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SENATE BILL NO. 618

Offered January 10, 2024

Prefiled January 10, 2024

A BILL to amend and reenact §§ 3.01, 7.03, as amended, and 7.05, as amended, of Chapter 542 of the Acts of Assembly of 1990, which provided a charter for the City of Bristol, relating to voting precincts; human resources department; fire department.

Patron—Pillion

Referred to Committee on Local Government

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

**1. That §§ 3.01, 7.03, as amended, and 7.05, as amended, of Chapter 542 of the Acts of Assembly of 1990 are amended and reenacted as follows:**

§ 3.01. Voting precincts.

The city shall be geographically divided into ~~four~~ five voting precincts, the boundaries of which are set forth in the office of the register of deeds for the city as shall have been approved by the U.S. Department of Justice and the appropriate agencies of the Commonwealth of Virginia and a ~~fifth~~ central absentee voter election district situate at City Hall to receive, count and record all absentee ballots within the city for all elections; local, state and federal. City council may by ordinance designate the voting place within each voting district and may from time to time change such voting place by amendment of the ordinance.

§ 7.03. ~~Personnel~~ Human resources department.

A. Generally. There shall be a ~~personnel~~ human resources department which shall consist of the ~~personnel director, Director of Human Resources~~ and such employees as may be provided for by the council. ~~Until the city council for the City of Bristol, Virginia, shall, by written resolution, direct that the office of personnel director shall be otherwise filled, the city manager shall serve as personnel director funded within the budget.~~

B. Powers and duties of the ~~personnel director~~ Director of Human Resources. The ~~personnel director~~ Director of Human Resources shall have the following powers and duties:

1. To formulate and propose a comprehensive personnel policy to the city council for adoption, and as the need may arise, to propose to the council amendments, additions and deletions to the comprehensive personnel policy, and to oversee and enforce the uniform application of the personnel policy to all the employees of the city. Nothing in this charter, nor in any policy manual promulgated pursuant to this charter, nor in any ordinance or act of the council of the City of Bristol, Virginia, shall be construed to create any contractual relationship between the City of Bristol, Virginia, and any of its employees or agents. The comprehensive personnel policy adopted pursuant to this provision shall not be a contract with the employees of the city and so may be amended from time to time as the needs of the city may require, no rights being vested in any city employee by virtue of this section or any policy adopted pursuant thereto.

2. To, with the cooperation of each department head, formulate and promulgate standard operating procedures in addition to a comprehensive personnel policy that may be needed and applicable to the individual departments and the employees thereof as such requirements may exist and submit to the council for adoption and from time to time for amendment.

3. To oversee and aid each department head in the formulation and promulgation of competitive examinations for all original appointments to department jobs and for promotions within each department to provide for the hiring and promotion of the best qualified personnel available to the city.

4. To oversee the maintenance by each department of a list of eligible employees based upon examination and other hiring criteria for each department and to promulgate regulations to assure that such lists are kept current, that all vacancies are well publicized and that the best possible employees of the City of Bristol, Virginia, be hired for each such vacancy.

5. To formulate and recommend to the council for adoption such additions, deletions, and amendments of the current city pay plan covering all employees of the city as may from time to time be advisable.

6. To direct and enforce the maintenance by all departments, boards, commissions, offices and agencies of the city of such personnel records of employees of such departments, boards, etc., as the ~~personnel director~~ Director of Human Resources shall prescribe.

7. To establish a temporary employment list for filling positions which are temporarily vacant.

8. To oversee and advise the department heads in the promulgation of a systematic program of



59 in-service training for all employees qualifying them for advancement in the service of the city.

60 9. To oversee and enforce the operation of an employee grievance procedure in accordance with the  
61 laws of the Commonwealth.

62 10. To investigate any and all matters relating to conditions of employment in the service of the city  
63 and to make at least annually a report of his findings to the council.

64 11. To oversee and advise department heads in all cases of adverse employment decisions before any  
65 disciplinary actions are taken.

66 12. Such other powers and duties as may be assigned ~~him~~ to the *Director of Human Resources* from  
67 time to time by ~~council~~ the *City Manager*.

68 § 7.05. Fire department.

69 A. Generally. The fire department shall consist of the fire chief and such other officers and  
70 employees of such ranks and grades as may be established by council. The fire department shall be  
71 responsible for the protection from fire, of life and property within the city.

72 The fire department shall also operate and be responsible for the operation of the hazardous material  
73 response team which shall implement the hazardous materials response plan developed by the city in  
74 accordance with general laws of the Commonwealth and local laws and regulations.

75 B. Powers and duties of the fire chief. The head of the fire department shall be the fire chief. Under  
76 the supervision of the city manager, he shall be in direct command of the fire department. He shall  
77 assign all members of the department to their respective posts, shifts, details and duties. He shall, with  
78 the approval of the city manager, make rules and regulations in conformity with this charter and the  
79 ordinances of the city concerning the operation of the department, the conduct of officers and employees  
80 thereof, their uniforms, equipment and training and the penalties to be imposed for infractions of such  
81 rules and regulations. The fire chief shall be responsible for the efficiency, discipline and good conduct  
82 of the department. Orders of the city manager relating to the fire department shall be transmitted in all  
83 cases to the fire chief or in his absence from the city or incapacity, through an officer of the department  
84 designated as acting chief by the city manager. Disobedience of the lawful commands of the fire chief  
85 or violation of the rules and regulations made by him with the approval of the ~~director~~ *Director of the*  
86 ~~Personnel Department~~ *Human Resources* shall be grounds for removal or other disciplinary action as  
87 provided in such rules and regulations.

88 C. Fire prevention. Fire prevention shall be the duty of the fire chief to secure the enforcement of all  
89 laws and ordinances relating to fire prevention and fire safety and to issue from time to time regulations  
90 having the force of law for the purpose of implementing such laws and ordinances. The penalty for  
91 violation of such rules and regulations shall be as provided for by ordinance. The fire chief may assign  
92 this duty to a fire ~~inspector~~ *official*.