

VIRGINIA ACTS OF ASSEMBLY -- 1995 SESSION

CHAPTER 607

An Act to amend and reenact §§ 3.04 and 6.05.1, as amended, of Chapter 147 of the Acts of Assembly of 1962, which provided a charter for the City of Virginia Beach and to repeal §§ 20.11 and 20.12 of such chapter, relating to compensation of council members and mayor, issuance of bonds, high constable and justices of the peace.

[S 720]

Approved March 25, 1995

Be it enacted by the General Assembly of Virginia:

1. That §§ 3.04 and 6.05.1, as amended, of Chapter 147 of the Acts of Assembly of 1962 are amended and reenacted as follows:

§ 3.04. Compensation of members of council; appointment of member to office of profit.

~~Councilmen~~ *Council members and the mayor* shall receive as compensation for their services such amounts as the council may determine, not to exceed \$8,000 per annum for councilmen and \$10,000 per annum for the mayor the maximum amounts allowable pursuant to § 14.1-47.2 of the Code of Virginia (1950), as amended. No member of the council shall be appointed to any office of profit under the city government during the term for which elected and for one year thereafter.

§ 6.05.1. Authority for issuance of bonds.

A. No bonds of the city shall be issued until their issuance shall have been authorized by an ordinance adopted by the affirmative vote of two-thirds of all members of the council and approved by the affirmative vote of a majority of the qualified voters of the city voting on the question at an election called and held for the purpose and in the manner provided by law for submitting any question or proposition to the voters; ~~provided that bonds.~~

B. *No election shall be called pursuant to subsection A of this section unless the calling of such an election is approved by the affirmative vote of two-thirds of all members of the council.*

C. Bonds and other obligations shall not be subject to the ~~foregoing~~ requirements of subsection A of this section if they are ~~(a)~~ (i) of a type excluded from the computation of indebtedness of cities and towns under Section 10 (a) of Article VII of the Constitution and are authorized and issued so as to satisfy the conditions for exclusion set forth therein, or ~~(b)~~ (ii) refunding bonds; provided, further, that the council may, without submitting the question of their issuance to the qualified voters, issue bonds or other obligations in any calendar year for any proper purpose 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, by more than ten million dollars above the amount of such indebtedness at the beginning of such calendar year. For the purposes of this ~~paragraph~~ subsection, the terms "bonds," "other obligations" and "indebtedness" shall not include contractual obligations of the city other than bonds and notes. For purposes of determining the amount of bonds or other obligations that may be issued in any calendar year without an election, there shall not be included (i) bonds or other obligations that were approved at an election and (ii) refunding bonds, in each case issued in such year. Authorized bonds or other obligations which could have been issued without an election on December thirty-one in the year they were authorized may be issued in a subsequent year without affecting the annual limitation for such subsequent year.

D. The total indebtedness of the city as determined in accordance with the provisions of Article VII, Section 10 of the Constitution shall not at any time exceed ten per centum of the assessed valuation of the real estate in the city subject to taxation, as shown by the last preceding assessment for taxes, nor shall the limitations imposed by the preceding ~~paragraph~~ subsection on the issuance of bonds or other obligations in any calendar year without a referendum be increased, until after such questions shall have been submitted to the voters of the city in a referendum held pursuant to § 3.09 of this charter.

2. That §§ 20.11 and 20.12 of Chapter 147 of the Acts of Assembly of 1962 are repealed.

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