

VIRGINIA ACTS OF ASSEMBLY -- 1997 SESSION

CHAPTER 178

An Act to amend and reenact § 15.1-965.10 of the Code of Virginia, relating to transition from city to town status.

[H 2007]

Approved March 8, 1997

Be it enacted by the General Assembly of Virginia:

1. That § 15.1-965.10 of the Code of Virginia is amended and reenacted as follows:

§ 15.1-965.10. Ordinance petitioning court for town status; citizen petition for town status.

A. Any city in this Commonwealth with a population at the time of the latest United States decennial census of less than 50,000 people, after fulfilling the requirements of Chapter 19.1 (§ 15.1-945.1 et seq.), may by ordinance passed by a recorded majority vote of all the members thereof, petition the circuit court of the city, alleging that the city meets the criteria set out in § 15.1-965.16 for an order granting town status to the city. The circuit court with which the petition is filed shall notify the Supreme Court, which shall appoint a special court to hear the case as prescribed by Chapter 26.2 (§ 15.1-1168 et seq.) of this title.

B. Qualified voters equal in number to fifteen percent of the registered voters of the city as of January 1 of the year in which the petition is filed may petition the circuit court of the city, stating that it is desirable that such city make the transition to town status. *All of the signatures on the petition must have been made and filed within a twelve-month period.* A copy of such petition shall be served on the city attorney and the county attorney, or if there be none, on the attorney for the Commonwealth for the county and on the mayor of the city and the chairman of the board of supervisors of the adjoining county. A copy of the petition shall be published at least once a week for four successive weeks in a newspaper having general circulation in the city and the adjoining county. The case shall proceed in all respects as though instituted in the manner prescribed in subsection A of this section, and the court shall forthwith refer the petition to the Commission on Local Government for review pursuant to Chapter 19.1 (§ 15.1-945.1 et seq.) of this title prior to proceeding to hear the case.