond issue to the qualified voters for approval.

If the proposed bond issue be pursuant to Article VII, Section 10 (a) (2) of the Constitution of Virginia, whereby the full faith and credit of the town is pledged by the ordinance authorizing the issuance of said bonds, the court or judge, on the receipt of the certified copy of such ordinance, shall, by an order entered in term time or vacation, direct the proper election officers of the town to take such steps and prepare such means as may be proper to give due publicity to such election. If a majority of the qualified voters who vote thereon at such special election shall approve contracting the debt, borrowing the money and issuing the bonds, the governing body of the town shall thereupon authorize and issue such bonds in accordance with the provisions of the Constitution and laws of Virginia applicable to the authorization and issuance of bonds by cities and towns.

For the purposes of this section, no distinction shall be made between a member elected to the council and a member who has been appointed to the council. Upon any matter coming before the council, the votes of all members shall be of the same dignity, whether a member has been elected or appointed.

§ 18. There shall be elected by the council at its first meeting in July after its election, or as soon as practicable thereafter, a treasurer, a town manager, clerk of the council (the town manager and clerk may be combined in one office), and a town sergeant, whose terms of office shall be co-equal with the time the council appointing same shall continue in office, unless sooner removed for cause in the year following the year of a regular election of members to council, or as soon thereafter as practicable, a treasurer, a town manager, a clerk of the council, a chief of police, and a town attorney, whose terms of office shall be for a period of two years unless sooner removed for cause. If for any reason any or

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59 *all officers are not elected in the July meeting, as set forth herein, the incumbent office holders shall*
60 *continue in office until council has conducted an election as contemplated by this section.*The salaries
61 and compensation to be paid such officers, together with their respective duties, shall be fixed by the
62 council. The council may also elect such other officers as may be necessary and desirable ~~for~~ *in* the best
63 ~~interest~~ *interests* of the town. All such officers as may be elected by the council shall reside within
64 twenty miles of the limits of the town *of Strasburg*. For officers elected to their first term ~~their~~, *the*
65 residency requirement will be waived for a period of one year.

66 *In order to transition to the election cycle set forth herein, for the appointments in July of 2010, the*
67 *appointment of a town officer shall be for a term of one year. Thereafter, each officer shall be*
68 *appointed for a period of two years.*

69 § 19. Compensation of Mayor and Councilmen.

70 *The mayor may receive a salary to be fixed by the council, but such salary shall not be increased or*
71 *diminished during his term of office. The councilmen may be paid a compensation for attendance upon*
72 *the meetings of council, to be fixed by the council but such compensation shall not be increased or*
73 *diminished during their terms of office. The council may provide for additional compensation to such of*
74 *their committees performing special work to the extent that may be reasonable and fair. The Mayor shall*
75 *receive a salary to be fixed by the council, but such salary shall not be increased or diminished during*
76 *his term of office. The council shall be paid a salary for performing their duties, but such salary shall*
77 *not be increased or diminished except as set forth herein. Any increase in the salary to be paid to the*
78 *Mayor shall not take effect until after the next mayoral election following the approval of any such*
79 *increase. Any increase or decrease in the salary to be paid to a member of council shall not take effect*
80 *until July 1 following the next two regular council elections. The council may provide for additional*
81 *salary to such of their committees performing special work to the extent that may be reasonable and*
82 *fair.*