

# VIRGINIA ACTS OF ASSEMBLY -- 2011 SESSION

## CHAPTER 508

*An Act to amend and reenact § 4, as amended, of Chapter 333 of the Acts of Assembly of 1890, which provided a charter for the Town of Halifax, relating to elections.*

[H 2407]

Approved March 24, 2011

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

**1. That § 4, as amended, of Chapter 333 of the Acts of Assembly of 1890 is amended and reenacted as follows:**

§ 4. The administration and government of the town is vested in the council composed of a mayor and six councilmen, all of whom shall be electors of the town.

(a) The said council shall be elected in the manner provided by law, as follows: At the regular municipal election to be held on the second Tuesday in June, 1958, the mayor and six councilmen shall be elected. The mayor shall be elected for a term of four years and every four years thereafter. The three councilmen, each of whom has received more votes in said election than any of the other members, shall serve as members of the council for terms of four years each. The remaining three members shall serve for a term of two years each.

In the regular municipal election to be held on the second Tuesday of June, 1960, and every two years thereafter, three councilmen shall be elected for terms of four years each. Terms of office shall begin on the first day of July next following their election.

*However, beginning in 2012, the municipal election shall be held at the time of the regular general election to be held on the first Tuesday following the first Monday in November. Terms of office shall begin on the first day of January following the municipal election. The mayor and councilmen elected in 2008 and 2010 shall have their terms extended by six months during the transition to November municipal elections and the staggered election cycle shall be maintained.*

Each councilman and the mayor elected as hereinabove provided shall serve for the term stated or until his successor has been elected and qualified. The council shall be a continuing body, and no measure pending before such body shall abate or be discontinued by reason of expiration of term of office or removal of any of its members.

(b) Vacancy in the council shall be filled within sixty days, for the unexpired term, by a majority vote of the remaining members; provided, that if the term of office to be filled does not expire for two years or more after the next regular election for councilman, following such vacancy and such vacancy occurs in time to permit it, then the council shall fill such vacancy only for the period then remaining until such election, and a qualified person shall then be elected by the qualified voters and shall from and after the date of his election and qualification succeed such appointee and serve the unexpired term. The number of candidates for council equal to the number of vacancies to be filled for full terms receiving the highest number of votes shall be entitled to such full terms and the candidate receiving the next highest number of votes shall be entitled to the unexpired term caused by such vacancy.