CHAPTER 328

An Act to amend and reenact § 4, as amended, of Chapter 377 of the Acts of Assembly of 1946, which provided a charter for the Town of Chase City in Mecklenburg County, relating to municipal elections.

[H 1256]

Approved April 11, 2022

Be it enacted by the General Assembly of Virginia:

1. That § 4, as amended, of Chapter 377 of the Acts of Assembly of 1946 is amended and reenacted as follows:

§ 4. Administration and government.

(1) *Incumbent mayor and council members to continue in office, etc.*

The present mayor and ~~councilmen~~ *council members* of the town of Chase City shall continue in office and exercise all the powers conferred by this charter and the general laws of this State until the expiration of the term for which they were elected, or until their successors are duly elected and qualified. The present mayor and ~~councilmen~~ *council members* whose terms expire in ~~1975~~ *2022* shall continue in office until their successors are elected and qualify in ~~1976~~ *2023*, and the ~~councilmen~~ *council members* whose terms expire in ~~1977~~ *2024* shall continue in office until their successors are elected and qualify in ~~1978~~ *2025*.

(2) Except as otherwise provided in this charter, all powers of the town and the administration and government thereof shall be vested in the council and such boards or officers as are hereafter mentioned, or may be by law otherwise provided.

(3) *Elections, terms and oaths of mayor and council members; effect of failure to qualify or take oath.*

On the first Tuesday *following the first Monday* in ~~May,~~ ~~1976~~ *November 2022*, there shall be elected by the qualified voters of the town, one elector of the town, who shall be denominated mayor, and three other electors, who shall be denominated ~~councilmen~~ *council members*. The elector elected as mayor shall serve for a term of two years, and the three other electors at such election shall serve for a term of four years. On the first Tuesday *following the first Monday* in ~~May,~~ ~~1978~~ *November 2024*, there shall be elected by the qualified voters of the town an elector who shall be denominated mayor and three other electors, who shall be denominated ~~councilmen~~ *council members*. Such electors shall serve a term of four years, except for the mayor who shall serve a term of two years. Thereafter each two years, there shall be elected by the qualified voters of the town from the electors, a mayor to serve for a term of two years and three electors to serve for a term of four years, denominated as ~~councilmen~~ *council members*. They shall enter upon the duties of their offices on the first day of ~~July~~ *January* next succeeding their election, and shall continue in office until their successors are duly elected and qualified. Every person so elected shall take an oath faithfully to execute the duties of his office and the mayor shall take the oath prescribed by law for State officers. The failure of any person elected or appointed under the provision of this charter to qualify or to take the oath required, within the time prescribed for entering upon the discharge of the duties of the office to which he is elected or appointed, shall vacate the said office, and the council shall proceed and is hereby vested with power to fill such vacancy in the manner herein prescribed.

(4) There shall be appointed for the town a registrar and officers of elections in the manner provided for by general law of Virginia, and all elections held in said town shall be conducted in accordance with said general law; the electorate shall be that prescribed by general law.

(5) The council shall be the judge of the election, qualification, and returns of its members; may fine them for disorderly conduct, and with the concurrence of two-thirds, expel a member. If any person returned be adjudged disqualified, or be expelled, a new election to fill the vacancy shall be held on such day as the council may prescribe. Any vacancy occurring otherwise during the term for which such person was elected shall be filled by the council by the appointment of any one eligible to such office. A vacancy in the office of mayor shall be filled by the council from the electors of the town, and any member of the council may be eligible to fill such vacancy.

(6) A majority of the members of the council shall constitute a quorum for the transaction of business.

(7) Each member of the council may receive a salary to be fixed by the council, payable at such times, and in such manner as the council may direct, but the salary paid to any one member during any year shall not exceed the sum of $1,000 per annum. The mayor may receive a salary to be fixed by the council, payable in such manner and at such times as the council may direct, not to exceed the sum of $4,000 per annum.

The mayor shall preside at the meetings of the council and perform such other duties as are prescribed by this charter and by general law, and such as may be imposed by the council consistent with his office. The mayor shall have no right to vote in the council except in case of a tie he shall have the right to break the same by his vote; but he shall have no right of veto. He shall take care and see that the bylaws, ordinances, acts, and resolutions of the council are faithfully executed and obeyed, and shall have and exercise all power and authority conferred by general law on mayors of towns not inconsistent with this charter. The mayor shall authenticate, by his signature, such documents as the laws, or this charter, require.

(8) The council shall, as soon as practicable after qualification, appoint one of its members as vice-mayor. The vice-mayor, during the absence or disability of the mayor, shall perform the duties and be vested with all the powers, authority, and jurisdiction, of the mayor; and in the event of a vacancy for any reason in the office of mayor, he shall act as mayor until a mayor is duly appointed by the council or is elected.

(9) The council shall, by ordinance, fix the time for their regular meetings, which shall be held at least once a month. Special meetings may be called by the clerk at the instance of the mayor or any two members of the council in writing; and no other business shall be transacted at a special meeting except that stated in the call, unless all members be present and consent to the transaction of such other business. The meetings of the council shall be open to the public except when in the judgment of the council the public welfare shall require executive meetings.

(10) The council shall keep a minute book, in which the clerk shall note the proceedings of the council, and shall record proceedings at large on the minute book and keep the same properly indexed.

(11) The council may adopt rules for regulating its proceedings, but no tax shall be levied, corporate debt contracted, or appropriation of money exceeding the sum of $300 be made, except by a recorded affirmative vote of a majority of all the members elected to the council.

(12) There shall be appointed by the council at its first regular meeting in ~~July~~ *January* after the election of ~~councilmen~~ *council members*, or as soon as practicable thereafter, a treasurer, who shall hold office for a term of two years. The council may provide a salary for the treasurer. He shall give such bond, with surety and in such penalty as the council prescribes. He shall receive all money belonging to the town, and keep correct accounts of all receipts from all sources and of all expenditures of all departments. He shall be responsible for the collection of all taxes, license fees, levies and charges due to the town, and shall disburse the moneys of the town in the manner prescribed by the council as it may by ordinance direct.

(13) The treasurer shall make such reports and at such time as the council may prescribe. The books and accounts of the treasurer shall be examined and audited at least once a year by a competent accountant selected by the council, such examination and audit to be reported to the council.

(14) The council may in its discretion designate the place of deposit of all town funds, which shall be kept by the treasurer separate and apart from his personal funds.

(15) There shall be appointed by the council, at its first regular meeting in ~~July~~ *January* after its election of ~~councilmen~~ *council members* or as soon as possible or as practical thereafter, a clerk of the council, who shall hold office for a term of two years. He shall attend the meetings of the council and keep its minutes and records and have charge of the corporate seal. He shall keep all papers required to be kept by the council, shall publish such reports and ordinances as are required to be published, and shall perform such other duties as the council may from time to time require. His compensation shall be fixed by the council. Any vacancy in this office shall be filled by the council.

(16) There shall be appointed by the council at its first regular meeting in ~~July~~ *January* after the election of ~~councilmen~~ *council members* or as soon as practicable thereafter, a town sergeant, who shall also be chief of police, and shall hold office for two years. His duties shall be such as the council prescribes. He shall be vested with the powers of a conservator of the peace. His compensation shall be fixed by the council.

(17) The council may appoint or elect such other officers as may be necessary, including a business manager for the town, and fix their salaries and define their duties.

(18) The council may appoint a justice of the peace for the town, who shall be clothed with all the powers and authority of other justices of the peace within his territorial jurisdiction. The term of office of such justice of the peace shall not be for a term beyond that of the mayor in office at the time of his appointment.