

VIRGINIA ACTS OF ASSEMBLY -- 2014 SESSION

CHAPTER 240

An Act to amend and reenact §§ 3.04, 4.05, and 20.02, as amended, of Chapter 323 of the Acts of Assembly of 1950, which provided a charter for the City of Falls Church, relating to the city council and school board.

[H 579]

Approved March 17, 2014

Be it enacted by the General Assembly of Virginia:

1. That §§ 3.04, 4.05, and 20.02, as amended, of Chapter 323 of the Acts of Assembly of 1950 are amended and reenacted as follows:

§ 3.04. Vacancies in office of member of city council.

When a vacancy occurs in the office of member of the council, whatever the cause, the vacancy shall be filled for the unexpired portion of the term by special election at the next ~~May~~ *November* general election date, as provided in § 24.2-226 of the Code of Virginia. The remaining members of the council shall make an interim appointment to fill the vacancy, as provided in § 24.2-228 of the Code of Virginia.

§ 4.05. Induction of members.

The first meeting of a newly elected council shall take place in the council chamber in the city hall at ~~eight o'clock 7:30 P.M.~~ on the first ~~day of July~~ *Monday after the first Friday in January* following their election, ~~or if such day shall fall on Sunday, then on the following Monday~~. It shall be called to order by ~~the city clerk who shall administer the~~ *The* oath of office to the ~~for~~ duly elected members ~~shall be administered prior to January 1 by:~~ *shall be* administered by ~~or~~ any judicial officer having jurisdiction in the city. The council shall be the judge of the election and qualifications of its members. The first business of the council shall be the election of a mayor and vice-mayor and the adoption of rules of procedure. Until this business has been completed the council shall not adjourn for a period longer than forty-eight hours.

§ 20.02. School board.

(a) The school board shall consist of seven trustees who shall be qualified voters of the city actually residing within the city limits.

(b) Except as provided in this charter the school board shall have all the powers and duties relating to the management and control of the public schools of the city provided by the general laws of the Commonwealth, including right of eminent domain within and without the city. None of the provisions of this charter shall be interpreted to refer to or include the school board unless the intention so to do is expressly stated or is clearly apparent from the context.

(c) The power conferred on the city by §§ 2.03 (f) and 2.03 (h) shall be exercised by the school board with respect to property and buildings devoted to public school purposes. The title to property and buildings devoted to public school purposes shall be in the school board.

(d) The school board shall meet annually in ~~July~~ *January*, at which time the board shall fix the time for holding regular meetings for the ensuing year, and may adjourn from day to day, or time to time, before the time fixed for the next regular meeting, until the business before it is completed. At such annual meeting, the school board shall elect one of its members chairman and on recommendation of the division superintendent, elect or appoint a competent person as clerk of the school board, and shall fix his compensation. The chairman and clerk shall be selected annually, but if a vacancy in either office occurs during any year, the school board may fill such vacancy for the remainder of the unexpired term.

In addition to the authority conferred upon the city by Chapter 7, the school board may borrow from the Literary Fund of Virginia or from such other sources as may be available to it by general law.