

VIRGINIA ACTS OF ASSEMBLY -- 1995 SESSION

CHAPTER 166

An Act to amend and reenact §§ 2-426 and 3-91 of Chapter 113 of the Acts of Assembly of 1971, which provided a charter for the Town of Cedar Bluff in the County of Tazewell, relating to penalties for violating ordinances and office of town manager.

[H 1606]

Approved March 10, 1995

Be it enacted by the General Assembly of Virginia:

1. That §§ 2-426 and 3-91 of Chapter 113 of the Acts of Assembly of 1971 are amended and reenacted as follows:

§ 2-426. To prescribe penalties for the violation of any town ordinance, rule, or regulation, not exceeding *two thousand* five hundred dollars or twelve months imprisonment in jail, or both, but not exceeding any penalty established by the Commonwealth for a similar offense.

§ 3-91. A Town Manager who shall be the administrative and executive head of the municipal government. He shall be chosen by the council without regard to political beliefs and solely upon the basis of his executive and administrative qualifications. ~~At the time of his appointment he need not be a resident of the town or the Commonwealth but during his tenure of office shall reside within the town.~~ He shall be appointed for an indefinite period and shall hold office during the pleasure of the council. He shall receive such compensation as shall be provided by the council by ordinance or resolution. He may be bonded as the council may deem necessary. During the absence or disability of the town manager or in case of a vacancy the council may designate some properly qualified person to perform the duties of the office during such absence, disability, or vacancy. No councilman shall receive such appointment during the term for which he shall have been elected, nor within one year after the expiration of his term. Neither the council nor any of the members shall direct or request the appointment, as hereinafter provided, of any person to office by the town manager or by any of his subordinates. Except for the purpose of inquiry, the council and its members shall deal with the administrative service solely through the town manager and neither the council nor any member thereof shall give orders to any subordinates of the town manager, either publicly or privately. The town manager shall have the authority and it shall be his duty:

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