

17100172D

HOUSE BILL NO. 1396

Offered January 11, 2017

Prefiled July 27, 2016

A *BILL to amend and reenact § 3, as amended, and § 6 of Chapter 571 of the Acts of Assembly of 1997, which provided a charter for the Town of Grottoes in Rockingham County, relating to vice-mayor.*

Patrons—Landes; Senator: Hanger

Referred to Committee on Counties, Cities and Towns**Be it enacted by the General Assembly of Virginia:**

1. That § 3, as amended, and § 6 of Chapter 571 of the Acts of Assembly of 1997 are amended and reenacted as follows:

§ 3. Election of the mayor and council persons; vacancies; time of meeting; *appointment of vice-mayor.*

A. Notwithstanding the provisions of § 24.2-222 of the Code of Virginia, on the first Tuesday in November in each even-numbered year, there shall be elected a mayor and three council persons from the town at large, as well as council persons to fill vacancies, if any, whose terms of office shall begin on the first day of January following such election, but in cases of filling vacancies, the term shall begin immediately, and they shall serve until their successors shall be duly elected and qualify. In order to transition from a May to November election date, any mayor or council person elected in 1996 for a four-year term, or in 1998 for a two-year term, shall hold office until his successor has qualified. His successor shall be elected on the Tuesday after the first Monday in November 2000 and shall take office on the January 1 following his election. Any council person elected in 1998 for a four-year term shall hold office until his successor has qualified. His successor shall be elected on the Tuesday after the first Monday in November 2002 and shall take office on the January 1 following his election.

B. The mayor shall be elected for a term of two years; council persons shall serve for terms of four years each.

C. The council shall be a continuing body, and no measure pending before such body shall abate or be discontinued by reason of expiration of the term of office of the council persons or any member. Vacancies in the council shall be filled for the unexpired terms by a majority vote of the remaining members until the next ensuing regularly scheduled general election for the office; or, if the vacancy occurs within 120 days of such regularly scheduled general election, at the second such ensuing election. The present mayor and council persons shall continue in office until the expiration of the term for which they were respectively elected.

D. The council shall, by ordinance, fix the time for the regular meetings. Special meetings shall be called by the clerk of the council upon request of the mayor or any three council persons; reasonable notice of each special meeting shall be given each member of the council; no business shall be transacted at a special meeting except that for which the special meeting is called, unless the council is unanimous.

E. *The council may, by ordinance, appoint one of its members to serve as vice-mayor during his or her term of office.*

§ 6. Powers and duties of the mayor *and vice-mayor.*

The mayor shall preside at the meetings of the council and perform such other duties as may be prescribed by this charter and by general law and such as may be imposed by the council consistent with the office. The mayor shall be entitled to vote upon measures pending before the council only in the event that the other members voting are equally divided for and against such measure. *The vice-mayor shall possess all the powers and discharge the duties of the mayor in the event of the mayor's absence or inability to act. During such temporary service, the vice-mayor shall retain his or her right to vote as a council person and shall not be deemed to have vacated his or her council office.*

INTRODUCED

HB1396