

2014 SESSION

LEGISLATION NOT PREPARED BY DLS
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HB1195

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HOUSE BILL NO. 1195

Offered January 16, 2014

A BILL to provide a new charter for the Town of Rural Retreat and to repeal Chapter 235, Section 1, as amended, of the Acts of Assembly of 1954, which provided a charter for the Town of Rural Retreat.

Patron—Campbell

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1.

Charter for the Town of Rural Retreat

Chapter 1. Continuation of Town and Boundaries

§1.1 Continuation of Town- The inhabitants of the territory embraced within the present limits of the Town of Rural Retreat, in Wythe County, Virginia, as hereinafter defined, or as the same may be hereafter altered and established by law, shall constitute and continue body politic and corporate to be known and designated as the Town of Rural Retreat, and as such shall have and may exercise all powers which are now, or may hereafter be conferred upon or delegated to towns under the constitution and laws of the Commonwealth of Virginia as fully and as completely as though said powers were specifically enumerated herein, and no enumeration of particular powers herein shall be held to be exclusive.

§ 1.2 Boundaries- The territory embraced within the present limits of the Town of Rural Retreat is described in metes and bounds in an order of incorporation of the town entered by the circuit court of Wythe County, Virginia, on the 24th day of July, 1911, and as amended through past or future annexation as approved and recorded by the circuit court of Wythe County, Virginia.

Chapter 2. Powers

§2.1 Powers of the Town- The Town of Rural Retreat shall have all powers that may be conferred upon or delegated to towns under the constitution and laws of the Commonwealth of Virginia, including but not limited to, those powers set forth in Article 1 § 15.2-1100 et. Seq, of Chapter 11 known as the uniform charter powers in the Code of Virginia, as now exist and as hereafter amended, and all other powers which are now or may hereafter be conferred upon or delegated to towns under the Constitution and laws of the Commonwealth of Virginia are hereby conferred upon the Town of Rural Retreat, Virginia.

Chapter 3. Mayor and Council

§ 3.1 Election, Qualification and Term of Office-

A. The government of the Town of Rural Retreat, shall be vested in a mayor and a body to be known as the council of the Town of Rural Retreat, which council shall consist of six members, all of whom, as well as the mayor shall be residents and qualified voters of the Town.

B. The mayor and council members of council in office on the effective date of this act shall serve until their successors have been elected or qualified. Municipal elections within the Town of Rural Retreat shall take place on the first Tuesday in May of each even-numbered year. At each such regular municipal election, three council-members shall be elected to four years each. The terms of office for both council-members and the mayor so elected shall commence on the first day of July immediately following such election, and shall continue until their successors have been elected and qualified.

C. The mayor shall preside over the meetings of council, have the same right to speak therein as other members and shall vote only in case of a tie but shall have no veto. He shall be recognized as the head of town government for all ceremonial purposes and purposes of military law. At the regular scheduled meeting of the council held in the month of July following a municipal election, the council shall choose, by a majority vote of all members thereof, one of their members to be vice-mayor for the ensuing two years. The vice-mayor shall in the absence or disability of the mayor perform the duties of the mayor. In the absence or disability of both the mayor and vice-mayor the council shall by majority vote of those present choose one of their members to perform the duties of mayor.

§ 3.2 Qualifications of members- Any person qualified to vote in the town shall be eligible for the office of councilman or mayor.

59 § 3.3 *Powers of Council-* The council along the mayor shall make such rules as are necessary for
60 the orderly conduct of their business not inconsistent with the laws of the Commonwealth of Virginia
61 and shall have the power, in discretion to appoint a town manager, a town attorney, a town clerk, a
62 treasurer and a sergeant (who shall have the powers and duties provided in § 15.2-1107 of the Code of
63 Virginia). The persons so appointed shall have such duties and shall serve for such terms and at such
64 compensation as the council may determine. One person may be appointed to more than one office.

65 § 3.4 *Vacancies-* Vacancies on the and in the office of the mayor and vice-mayor shall be filled for
66 the unexpired term by a majority vote of the members of council.

67 Chapter 4.

68 Miscellaneous

69 § 4.1 *Eminent Domain-* The power of eminent domain as set forth in title 15.2 and title 25.1
70 200-251 of the Code of "Virginia are hereby conferred upon the Town of Rural Retreat, including the
71 power to issue certificates pursuant to § 25.1-300 through 25.1-318 of the Code of Virginia.

72 § 4.2. *Fiscal Year-* The fiscal year of the town shall begin on July 1 of each year and end on June
73 30 of the following year.

74 § 4.3 *Legislative Procedure-* Except in dealing with parliamentary procedure the council shall act
75 only by ordinance and resolution, and with the exception of ordinances making appropriations, or
76 authorizing the contracting of indebtedness, shall be confined to one general subject.

77 § 4.4. *Ordinances to remain in force -* All ordinances now in force in the Town of Rural Retreat, not
78 inconsistent with this Charter, shall be and remain in force until altered, amended, or repealed by the
79 town council.

80 § 4.5. *Acts in conflict with Charter -* All acts or part of acts in conflict with this Charter are hereby
81 repealed, insofar as they affect the provisions of this Charter.