

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 2, as amended, of Chapter 91 of the Acts of Assembly of 1948, which*
3 *provided a charter for the Town of Damascus in Washington County, relating to time of elections.*

4 [S 122]

5 Approved

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

7 **1. That § 2, as amended, of Chapter 91 of the Acts of Assembly of 1948 is amended and reenacted**
8 **as follows:**

9 § 2. Town officials.

10 (1) The officers of said town shall be a mayor, six councilmen, clerk, treasurer, chief of police,
11 assessor and such other officers as the council may deem necessary and proper. The mayor shall be
12 elected at a regular municipal election to be held on the first Tuesday in May, in the year 1990, and
13 every two years thereafter, in the manner prescribed by law, for a term of two years beginning on July 1
14 next following his election, and shall serve until his successor shall have been elected and qualified.

15 *However, beginning with the election to be held in 2016, the mayor shall be elected at the time of*
16 *the November general election with a term of two years beginning on January 1 next following his*
17 *election. The mayor in office who was elected at the May general election and whose term is to expire*
18 *as of June 30 shall continue in office until his successor has been elected at the November general*
19 *election and has been qualified to serve.*

20 In the year 1990, six councilmen shall be elected at a regular municipal election to be held on the
21 first Tuesday in May. Those three councilmen receiving the greatest number of votes shall serve the full
22 four-year term. Those three elected members receiving the fewest number of votes shall serve until the
23 year 1992.

24 Three councilmen shall be elected at a regular municipal election to be held on the first Tuesday in
25 May, in the year 1992 for four-year terms. Three councilmen shall be elected at a regular municipal
26 election to be held on the first Tuesday in May, in the year 1994 for four-year terms; thereafter all
27 councilmen shall be elected every four years, in the manner prescribed by law, for terms beginning on
28 July 1 next following their election, each of whom shall serve until his successor shall have been elected
29 and qualified.

30 *However, beginning with the election to be held in 2016, the councilmen shall be elected at the time*
31 *of the November general election with a term of four years beginning on January 1 next following their*
32 *election. The councilmen in office who were elected at the May general election and whose terms are to*
33 *expire as of June 30 shall continue in office until their successors have been elected at the November*
34 *general election and have been qualified to serve.*

35 Each officer of said town shall take the oath prescribed by State law, and execute the required bond,
36 prior to entry upon his duties. The council shall be a continuing body, and no measure pending before
37 such body shall abate or be discontinued by reason of expiration of term of office or removal of any of
38 the members. Vacancies in the office of mayor and on the council shall be filled for the unexpired term
39 by a majority vote of the remaining members. The present mayor and council shall continue in office
40 until the expiration of the terms for which they were respectively elected.

41 (2) The council shall appoint a clerk, a treasurer and such other officers as the council may deem
42 necessary or proper, all of whom shall hold office at and during the pleasure of the council, and shall
43 qualify for their respective offices as required by law, and shall furnish such bonds as may be required
44 by the council. The same person may hold two or more of these offices at the discretion of the council.

45 The officers as appointed by the council shall perform such services, and receive such compensation,
46 as the council may provide.

47 (3) The council shall appoint a chief of police who shall qualify and give bond in such amount as
48 the council may require. The chief of police shall be vested with the power of a conservator of the
49 peace, and shall have the same powers and perform the same duties within the corporate limits of the
50 town, and to a distance of one mile beyond, as was formerly had and performed by constables. He shall
51 perform such other duties, and receive such compensation as the council may provide. The council may
52 appoint such other persons as policemen and assistants of the chief of police, and pay them such
53 compensation as the council may think necessary and proper. Any reference to the town sergeant in any
54 ordinance of the Town of Damascus heretofore adopted shall be deemed a reference to the chief of
55 police.

56 (4) The mayor shall preside at all meetings of the council and perform such other duties as may be

57 prescribed by this charter, and by the general laws, and such as may be imposed by the council
58 consistent with his office. He shall be entitled to vote upon measures pending before the council only in
59 event all the other members are present and voting and are equally divided for and against such
60 measure. He shall see that peace and order are preserved, and that persons and property within the town
61 are protected. He shall perform such other services and functions as may be necessary or proper, and
62 shall receive such compensation as may be provided by the council. In event of the mayor's absence, or
63 disability to act, his duties shall be performed by the president of the town council, who shall be
64 selected by the council for that purpose.

65 (5) Repealed.

66 (6) The administration and government of the Town of Damascus shall be vested in the town
67 council, with the mayor as the executive and tie-breaker as herein provided, all of whom shall be
68 residents and qualified voters of the town. The council shall have full power and authority, except as
69 herein otherwise stated, to exercise all the powers conferred upon the town, and to pass all legal laws
70 and ordinances relating to its municipal affairs. Each member of the council may receive a salary, or per
71 diem allowance, for his services as such member, the amount thereof to be fixed by the council. The
72 council may create, appoint, or elect such boards, bodies, departments, or officers as may be permitted
73 or required by this charter or the general laws of the Commonwealth of Virginia, and fix their
74 compensation and define their duties.

75 (7) The council shall have one regular meeting each month, the time for such meeting being fixed by
76 ordinance. Special meetings shall be called by the clerk of the council upon the request of the mayor or
77 any four councilmen. The reasonable notice of such special meetings shall be given to each member of
78 the council and the mayor. No business shall be transacted at a special meeting except that for which
79 the special meeting is called, unless the council be all present and unanimous. A majority of said
80 councilmen shall constitute a quorum for the legal transaction of its business.

81 **2. That an emergency exists and this act is in force from its passage.**