

VIRGINIA ACTS OF ASSEMBLY -- 1999 SESSION

CHAPTER 140

An Act to amend and reenact § 2 as amended, § 6, and § 27 as amended of Chapter 548 of the Acts of Assembly of 1952, which provided a charter for the Town of Smithfield in Isle of Wight County, relating to boundaries, town power to own property, and council.

[S 788]

Approved March 17, 1999

Be it enacted by the General Assembly of Virginia:

1. That § 2 as amended, § 6, and § 27 as amended of Chapter 548 of the Acts of Assembly of 1952 are amended and reenacted as follows:

§ 2. The corporate limits of the Town of Smithfield as heretofore established, and unless and until changed in the manner prescribed by law, are hereby reestablished to include all of the territory described by certain annexation decrees of the Circuit Court of Isle of Wight County, Virginia, entered on October 27, 1960, November 16, 1966, ~~and~~ June 13, 1978, *and October 27, 1997*, all of which are of record in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, in Common Law Order Book 12, at page 294, Common Law Order Book 12, at page 423, ~~and~~ Common Law Order Book 22, at page 478, *and Common Law Order Book 41, at page 718*, respectively.

§ 6. The town shall have power: (a) To acquire by purchase, gift, devise, condemnation or otherwise, property, real or personal, or any estate therein, within or without the town, for the use and benefit thereof; and to hold, improve, sell, lease, *or* mortgage the same or any part thereof, including any property now owned by the town.

(b) To construct, maintain, regulate or operate public improvements of all kinds, including municipal and other buildings, grounds and structures necessary or appropriate for the use and proper operation of all the various departments of the town.

(c) To lease or authorize the leasing of any property which the town would have the right and power to lease were it an individual, subject to the provisions of the Constitution of Virginia.

(d) To construct, own and operate a facility to be used for public and private activities generally associated with auditoriums, community centers, convention centers, entertainment halls or exhibit halls, as such terms are generally used, to provide for parking, utility and food services in connection with such facility, to charge and collect fees for the use of such facility, and to enter into contracts related to the exercise of such powers.

§ 27. ~~The mayor and councilmen in office at the time of the passage of this act shall continue in office with the same powers and duties until their terms expire and their successors are elected and qualified as provided by law. An election for councilmen shall be held on the first Tuesday in May, 1974, and on the first Tuesday in May of every second year thereafter, and the councilmen elected under this act shall enter upon the duties of their offices the first day of July next succeeding their election.~~ *Council members shall be elected to serve four-year staggered terms. At elections held on the first Tuesday in May 1998, three members of council were elected to serve terms expiring on July 1, 2000, and four members of council were elected to serve terms expiring on July 1, 2002. At the general election to be held on the first Tuesday in May 2000, and every four years thereafter, three members of council shall be elected for a term of four years. At the general election to be held on the first Tuesday in May 2002, and every four years thereafter, four members of council shall be elected for a term of four years. Members of council elected under this act shall enter upon the duties of their offices July 1 next succeeding their elections.*