

1994 SESSION

INTRODUCED

LD6989297

HOUSE BILL NO. 22

Offered January 12, 1994

Prefiled January 12, 1994

A BILL to amend and reenact § 17.33, and § 20.02 as amended, of Chapter 323 of the Acts of Assembly of 1950, which provided a charter for the City of Falls Church, relating to vacation of streets and alleys and the school board.

Patrons—Hull; Senator: Holland, E.M.

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That § 17.33, and § 20.02 as amended, of Chapter 323 of the Acts of Assembly of 1950 are amended and reenacted as follows:

§ 17.33. Vacation of plats.

Any plat or part thereof recorded may be vacated, with the consent of the council by the owners thereof at any time before the sale of any lot therein, by a written instrument declaring the plat to be vacated, which shall be duly executed, acknowledged and recorded in the clerk's office wherein the plat to be vacated is recorded. The execution and recordation of the instrument shall operate to destroy the force and effect of the recording of the plat and to divest all public rights in and to reinvest the owners with the title on the streets, alleys, easements and other land devoted to public use laid out or described in the plat. In cases where lots have been sold, the plat or part thereof or any unaccepted or abandoned street, or street recommended by the Planning Commission for vacation, may be vacated according to the procedure provided in §§ ~~15-766, 33-156, 33-157 and 33-158~~ § 15.1-364 of the Code of Virginia as amended, for the alteration and vacation of streets and alleys. The clerk in whose office any plat so vacated has been recorded shall write in plain, legible letters across the plat or part thereof vacated the word "vacated", and also make a reference on the plat to the volume and page thereof in which the instrument of vacation is recorded.

§ 20.02 (a) The school board shall consist of seven trustees who shall be qualified voters of the city actually residing within the city limits. ~~The trustees in office at the effective date of this charter are hereby continued in office for the term for which they were elected.~~

(b) ~~At its first regular meeting in June 1993 ; and every three years thereafter, the council shall elect two trustees for a term of three years from the first day of July following their election; and at its first regular meeting in June 1994 ; and every three years thereafter, the council shall elect three trustees for a term of three years from the first day of July following their election. At its first regular meeting in June 1995 ; and every three years thereafter, the council shall elect two trustees for a term of three years from the first day of July following their election. Except as provided in this charter the school board shall have all the powers and duties relating to the management and control of the public schools of the city provided by the general laws of the Commonwealth, including right of eminent domain within and without the city. None of the provisions of this charter shall be interpreted to refer to or include the school board unless the intention so to do is expressly stated or is clearly apparent from the context.~~

(c) The power conferred on the city by §§ 2.03 (f) and 2.03 (h) shall be exercised by the school board with respect to property and buildings devoted to public school purposes. The title to property and buildings devoted to public school purposes shall be in the school board.

(d) The school board shall meet annually in July at which time the board shall fix the time for holding regular meetings for the ensuing year, and may adjourn from day to day, or time to time, before the time fixed for the next regular meeting, until the business before it is completed. At such annual meeting, the school board shall elect one of its members chairman and on recommendation of the division superintendent, elect or appoint a competent person as clerk of the school board, and shall fix his compensation. The chairman and clerk shall be selected annually, but if a vacancy in either office occurs during any year, the school board may fill such vacancy for the remainder of the unexpired term.

In addition to the authority conferred upon the city by Chapter 7, the school board may borrow from the Literary Fund of Virginia or from such other sources as may be available to it by general law.

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

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