

VIRGINIA ACTS OF ASSEMBLY -- 1994 SESSION

CHAPTER 133

An Act to amend and reenact § 6.05, as amended, of Chapter 717 of the Acts of Assembly of 1980, which provided a charter for the City of Chesapeake, relating to school bonds.

[S 50]

Approved March 30, 1994

Be it enacted by the General Assembly of Virginia:

1. That § 6.05, as amended, of Chapter 717 of the Acts of Assembly of 1980 is amended and reenacted as follows:

§ 6.05. Authority for issuance of bonds.

No bonds or notes of the city shall be issued until their issuance shall have been authorized by a majority of the qualified voters of the city voting on the question at an election held for the purpose in the manner provided by general law, except as follows:

A. The council may authorize the issuance of refunding bonds or notes by an ordinance adopted by the affirmative vote of a majority of all members of the council.

B. The council may authorize the issuance of bonds and other obligations of a type excluded from the computation of indebtedness of cities under Section 10 (a) of Article VII of the Constitution of Virginia by complying with the conditions for exclusion set forth therein.

C. The school board, with the approval of the council, may issue on behalf of the city bonds or notes to the State Literary Fund.

D. The council may authorize the issuance of notes in anticipation of the issuance of bonds or notes to the State Literary Fund if the project to be financed with such bonds or notes is on the priority list of the Board of Education for loans to be made from the State Literary Fund. The council may authorize the issuance of notes in anticipation of the receipt of grants and reimbursements due the city from the federal and state governments.

E. The council may authorize the issuance of school bonds to the Virginia Public School Authority ; ~~in conjunction with and in accordance with the dollar limits per locality for its State Literary Fund interest rate subsidy program;~~ for capital projects for school purposes by an ordinance adopted by the affirmative vote of two-thirds of all members of the council.

F. The council may authorize the issuance of bonds or notes in any calendar year in such amounts as shall not increase the total indebtedness of the city, as determined in the manner set forth in Section 10 (a) of Article VII of the Constitution of Virginia, by more than the sum of four million five hundred thousand dollars and the amount of all bonds and notes, however authorized, retired in the prior calendar year up to the amount of four million dollars, and as shall not exceed eight percent of the assessed valuation of real estate in the city subject to taxation, as shown by the last preceding assessment for taxes. Such bonds or notes shall be authorized by an ordinance adopted by the affirmative vote of two-thirds of all members of the council. For the purpose of this subsection, the issuance of bonds or notes that were authorized at an election or that were authorized pursuant to subsection A, B, C, D, or E hereof shall not affect the calculation of the amount of bonds or notes that may be authorized in any calendar year.

G. Authorized bonds or other obligations which could have been issued without an election on the last day of the calendar year in which they were authorized may be issued in a subsequent calendar year without affecting the annual limitation for such subsequent year.

For the purpose of this section, the terms "bonds," "notes," "other obligations" and "indebtedness" shall not include contractual obligations of the city other than bonds and notes.

2. That an emergency exists and this act is in force from its passage.