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HOUSE BILL NO. 219

Offered January 12, 2022

Prefiled January 10, 2022

A BILL to amend and reenact §§ 4 and 7, as amended, of Chapter 364 of the Acts of Assembly of 1942, which provided a charter for the Town of Kenbridge, relating to time of elections; term of mayor.

Patron—Wright

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That §§ 4 and 7, as amended, of Chapter 364 of the Acts of Assembly of 1942 are amended and reenacted as follows:

§ 4. Composition of council and vacancies.

The council shall consist of a mayor and six other electors of the town, who shall be denominated the council of the town. The mayor and council members shall be elected for a term of four years at a general election held for that purpose on the first Tuesday of May, and the persons so elected shall enter upon the duties of their office on the first day of July next succeeding their election, and shall continue in office until their successors are qualified. *However, beginning with the municipal election to be held in 2022, the mayor and council members shall be elected at the time of the November general election and shall enter upon the duties of their office on the first day of January next succeeding their election. Beginning with the municipal election to be held in 2024, the mayor shall be elected for a term of two years.*

Every person elected a council member of the town, shall, on or before the day on which he enters upon the performance of his duties, qualify by taking and subscribing an oath faithfully to execute the duties of his office to the best of his judgment, and the person elected mayor shall take and subscribe the oath prescribed by law for State officers.

Any such oath of council members and mayor may be taken before any officer authorized by law to administer oaths, and shall, when so taken and subscribed, be forthwith returned to the clerk of the town, who shall enter the same on record in the minute book of the council.

The council shall be the judge of the election, qualification, and returns of its members; may fine members for disorderly behavior; and, with the concurrence of two-thirds of its membership, expel a member. If any person returned is adjudged disqualified or is expelled, a new election to fill the vacancy shall be held in the town on such date as the council may prescribe, except that where there shall be vacancies in the majority of the council the circuit court of Lunenburg County shall fill such vacancies. Any vacancy occurring otherwise during the term for which any of the persons have been elected may be filled by the council by the appointment of anyone eligible for such office. A vacancy in the office of the mayor may be filled by the council from the electors of the town.

The mayor and council serving at the time of the passage of this act shall continue in office until their successors are elected and qualified. An election shall be held in ~~May~~ November of ~~2020~~ 2022, and every four years thereafter, to elect three council members. An election shall be held in ~~May~~ November of ~~2022~~ 2024, and every four years thereafter, to elect three other council members. An election shall be held for mayor in ~~May~~ November of ~~2020~~ 2024 and every ~~four~~ two years thereafter. The council shall declare by ordinance or resolution which three council member seats are up for election in 2020 and which three council member seats are up for election in 2022.

§ 7. Organization of meetings of council.

At the regularly scheduled ~~June~~ town council meeting immediately following a regular municipal election, the council shall meet at the usual place for holding its meetings, at which time any newly elected mayor and council members shall take the oath of office. On ~~July~~ January 1 immediately following a regular municipal election, such mayor and council members shall assume the duties of their offices. At its first meeting the council shall elect from its members a person to serve as vice-mayor for the following two years. Thereafter the council shall meet at such times as may be prescribed by ordinance or resolution. The mayor or any three members of the council may call special meetings of the council at any time after giving at least twelve hours written notice to the other members of the purpose, place, and time of such special meeting. Special meetings may also be held at any time without notice, provided all members of the council attend.

A majority of all members shall constitute a quorum, but a smaller number may adjourn from time to time, and compel the attendance of absentees.

The council shall fix the compensation of its members and of all other officers and/or agents and

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59 employees of the town.