

VIRGINIA ACTS OF ASSEMBLY -- 1998 SESSION

CHAPTER 561

An Act to amend and reenact §§ 5.08 and 5.09 of Chapter 717 of the Acts of Assembly of 1980, which provided a charter for the City of Chesapeake, relating to the capital improvement program.

[H 219]

Approved April 15, 1998

Be it enacted by the General Assembly of Virginia:

1. That §§ 5.08 and 5.09 of Chapter 717 of the Acts of Assembly of 1980 are amended and reenacted as follows:

§ 5.08. Capital improvement program.

A. Submission to council. The manager shall prepare and submit to the council a five-year capital improvement program ~~by the first day of December of the current~~ *at least ninety days prior to the beginning of each fiscal year.*

B. Contents. The capital improvement program shall include:

1. A general summary of its contents;
2. A list of all capital improvements which are proposed to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the necessity for such improvements;
3. Cost estimates, method of financing, and recommended time schedules for each such improvement; and
4. The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

The above information shall be revised and extended each year with regard to capital projects still pending.

§ 5.09. Council action on capital improvement program.

A. Notice and hearing. The council shall publish in one or more newspapers of general circulation in the city the general summary of the capital improvement program and a notice stating:

1. The times and places where copies of the capital improvement programs are available for inspection by the public; and
2. The time and place, not less than fourteen days after such publication, for a public hearing on the capital improvement program.

B. Adoption. The council shall adopt a capital improvement program with or without amendment after the public hearing ~~and on or before the last day of February~~ *not later than forty-seven days prior to the end of the current fiscal year.* Should the council take no action prior to such day, the program shall be deemed to have been finally adopted as submitted by the city manager. The capital improvement program, after adoption, shall be deemed a plan only, with the right being reserved to the council to change the same at any time.