

083015400

HOUSE BILL NO. 177

Offered January 9, 2008

Prefiled December 26, 2007

A BILL to amend and reenact §§ 5, 7, and 11 of the charter of the Town of Appomattox, which was granted by order of the Circuit Court of the County of Appomattox on June 2, 1925, and to repeal § 8 of such charter, relating to the oath of office and the duties of the mayor and the town manager.

Patron—Abbitt

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That §§ 5, 7, and 11 of the charter of the Town of Appomattox, which was granted by order of the Circuit Court of the County of Appomattox on June 2, 1925, is amended and reenacted as follows:

§ 5. Mayor's authority, duties and right to vote.

The mayor shall be the chief executive officer of the town, and it shall be his duty to see that the by-laws and ordinances thereof are fully executed, and he shall preside over the meetings of the town council, voting only in case of a tie and shall have the same right to speak therein as the councilmen. However, he shall not have the right to vote except in the case of a tie, in which event he shall be entitled to cast one vote. He shall be recognized as the head of the town for all ceremonial purposes, the purposes of military law, and the service of civil process.

§ 7. Appointment of town manager; powers and duties of town manager.

The mayor shall see that the duties of the various town officers, members of the police and fire departments, whether elected or appointed, are faithfully performed. He shall have the power to investigate their acts, have access to all books and documents in their office; and may examine them or their subordinates on oath; but the evidence given by persons so examined shall not be used against them in any criminal prosecution.

There shall be a town manager who shall be the chief operating officer of the town and shall be responsible to the town council for the proper administration of the town government. He shall be chosen by the town council without regard to his political belief and solely on the basis of his executive and administrative qualifications. He shall be appointed by the town council for an indefinite period and shall hold office during the pleasure of the town council. The town manager shall also have the following duties and powers, subject to the approval of council:

1. To see that all laws and ordinances are enforced.

2. To exercise supervision and control over all administrative departments and divisions.

3. To attend all regular meetings of the town council, with the right to take part in the discussion, but having no vote.

4. To recommend to the town council for adoption such measures as he may deem necessary or desirable.

5. To keep the town council advised as to the present and future needs of the town and as to all operations of its government.

6. To perform all such duties as may be prescribed by the charter, or be required of him by the town council.

§ 11. Oath of office; bonds.

Every person elected a councilman of said town shall take an oath faithfully to execute the duties of his office, to the best of his judgment; the person elected mayor shall take the oath prescribed by law for state officers, and the person elected appointed treasurer shall likewise take the same form of oath as the mayor, and shall give bond, with corporate surety, in a penalty to be fixed by the town council, payable to the town by its corporate name, and with condition for the faithful discharge of his duties, and it shall be his especial duty to collect all taxes and levies of the town, receive all fines, for the violation of the town ordinances, receive all license fees and tax imposed by the town council, issue all licenses and keep accurate account of the same, and publish a statement of all collections and disbursements of said town, and not in conflict with the general law of the State of Virginia.

2 That § 8 of the charter of the Town of Appomattox, which was granted by order of the Circuit Court of the County of Appomattox on June 2, 1925, is repealed.