091411333

SENATE BILL NO. 869

Offered January 14, 2009

Prefiled December 29, 2008

A BILL to amend and reenact §§ 7 and 16 of Chapter 654 of the Acts of Assembly of 1990, which provided a charter for the City of Fredericksburg, relating to the election of Council members and Mayor and adoption of ordinances and resolutions.

Patrons—Stuart and Houck; Delegate: Howell, W.J.

Referred to Committee on Local Government

Be it enacted by the General Assembly of Virginia:

1. That §§ 7 and 16 of Chapter 654 of the Acts of Assembly of 1990 are amended and reenacted as follows:§ 7. Number and term of Council members; election of Council members and Mayor; Mayor's status; vacancies in Council; qualification of Council members.

Effective October 1, 1988, the Council shall consist of seven members, including the Mayor, each of whom shall hold office until his successor has qualified, unless sooner removed by death, resignation or other cause. The Mayor and two members of Council shall be elected at large. The other four members shall each be elected from one of four wards. The Mayor shall preside over meetings of the Council and shall have the same powers and duties as other members of the Council, with a vote, but no veto.

The Mayor and the two members of Council elected at large on the Tuesday after the first Monday in September, 1988, for an initial term beginning on October 1, 1988, and expiring on July 1, 1992, shall hold office until their successors have qualified. The Mayor and the two members of the Council elected at large shall thereafter be elected every four years on the first Tuesday in May, beginning with the first Tuesday in May, 1992, and shall hold office for a term of four years from July 1 succeeding their election and until their successors have qualified.

The four members of the Council elected by wards on the Tuesday after the first Monday in September, 1988, for an initial term beginning on October 1, 1988, and expiring on July 1, 1990, shall hold office until their successors have qualified. The four members of the Council elected by wards shall thereafter be elected every four years on the first Tuesday in May, beginning with the first Tuesday in May, 1990, and shall hold office for a term of four years from July 1 succeeding their election and until their successors have qualified.

Vacancies in the Council shall be filled within ~~thirty~~*45* days by a recorded majority vote of the remaining members of the Council~~,~~*; provided, however, that when more than two years remain in the unexpired term and the vacancy occurs at least 120 days prior to the next Council member election, the City Council shall, within 15 days of the occurrence of the vacancy, petition the circuit court to issue a writ of election to fill the vacancy. Either upon receipt of the petition or on its own motion, the court shall issue the writ ordering the election for the next regularly scheduled May Council member election. Whenever a vacancy will be filled by special election, Council may, within 45 days of the office becoming vacant, appoint a qualified voter of the election district in which the vacancy occurred to fill the vacancy. The person so appointed shall hold office until the qualified voters fill the vacancy by special election as provided herein.* ~~and those~~ *Those* elected to fill such vacancies shall hold office for the unexpired term of the ~~Councilmen~~ *Council members* whose places they fill, unless sooner removed by death, resignation, or other cause. Members of the Council, including the Mayor, shall be qualified electors of the city and shall hold no other public office while serving as such, except that of notary public.

§ 16. Adoption of ordinances and resolutions.

All ordinances and all resolutions appropriating funds in excess of ~~$1,000~~ *$100,000* shall be adopted by the Council on two readings. No such ordinance or resolution shall be adopted on second reading on the same day as its introduction unless five members elected to Council have voted to suspend the rules and to place the matter on second reading.

INTRODUCED

SB869

3/25/10 6:56