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HOUSE BILL NO. 19

House Amendments in [] — February 9, 1996

A BILL to amend and reenact §§ [3.04,] 4.02 and 17.02, as amended, of Chapter 323 of the Acts of Assembly of 1950, which provided a charter for the City of Falls Church and to amend Chapter 323 by adding a section numbered 3.07, relating to [~~school boards~~ vacancies on city council and school board], powers of the council and the planning commission.

Patrons—Hull; Senator: Whipple

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That §§ [3.04,] 4.02 and 17.02, as amended, of Chapter 323 of the Acts of Assembly of 1950 are amended and reenacted and that Chapter 323 is amended by adding a section numbered 3.07 as follows:

[§ 3.07. *Vacancies in office of school board member.*

When a vacancy occurs in the office of school board member, the remaining members, by majority vote of all the remaining members, shall make an interim appointment to the office until the vacancy is filled at the next regular May election. However, if the vacancy occurs within 120 days prior to such election, the interim appointment shall be for the remainder of the term.

§ 3.04. When any vacancy shall occur in the membership of the office of councilman, from any cause, and the term of the office wherein the vacancy exists shall continue for one year or more after the next succeeding regular May election, the vacancy shall be filled for the unexpired term by election in the next regular May election; the candidate elected shall be installed in office immediately thereafter. The Council may by a majority vote of all the remaining members, fill said vacancy until said election is held.

Vacancies in office of member of city council.

When a vacancy occurs in the office of member of the council, whatever the cause, the vacancy shall be filled for the unexpired portion of the term by special election at the next May general election date, as provided in § 24.2-226 of the Code of Virginia. The remaining members of the council shall make an interim appointment to fill the vacancy, as provided in § 24.2-228 of the Code of Virginia.

§ 3.07. *Vacancies in office of member of school board.*

When a vacancy occurs in the office of member of the school board, the vacancy shall be filled in the same manner in which vacancies are filled on the city council, as provided in § 3.04. The remaining members of the school board shall make an interim appointment to fill the vacancy.]

§ 4.02. Powers.

All powers vested in the city shall be exercised by the council except as otherwise provided in this charter. In addition to the foregoing, the council shall have the following powers:

(a) To establish goals and objectives and provide for the organization, conduct and operation of all departments, bureaus, divisions, boards, commissions, offices and agencies of the city.

(b) To create, alter or abolish departments, bureaus, divisions, boards, commissions, offices and agencies other than those specifically established by Chapters 10, 11, and 17 ~~and 19~~, and §§ 16.06 and 20.02 of this charter.

(c) Upon recommendation of the city manager, to assign and reassign to departments, all bureaus, divisions, offices, agencies, departments and functions thereof except the city school board.

(d) To provide for the number, titles, qualifications, powers, duties and compensation of all officers and employees of the city, subject in the case of members of the classified service to the provisions of Chapter 9 of this charter.

(e) To provide for the form of oaths and the amount and condition of surety bonds to be required of certain officers and employees of the city.

§ 17.02. City Planning Commission; composition; appointment, qualifications and removal of members.

There shall be a city planning commission which shall consist of seven members appointed by the Council. ~~One member shall be a member of the Board of Zoning Appeals appointed for a term coincident with his term on such board; six citizen members who~~ shall be qualified voters of the city, actually residing within the city limits, who hold no office of profit under the city government, appointed for terms of four years; provided, that the five citizen members in office on June 30, 1966, shall continue for the length of their appointed terms. A sixth citizen member shall be appointed to serve from the first day of July 1, 1966, for a term expiring on the ~~thirty-first~~ day of December 31,

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60 1968. Effective ~~the first day of~~ January 1, 1967, and every four years thereafter, ~~three~~ *four* citizen
61 members shall be appointed, and effective ~~the first day of~~ January 1, 1969, and every four years
62 thereafter, three citizen members shall be appointed. Vacancies shall be filled for the unexpired portion
63 of the term. A member may be removed by the council for neglect of duty or malfeasance in office,
64 upon written charges and after public hearing.