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HOUSE BILL NO. 1509

Offered January 11, 2023

Prefiled January 4, 2023

A BILL to amend and reenact § 1.2, § 3.4, as amended, §§ 3.7, 4.1, and 4.9, and § 5.2, as amended, of Chapter 134 of the Acts of Assembly of 1988, which provided a charter for the City of Norton, relating to municipal elections; boundaries; school board.

Patron—Kilgore

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That § 1.2, § 3.4, as amended, §§ 3.7, 4.1, and 4.9, and § 5.2, as amended, of Chapter 134 of the Acts of Assembly of 1988 are amended and reenacted as follows:

§ 1.2. Boundaries.

The boundaries of the City of Norton shall be as described in § 1.3 of Chapter 565 of the Acts of Assembly of 1954 as modified by decrees of the Circuit Court of Wise County, Virginia, in the annexation proceedings styled City of Norton, Virginia versus Wise County, Virginia, Case No. 22042, by an order dated 10-10-62; in the annexation proceedings styled City of Norton versus Wise County, Case No. 20,000 by an order dated 12-28-74; and in the annexation proceedings styled Boco, Ltd., et al. versus City of Norton, et al., Case No. C83-134 by an order dated 4-19-84; and in the boundary line adjustment by order entered in Case No. C04-07 of record as Wise County and City of Norton Land Instrument No. 200400372, as the same from time to time may be amended.

§ 3.4. Elections.

A. The members of council in office at the time of the adoption of this charter shall continue in office until the expiration of the term for which they were elected, or until their successors are elected and qualified. ~~An election for two council members shall be held on the first Tuesday in May, 1988, and every four years thereafter, and for three council members on the first Tuesday in May 1990 and every four years thereafter. Elections shall be held on the first Tuesday in May every two years thereafter. An election for two council members shall be held on the first Tuesday following the first Monday in November 2024, and every four years thereafter, and for three council members on the first Tuesday following the first Monday in November 2026, and every four years thereafter. Elections shall be held on the first Tuesday following the first Monday in November every two years thereafter.~~ The council members shall serve for a term of four years, or until their successors are elected and qualified. The term of each person elected under this section shall begin on the first day of ~~July~~ January next following their election. No candidate for election to city council shall be identified on the ballot by political affiliation.

B. ~~Notwithstanding the provisions of this charter, the city may by ordinance, and in accordance with the provisions of general law, elect its city council and school board at the November general election. Such ordinance shall detail the method and timing by which the city shall make the transition to November elections.~~

§ 3.7. Mayor and vice-mayor.

At its first meeting in ~~July, 1988~~ January 2025, and biennially thereafter following the regular municipal election, the council shall elect on a majority vote one of its members as mayor and another as vice-mayor. Vacancies hereunder shall be filled for the unexpired term by council from its membership. The mayor shall preside over the meetings of the council, have the right to speak therein as other members and shall have a vote, but no veto. In the absence of the mayor the vice-mayor shall carry out the duties of the mayor.

§ 4.1. Generally.

All powers of the city and the determination of all matters of policy shall be vested in the council. Except as otherwise provided in this charter, the council shall:

1. Exercise all powers granted to the city by general law and this charter.
2. Appoint the city manager who shall be the chief administrative officer of the city to supervise the administration of the affairs of the city and to perform such duties as prescribed by council.
3. Inquire into the conduct of any office, department or agency of the city and make investigations as to municipal affairs through the city manager.
4. ~~Appoint the members of the city school board and fill any vacancy thereon. [Reserved]~~
5. Provide for the performance of all the governmental functions of the city, and to that end provide for and set up all departments and agencies of government that shall be necessary.

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59 6. Pass all ordinances relating to its municipal affairs, subject to the Constitution and general laws of
60 the Commonwealth and of this charter and may from time to time amend, reamend, or repeal any or all
61 of its ordinances for the proper regulation, management, and government of the city and impose fines
62 and penalties for the violation or nonobservance thereof.

63 7. Compel the attendance of its members and suspend or expel its members for improper behavior by
64 vote of two-thirds majority of the whole council.

65 8. Fix salaries and wages of all officers and employees of the city, unless otherwise provided by this
66 charter or by the general laws of the Commonwealth.

67 § 4.9. When certain officers appointed; provisions particularly applicable to city manager.

68 At the first meeting in ~~July~~ *January* following each councilmanic election, or as soon thereafter as
69 practicable, the council shall appoint the officers provided for in this charter and general laws.

70 § 5.2. Election of school board members; terms ~~and compensation~~.

71 The school division shall have a board of five members elected at large by the qualified voters of the
72 city for staggered terms of four years. The election and terms of school board members shall coincide
73 with those of council members such that two school board members shall be elected at the general
74 election in ~~May 1996~~ *November 2024*, and every four years thereafter, and three school board members
75 shall be elected at the general election in ~~May 1998~~ *November 2026*, and every four years thereafter.

76 The appointed members whose terms expire on June 30, 1996, shall be replaced by the members
77 elected in May 1996. The remaining appointed members shall have their terms extended until June 30,
78 1998, and will be replaced by the members elected in May 1998.

79 All candidates shall be nominated only by petition as provided by general law. No employee of the
80 school board shall be eligible to serve as a school board member.