VIRGINIA ACTS OF ASSEMBLY -- 2023 SESSION

CHAPTER 55

An Act to amend and reenact § 3, as amended, § 20, and §§ 22 and 23, as amended, of Chapter 8 of the Acts of Assembly of 1952 Extra Session, which provided a charter for the Town of Kilmarnock in Lancaster County, relating to town council elections; mayor; quorum.

[S 874]

Approved March 21, 2023

Be it enacted by the General Assembly of Virginia:
1. That § 3, as amended, § 20, and §§ 22 and 23, as amended, of Chapter 8 of the Acts of Assembly of 1952 Extra Session are amended and reenacted as follows:

§ 3. The Town of Kilmarnock is governed using the "council-manager" form of government. The administration and government of the town is vested in the council composed of ~~a mayor and~~ six ~~councilmen~~ *council members*, all of whom shall be electors of the town.

(a) At the regular municipal election ~~to be held on the first Tuesday in May~~ in 1986, and on the ~~first Tuesday in May~~ *date specified by general law for municipal elections* each four years thereafter, the mayor shall be elected. At the regular municipal election ~~to be held on the first Tuesday in May~~ in 1984 and on the ~~first Tuesday in May~~ *date specified by general law for municipal elections* each two years thereafter, three ~~councilmen~~ *council members* shall be elected for a term of four years each. Terms of office *for those individuals so elected* shall begin on the ~~first day of July succeeding their election~~ *date specified by general law*. Each councilman and the mayor elected as hereinabove provided shall serve for the term stated or until his successor has been elected and qualified. The council shall be a continuing body, and no measure pending before such body shall abate or be discontinued by reason of expiration of term of office or removal of any of its members.

(b) The remaining members of the council shall, by a majority vote thereof, fill any vacancy occurring in the council until the next election, in accordance with § 24.2-228 of the Code of Virginia, for the entire unexpired term.

§ 20. The town council, composed of ~~the mayor and~~ six ~~councilmen~~ *council members* shall be elected at large by the popular vote of the qualified electors of the town.

§ 22. The council shall by ordinance adopt such rules as it may deem proper for the regulation of its proceedings and shall meet at such times as may be prescribed by ordinance, provided, however, that it shall hold at least one regular meeting each month. A majority of the council shall constitute a quorum for the transaction of business.

The mayor, or any two members of the council, may call a special meeting of the council upon at least twelve hours written notice of the time, place and purpose to each member served personally or left at his usual place of business or residence by a town officer, and no business shall be transacted by the council in such special meeting which has not been stated in the notice, provided, however, that these regulations shall not apply when all members of the council attend such meeting or waive notice thereof, nor shall it apply to an adjourned session from a regular meeting. No ordinance or resolution appropriating money exceeding the sum of ~~one~~ *five* hundred dollars shall be passed except by the recorded affirmative vote of a majority of all members elected to the council.

No tax shall be levied or corporate debt contracted, except by a vote of two-thirds of the members of council, which vote shall be by yeas and nays and recorded in the minutes.

Meetings of the council shall be public unless held in executive session as provided by law. Citizens may have access to the minutes and records of the council at any reasonable time.

§ 23. Four councilmen~~, in addition to or in the absence of the mayor,~~ shall constitute a quorum for the transaction of business, except as otherwise provided herein or by the general statutes of this State. But no vote shall be reconsidered or rescinded at any special meeting, unless at such special meeting there be present as large a number of members of the council as were present when such a vote was taken.