

12104488D

HOUSE BILL NO. 457**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Counties, Cities and Towns
on January 20, 2012)

(Patrons Prior to Substitute—Delegates BaCote and Yancey [HB 722])

A BILL to amend and reenact § 1.01 and § 4.03, as amended, of Chapter 576 of the Acts of Assembly of 1978, which provided a charter for the City of Newport News, relating to boundaries; city council.

Be it enacted by the General Assembly of Virginia:

1. That § 1.01 and § 4.03, as amended, of Chapter 576 of the Acts of Assembly of 1978 are amended and reenacted as follows:

§ 1.01. Area; boundaries to embrace military and government reservations, etc.

The territory comprising the consolidated city shall consist of all the territories comprising the former cities of Newport News and Warwick, as the same now are or may hereafter be established by law. The boundaries of such city shall be construed to embrace all United States military and government reservations within such city and all wharves, docks and other structures of every description that have been or may hereafter be erected along the waterfront of the city, and any contiguous territory heretofore or hereafter ceded to the Commonwealth of Virginia by any government or agency thereof, *and all rivers, creeks, and lakes encompassed within its territory, and to the center line of any body of water located between its territory and any other jurisdiction.*

§ 4.03. Powers and duties of mayor generally; absence or disability of mayor and of vice-mayor.

~~On the first day of July 2000, and on the first day of July of every second year thereafter, or if such day shall fall on Sunday, then on the following Monday, the newly elected members having previously taken the oath of office as required by law, the council shall proceed to choose by majority vote of all the members thereof one of their number to be vice-mayor for the ensuing two years. The council shall have no authority to choose one of their members to be mayor except to fill a vacancy in the office of mayor as provided in § 3.04 of this charter.~~

The mayor shall preside over the meetings of the council and shall have the same right to vote and speak therein as other members. He shall be recognized as the head of the city government for all ceremonial purposes, the purposes of military law and the service of civil process. The mayor shall execute all bonds and notes issued for the purpose of borrowing money, under the direction of the council, and the seal of the corporation shall be affixed and attested by the city clerk. The vice-mayor shall in the absence or disability of the mayor perform the duties of mayor. In the absence or disability of both the mayor and vice-mayor, the council shall, by majority vote of those present, choose one of their number to perform the duties of mayor. *The council shall have no authority to choose one of its members to be mayor except to fill a vacancy in the office of mayor as provided in § 3.04.*