

# VIRGINIA ACTS OF ASSEMBLY -- 2015 SESSION

## CHAPTER 199

*An Act to amend and reenact §§ 2.1, 3.1, 3.3, 3.5, 3.6, and 5.1 of Chapter 29 of the Acts of Assembly of 1992, which provided a charter for the Town of Buchanan, relating to powers; elections.*

[H 1663]

Approved March 16, 2015

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

**1. That §§ 2.1, 3.1, 3.3, 3.5, 3.6, and 5.1 of Chapter 29 of the Acts of Assembly of 1992 are amended and reenacted as follows:**

§ 2.1. The Town of Buchanan 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 §§ ~~15.1-837~~ 15.2-1100 through ~~15.1-907~~ 15.2-1133 of the Code of Virginia, of 1950, as amended.

§ 3.1. Legislative powers in council.

The legislative powers of the municipality shall be vested in a council, consisting of ~~seven~~ five members, one of whom in addition shall be the mayor.

§ 3.3. Election of council: term of office, mayor and vice-mayor.

On the first Tuesday in May, 1992, and every two years thereafter, there shall be elected by the qualified voters of the town, six electors who shall be denominated ~~councilmen~~ council members. In addition thereto, the qualified voters shall elect an additional elector who shall be denominated mayor. They shall enter upon the duties of their offices on the first day of July next succeeding their election. *Notwithstanding the provisions of this paragraph, effective January 1, 2017, the number of council members shall be four.*

*However, beginning in 2016 and every two years thereafter, the mayor and four council members shall be elected at the time of the November general election, with terms to commence on January 1 following the election. The mayor and council members who were elected in May, 2014, and whose terms would expire on June 30, 2016, shall continue in office until their successors have been duly elected and have qualified to serve.*

Council shall elect from their numbers one who shall be denominated vice-mayor, who shall serve in the absence of the mayor.

§ 3.5. Meetings of council.

Council shall hold at least one regular meeting each month of each calendar year. All meetings of the council shall be public meetings except as provided for by § ~~2.1-340~~ 2.2-3700 et seq. of the Code of Virginia. No official action shall be taken by the council in executive session. Council may by ordinance adopt such rules as it may deem proper for the regulation of its proceedings, the time of its meetings, and the calling of special meetings.

§ 3.6. Vacancies in office of council member or mayor.

Vacancies in the office of ~~councilmen~~ council member or mayor, for whatever cause, shall be filled for the unexpired portion of the term by majority vote of the remaining members of the council. If council shall fail to fill a vacancy within sixty days, such vacancy shall be filled by appointment of the judge of the Circuit Court for Botetourt County, Virginia, upon notice to the court by petition filed by the mayor or any ~~councilman~~ council member.

§ 5.1. Eminent domain.

The powers of eminent domain as set forth in Title ~~15.1~~ 15.2 and Title ~~25~~ 25.1 of the Code of Virginia, as amended, are hereby conferred upon the Town of Buchanan.