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SENATE BILL NO. 653

Offered January 18, 2016

A BILL to amend and reenact § 2, §§ 4, 8, and 12, as amended, and § 13 of Chapter 39 of the Acts of Assembly of 1936, which provided a charter for the Town of South Hill in Mecklenburg County, relating to boundaries, finance director, and town powers.

Patron—Ruff

Referred to Committee on Local Government

Be it enacted by the General Assembly of Virginia:

1. That § 2, §§ 4, 8, and 12, as amended, and § 13 of Chapter 39 of the Acts of Assembly of 1936 are amended and reenacted as follows:

§ 2. The corporate limits of the Town of South Hill, Virginia, as heretofore established, are hereby re-established, *to include an area of approximately nine and three-tenths (9.3) square miles,* as follows:

~~Beginning at a point in the center of Mecklenburg avenue, where it is crossed by the center of Main street, and extending in every direction five-eights of a mile, with such additional land as will make a circle one and a quarter miles in diameter, taking the intersection of the above named streets as a central point.~~

Beginning at a point in the center of the intersection of North Mecklenburg Avenue and Atlantic Street and extending north on North Mecklenburg Avenue for three and two-tenths (3.2) miles, west on West Atlantic Street for one and two-tenths (1.2) miles, east on East Atlantic Street for two and two-tenths (2.2) miles, southwesterly on West Danville Street for two and six-tenths (2.6) miles, and south on South Hill Avenue/Goodes Ferry Road for one and eight-tenths (1.8) miles. Additional boundary information is included in records on file in the office of the Clerk of the Circuit Court of Mecklenburg County.

§ 4. The government of the Town of South Hill shall be vested in a council composed of eight members of council elected from multi-member districts and a mayor elected at large. There are three districts: Election District I shall have two members, Election District II shall have three members, and Election District III shall have three members.

The method of election shall be by plurality vote and not by majority vote. Vacancies of members of council or mayor shall be filled in accordance with §§ 24.2-226 and 24.2-228 of the Code of Virginia for the unexpired term. Additional officers of the town shall be a *town* manager, clerk, ~~treasurer,~~ *finance director,* chief of police, and such other agent, attorney, police, and clerical assistance as may be required.

§ 8. The mayor shall be the chief executive of the town ~~and as such shall have full power over the police forces~~. He shall preside at all council meetings; he may discuss questions, present issues, and recommend measures, but shall vote only to break a tie. As the official head of the town the mayor shall exercise all the powers conferred by general laws upon mayors of towns, and not inconsistent with this charter. In times of emergency he may take personal charge of the police forces of the town and may deputize any of the citizens of the town to do police duty. He shall affix his name to papers and documents requiring the same, and perform such other duties not inconsistent with his office, as the council may direct, under the charter and the laws of Virginia. The council by majority vote shall elect a member of the council mayor pro tem, who shall act in the absence or inability of the mayor.

§ 12. The chief of police shall have control of the police force of the town under the jurisdiction of the ~~mayor and shall be hired and may be fired by the mayor; he~~ *town manager. The chief of police* and the police officers of the town shall have the same powers and discharge the same duties as a constable of Mecklenburg ~~county~~ *County*, except ~~he~~ *they* shall serve civil process only on behalf of the town, and shall have like powers in a radius of two miles beyond the town, not in conflict with other authority. He shall perform all duties required of a chief of police and others not inconsistent with his office, or as directed by the council or ~~mayor~~ *town manager*.

§ 13. A lien shall exist upon all real estate within the corporate limits of the town, for taxes, levies and assessments, in favor of the town, holding thereon from the beginning of the year in which levied or assessed, and the procedure for the collection legally of such assessment and levies, and for selling or disposing of property to satisfy such liens for taxes and assessments, and for the redemption of the same, shall be in conformity with the State laws of Virginia, to the same extent and in the same effect as if the same were herein set out at length and completely and reference to the said laws of the State is hereby directed. And the said town shall have the benefit of all other and additional laws and remedies for collection of town taxes, levies and assessments, which now are or may hereafter be enacted or

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inaugurated for the collection of town assessments and levies, by the State of Virginia, including the right to institute and conduct chancery suits in the ~~circuit~~ ~~court~~ *Circuit Court* of Mecklenburg County, to enforce payment thereof.