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**HOUSE BILL NO. 1195****AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the Governor  
on April 7, 2014)

(Patron Prior to Substitute—Delegate Campbell)

A *BILL to provide a new charter for the Town of Rural Retreat in Wythe County and to repeal Chapter 235 of the Acts of Assembly of 1954, as amended, which provided a charter for the Town of Rural Retreat.*

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

1.

*CHARTER  
FOR THE  
TOWN OF RURAL RETREAT.  
Chapter 1.*

*Continuation of Town and Boundaries.**§ 1.1. Continuation of Town.*

*The inhabitants of the territory embraced within the present limits of the Town of Rural Retreat, in Wythe County, Virginia, as hereinafter defined, or as the same may be hereafter altered and established by law, shall constitute and continue body politic and corporate to be known and designated as the Town of Rural Retreat, and as such shall have and may exercise all powers that are now or may hereafter be conferred upon or delegated to towns under the Constitution and laws of the Commonwealth of Virginia as fully and as completely as though said powers were specifically enumerated herein, and no enumeration of particular powers herein shall be held to be exclusive.*

*§ 1.2. Boundaries.*

*The territory embraced within the present limits of the Town of Rural Retreat is described in metes and bounds in an order of incorporation of the Town entered by the circuit court of Wythe County, Virginia, on the 24th day of July, 1911, and as amended through past or future annexation as approved and recorded by the circuit court of Wythe County, Virginia.*

*Chapter 2.**Powers.**§ 2.1. Powers of the Town.*

*The Town of Rural Retreat shall have all powers that may be conferred upon or delegated to towns under the Constitution and laws of the Commonwealth of Virginia, including but not limited to those powers set forth in Article 1 (§ 15.2-1100 et seq.) of Chapter 11 of Title 15.2 of the Code of Virginia, known as the uniform charter powers, as now exist and as hereafter amended. All other powers that are now or may hereafter be conferred upon or delegated to towns under the Constitution and laws of the Commonwealth of Virginia are hereby conferred upon the Town of Rural Retreat, Virginia.*

*Chapter 3.**Mayor and Council.**§ 3.1. Election, qualification, and terms of office.*

*A. The government of the Town of Rural Retreat shall be vested in a mayor and a body to be known as the council of the Town of Rural Retreat, which council shall consist of six members, all of whom as well as the mayor shall be residents and qualified voters of the Town.*

*B. The mayor and council members of the council in office on the effective date of this act shall serve until their successors have been elected or qualified. Municipal elections within the Town of Rural Retreat shall take place on the first Tuesday in May of each even-numbered year. At each such regular municipal election, three council members shall be elected to terms of four years each. The mayor shall be elected for a term of four years. The terms of office for both council members and the mayor so elected shall commence on the first day of July immediately following such election and shall continue until their successors have been elected and qualified.*

*C. The mayor shall preside over the meetings of the council, shall have the same right to speak therein as other members, and shall vote only in case of a tie but shall have no veto. He shall be recognized as the head of town government for all ceremonial purposes and purposes of military law. At the regularly scheduled meeting of the council held in the month of July following a municipal election, the council shall choose, by a majority vote of all members thereof, one of its members to be vice-mayor for the ensuing two years. The vice-mayor shall in the absence or disability of the mayor perform the duties of the 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 its members to perform the duties of mayor.*

*§ 3.2. Qualifications of mayor and council members.*

60 Any person qualified to vote in the Town shall be eligible for the office of council member or mayor.

61 § 3.3. Powers of the council.

62 The council along with the mayor shall make such rules as are necessary for the orderly conduct of  
63 its business not inconsistent with the laws of the Commonwealth of Virginia and shall have the power,  
64 in its discretion, to appoint a town manager, a town attorney, a town clerk, a treasurer, and a sergeant,  
65 who shall have the powers and duties provided in § 15.2-1107 of the Code of Virginia. The persons so  
66 appointed shall have such duties and shall serve for such terms and at such compensation as the  
67 council may determine. One person may be appointed to more than one office.

68 § 3.4. Vacancies.

69 A vacancy in the office of vice-mayor shall be filled for the unexpired term by a majority vote of the  
70 members of the council. Vacancies on the council and in the office of mayor shall be filled for the  
71 unexpired term as provided by general law.

72 Chapter 4.

73 Miscellaneous.

74 § 4.1. Eminent domain.

75 The power of eminent domain as set forth in Title 15.2 and Chapter 2 (§ 25.1-200 et seq.) of Title  
76 25.1 of the Code of Virginia are hereby conferred upon the Town of Rural Retreat, including the power  
77 to issue certificates pursuant to Chapter 3 (§ 25.1-300 et seq.) of Title 25.1 of the Code of Virginia.

78 § 4.2. Fiscal year.

79 The fiscal year of the Town shall begin on July 1 of each year and end on June 30 of the following  
80 year.

81 § 4.3. Legislative procedure.

82 Except in dealing with parliamentary procedure, the council shall act only by ordinance and  
83 resolution and, with the exception of ordinances making appropriations or authorizing the contracting of  
84 indebtedness, shall be confined to one general subject.

85 § 4.4. Ordinances to remain in force.

86 All ordinances in force as of the effective date of this act in the Town of Rural Retreat and not  
87 inconsistent with this charter shall be and remain in force until altered, amended, or repealed by the  
88 town council.

89 § 4.5. Acts in conflict with charter.

90 All acts or parts of acts in conflict with this charter are hereby repealed, insofar as they affect the  
91 provisions of this charter.

92 **2. That Chapter 235 of the Acts of Assembly of 1954, as amended, is repealed.**