

LD4615695

SENATE BILL NO. 664

Offered January 11, 1995

A BILL to amend and reenact § 1.02 of Chapter 155 of the Acts of Assembly of 1962, which provided a charter for the City of Franklin, and to amend such chapter by adding a section numbered 3.10, relating to city boundaries and incompatibility of offices.

Patrons—Lucas and Holland, R.J.; Delegates: Barlow and Council

Referred to the Committee on Local Government

Be it enacted by the General Assembly of Virginia:

1. That § 1.02 of Chapter 155 of the Acts of Assembly of 1962 is amended and reenacted and that such chapter is amended by adding a section numbered 3.10 as follows:

§ 1.02. Boundaries.

The boundaries of the city shall be the boundaries of the Town of Franklin, its predecessor, as described in Chapter 123 of the Acts of the General Assembly of 1875-1876, approved March 15, 1876, as modified and enlarged by the decree of the Circuit Court of Southampton County entered on May 25, 1906, in the annexation proceedings styled Town of Franklin v. County of Southampton, Virginia, which decree is recorded in the Clerk's Office of the Circuit Court of Southampton County, Virginia, in Common Law Order Book 8 at pages 359, et seq., and as further modified and enlarged by the decree of the Circuit Court of Southampton County entered on March 5, 1925, in the annexation proceedings styled Town of Franklin v. County of Southampton which decree is recorded in the Clerk's Office of the Circuit Court of Southampton County, Virginia, in Common Law Order Book 12 at pages 129, et seq., and as further modified and contracted by the decree of the Circuit Court of Southampton County entered on May 27, 1932, in the proceedings styled Town of Franklin v. County of Southampton, which decree is recorded in the Clerk's Office of the Circuit Court of Southampton County, Virginia, in Common Law Order Book 13 at pages 443, et seq., and as further modified and enlarged by the decree of the Circuit Court of Southampton County entered on May 26, 1949, in the annexation proceedings styled Town of Franklin v. County of Southampton, which decree is recorded in the Clerk's Office of the Circuit Court of Southampton County, Virginia, in Common Law Order Book 16 at pages 194, et seq., and as further modified and enlarged by the decree of the Circuit Court of Southampton County entered on November 13, 1959, in the annexation proceedings styled Town of Franklin v. County of Southampton, which decree is recorded in the Clerk's Office of the Circuit Court of Southampton County, Virginia, in Common Law Order Book 19 at pages 264, et seq., so as to coincide with the outside boundaries of the City of Franklin existing immediately preceding the effective date of this charter and as further modified and enlarged by the decree of the Circuit Court of Southampton County, entered on December 20, 1985, in the Voluntary Settlement Proceeding styled in the matter of the petition by the City of Franklin, Virginia, and the County of Southampton, Virginia, for an Order affirming and validating a voluntary settlement and establishing the rights of the local governments, pursuant to Chapter 26.1:1 of Title 15.1 of the Code of Virginia which decree is recorded in the clerk's Office of the Circuit Court of Southampton County in Chancery Order Book 27 at page 14 et seq.

§ 3.10. Incompatibility of Offices.

A. No employee of the city may simultaneously serve as an employee of the city and as a member of the city council. An employee of the city who is elected to the city council shall resign from or otherwise terminate his or her employment with the city before taking the oath of office as a member of the city council.

B. Nothing herein shall be construed as prohibiting any employee of the city or the school board from being a candidate for any office elected by the people.

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

INTRODUCED

SB664