

# VIRGINIA ACTS OF ASSEMBLY -- 2013 SESSION

## CHAPTER 552

*An Act to amend and reenact § 3.06, as amended, and § 7.01 of Chapter 167 of the Acts of Assembly of 1979, which provided a charter for the City of Hampton, relating to city council; school board.*

[H 1493]

Approved March 20, 2013

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

**1. That § 3.06, as amended, and § 7.01 of Chapter 167 of the Acts of Assembly of 1979 are amended and reenacted as follows:**

§ 3.06. Meeting of council, mayor and vice-mayor.

At the first meeting of the council immediately following the taking of office of councilmen after a general councilmanic election, the council shall select by majority vote of all the members thereof one of their number to be vice-mayor for a two-year term. The first meeting of a newly elected council shall take place in such meeting place as the council shall select at 12:00 noon on the first day of July following their election, or if such day shall fall on Sunday, then on the following Monday. The clerk of the circuit court shall administer the oath of office to the duly elected officers. In the absence of the clerk the oath may be administered by any deputy clerk designated by the clerk on the date of the first regularly scheduled meeting of the city council in the month of July following the election at 12:00 noon at a place specified in the notice sent to the council members in accordance with the provisions of § 3.04 pertaining to special meetings. At or before this first meeting, the oath of office shall be administered to the duly elected members as provided by law.

The mayor shall preside over the meetings of 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 vice-mayor, in the absence or disability of the mayor, shall perform the duties of mayor. In the absence or disability of both the mayor and the vice-mayor, the council shall by majority vote of those present, choose one of their number to perform the duties of mayor.

§ 7.01. School board and superintendent of schools.

The department of education shall consist of the city school board, the division superintendent of schools, and the officers and employees thereof. Except as otherwise provided in this charter, the city school board and the division superintendent of schools shall exercise all the powers conferred and perform all the duties imposed upon them by general law.

The school board of the city of Hampton shall be composed of seven members, who shall be chosen by the council to serve a term of four years. Any vacancy occurring by reason of death, resignation or removal on the school board shall be filled by the council for the unexpired term. A member whose term has expired shall continue to serve until his successor has been appointed. No members shall serve more than two four-year terms in succession and such unexpired portion of a four-year term occurring by reason of a vacancy. Those members appointed prior to the adoption of this charter shall continue to serve for the term they were originally appointed.

The division superintendent of schools shall be appointed and serve for a term of office as prescribed by general law. The city shall provide for public education through a city school board, a superintendent of schools, and the employees thereof. The school board and the superintendent of schools shall exercise all the powers conferred and perform all the duties imposed upon them by general law. The school board shall be composed of seven members who shall be elected for terms of four years in the manner prescribed by applicable law. Vacancies shall be filled in the same manner provided in § 3.02 for the filling of vacancies of city council members, with interim appointments to be made by a majority vote of the remaining members of the school board. The school board shall appoint a school superintendent who shall be chosen solely on the basis of his or her professional qualifications.