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SENATE BILL NO. 103

Offered January 13, 2016

Prefiled December 23, 2015

A BILL to amend and reenact §§ 7 and 8 of Chapter IV of Chapter 431 of the Acts of Assembly of 1950 and § 1 of Chapter XXV (A.1), as amended, of Chapter 454 of the Acts of Assembly of 1975, which provided a charter for the City of Hopewell, relating to affirmative council member votes required; Hopewell Regional Wastewater Treatment Facility Commission.

Patron—Dance (By Request)

Referred to Committee on Local Government

Be it enacted by the General Assembly of Virginia:

1. That §§ 7 and 8 of Chapter IV of Chapter 431 of the Acts of Assembly of 1950 and § 1, as amended, of Chapter XXV (A.1) of Chapter 454 of the Acts of Assembly of 1975 are amended and reenacted as follows:

Chapter IV.**Council.**

§ 7. All ordinances and resolutions passed by the council shall be in effect from and after thirty days from the date of their passage, except that the council may by the affirmative vote of ~~four~~ five of its members pass emergency measures to take effect at the time indicated therein. Ordinances appropriating money for any emergency may be passed as emergency measures, but no measure providing for the sale or lease of city property, or making a grant, renewal or extension of a franchise or other special privilege, or regulating the rates to be charged for any public utilities shall be so passed.

§ 8. Legislative procedure. Except in dealing with questions of parliamentary procedure the council shall act only by ordinance or resolution, and all ordinances except ordinances making appropriations, or authorizing the contracting of indebtedness or the issuance of bonds or other evidences of debt, shall be confined to one subject, which shall be clearly expressed in the title. Ordinances making appropriations or authorizing the contracting of indebtedness or the issuance of bonds or other obligations and appropriating the money to be raised thereby shall be confined to those subjects respectively.

The enacting clause of all ordinances passed by the council shall be, "Be it ordained by the council of the City of Hopewell." No ordinance unless it be an emergency measure, shall be passed until it has been read at two regular meetings not less than one week apart, or the requirement of such reading has been dispensed with by the affirmative vote of ~~four~~ five of the members of the council. No ordinance or section thereof shall be revised or amended by its title or section number only, but the new ordinance shall contain the entire ordinance or section as revised or amended. The ayes and nays shall be taken upon the passage of all ordinances or resolutions and entered upon the journal of the proceedings of the council and every ordinance or resolution shall require, on final passage, the affirmative vote of at least ~~three~~ four of the members. No member shall be excused from voting except on matters involving the consideration of his official conduct, or where his financial or personal interests are involved.

In authorizing the making of any public improvement, or the acquisition of real estate or any interest therein, or authorizing the contracting of indebtedness or the issuance of bonds or other evidences of indebtedness (except temporary loans in anticipation of taxes or revenues or of the sale of bonds lawfully authorized), or authorizing the sale of any property or rights in property of the City of Hopewell, or granting any public utility, franchise, privilege, lease or right of any kind to use public property or easement of any description or any renewal, amendment or extension thereof, the council shall act only by ordinance; provided, however, that after any such ordinance shall have taken effect, all subsequent proceedings incident thereto and providing for the carrying out of the purposes of such ordinance may, except as otherwise provided in this charter, be taken by resolution of the council.

Chapter XXV (A.1).**Hopewell Regional Wastewater Treatment Facility Water Renewal Commission.**

§ 1. There shall be a regional wastewater treatment facility commission which shall be known as the Hopewell Regional Wastewater Treatment Facility Water Renewal Commission (hereinafter in this chapter referred to as the "Commission"), which shall act on behalf of the City of Hopewell as hereinafter provided, with respect to a regional wastewater treatment facility to be owned by the City of Hopewell to provide treatment for disposal of sanitary and industrial waste from the City of Hopewell and vicinity. The Commission shall consist of eight members who need not be residents of the city and who shall be appointed by a majority of city council. Five of such members shall be from nominees submitted by five manufacturers (each nominating with respect to one membership) which provide

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59 assistance in the planning and financing of the regional wastewater treatment facility or which are or
60 will be users of said facility. Any vacancy in the appointive membership of the Commission, however
61 occurring, shall be promptly filled by the city council for the unexpired term in the same manner and
62 from the same source as the original appointment to the vacated position.
63 Council may provide for additional nominees to the Commission by manufacturers not involved in
64 planning assistance as aforesaid who contract with the city to provide a capital contribution of four per
65 centum or more of the original capital cost of the facility by increasing the Commission membership to
66 provide for one nominee from each such manufacturer.