

# VIRGINIA ACTS OF ASSEMBLY -- 1998 SESSION

## CHAPTER 171

*An Act to amend and reenact §§ 4.02, 5.02 and 5.03 of Chapter 47 of the Acts of Assembly of 1986, which provided a charter for the Town of Pulaski, relating to duties of town manager.*

[H 244]

Approved March 27, 1998

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 4.02, 5.02 and 5.03 of Chapter 47 of the Acts of Assembly of 1986 are amended and reenacted as follows:**

§ 4.02. Powers and duties of the town manager.

The town manager shall be the chief administrative officer of the town. He shall be responsible to the council for the administration of all town affairs placed in his charge by or under this charter. He shall have the following powers and duties:

1. He shall appoint and, when he deems it necessary for the good of the service, suspend or remove any town employees other than appointed administrative officials provided for by or under this charter, except as otherwise provided by law, *ordinance or resolution of the town council*, this charter or personnel rules adopted pursuant to this charter. He may authorize any administrative official who is subject to his direction and supervision to exercise these powers with respect to subordinates in that official's department, office or agency.

2. He shall direct and supervise the administration of all departments, offices and agencies of the town, except as otherwise provided by this charter or by law. All administrative department heads, ~~even though appointed by council~~, are subject to his authority. ~~The town manager can discipline the department heads and can relieve them from their duties, provided that he reports any action taken against department heads to the town council before or at the next regularly called meeting of the town council.~~

~~He shall also have the duty to pass on to the council any information which he has relevant to an appointive official's fitness or ability to hold office, and to make appropriate recommendations concerning the appointment, removal or discharge of any such official.~~

3. He shall attend all council meetings and shall have the right to take part in discussion but may not vote.

4. He shall see that all laws, provisions of this charter and acts of the council, subject to enforcement by him or by officials subject to his direction and supervision, are faithfully executed.

5. He shall prepare and submit the annual budget and capital program to the council, and shall be responsible for the execution of the budget.

6. He shall submit to the council and make available to the public a complete report on the finances and administrative activities of the town as of the end of each fiscal year.

7. He shall make such other reports as the council may require concerning the operations of town departments, offices and agencies subject to his direction and supervision.

8. He shall keep the council fully advised as to the financial condition and future needs of the town and make such recommendations to the council concerning the affairs of the town as he deems desirable.

9. He shall ensure that adequate and accurate personnel records are maintained on all employees of the town.

10. He shall provide a system for handling complaints from citizens.

11. He shall perform such other duties as are specified in this charter or may be required by the council.

§ 5.02. Direction by manager.

All departments, offices and agencies, except as otherwise provided by this charter or by general law, shall be under the direction of the town manager ~~and shall be administered by an official appointed by the town council and subject to the direction and supervision of the manager.~~

§ 5.03. Employment and removal of department heads.

The town ~~council~~ *manager* shall have the authority to appoint and remove department heads at will. A department head shall be deemed to serve at the pleasure of the ~~council~~ *town manager*, with the right on the part of the ~~council~~ *town manager* to, at any time in ~~its~~ *his* sole discretion, and without any assigned reason, terminate the services of the person so appointed and either eliminate the position or fill the vacancy for the unexpired term.