

# VIRGINIA ACTS OF ASSEMBLY -- 1995 SESSION

## CHAPTER 163

*An Act to amend and reenact §§ 4, 7 as amended and 9 of Chapter 364 of the Acts of Assembly of 1942, which provided a charter for the Town of Kenbridge in the County of Lunenburg, relating to elections for, and taking office by, council members; law-enforcement officers.*

[H 1531]

Approved March 10, 1995

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

**1. That §§ 4, 7 as amended and 9 of Chapter 364 of the Acts of Assembly of 1942 are amended and reenacted as follows:**

§ 4. Composition of council and vacancies.

The council shall consist of a mayor and six other electors of the town, who shall be denominated the council of ~~said the town~~. The mayor and councilmen shall be elected for a term of two years at a general election held for that purpose on the ~~second~~ *first* Tuesday of ~~June, nineteen hundred and forty-two, and the second Tuesday in June every two years thereafter~~ *May of every even-numbered year* as provided by law, and the persons so elected shall enter upon the duties of their office on the first day of ~~September~~ *July* next succeeding their election, and shall continue in office until their successors are qualified.

Every person elected a councilman of the town, shall, on or before the day on which he enters upon the performance of his duties, qualify by taking and subscribing an oath faithfully to execute the duties of his office to the best of his judgment; and the person elected mayor shall take and subscribe the oath prescribed by law for State officers.

Any such oath of councilmen and mayor may be taken before any officer authorized by law to administer oaths, and shall, when so taken and subscribed, be forthwith returned to the ~~recorder~~ *clerk* of the town, who shall enter the same on record ~~on~~ *in* the minute book of the council.

The councilmen ~~shall judge of the election, qualification and returns of its members; may fine them members~~ for disorderly behavior, and, with the concurrence of two-thirds of its membership expel a member. If any person ~~returned be adjudged disqualified, or be expelled, a new election to fill the vacancy shall be held in the town on such date as filled by appointment by the council may prescribe,~~ except that where there shall be vacancies in the majority of the council, the ~~circuit court of Lunenburg county, or the judge thereof in vacation, shall fill such vacancies shall be filled as provided by law.~~ Any vacancy occurring otherwise during the term for which any of the ~~said~~ persons have been elected may be filled by the council by the appointment of anyone eligible for such office. A vacancy in the office of the mayor may be filled by the council from the electors of ~~said the town~~.

§ 7. Organization of meetings of council.

At eight o'clock post meridian on the first day in ~~September~~ *July* following a regular municipal election, or if such day be a Sunday or legal holiday, then on the day following, the council shall meet at the usual place for holding its meetings, at which time the newly elected mayor and councilmen, after first having taken the oaths prescribed by law, shall assume the duties of their offices. At its first meeting the council shall elect from its members a person to serve as vice-mayor for the following two years. Thereafter the council shall meet at such times as may be prescribed by ordinance or resolution. The mayor or any three members of the council may call special meetings of the council at any time after giving at least twelve hours written notice to the other members of the purpose, place, and time of such special meeting. Special meetings may also be held at any time without notice, provided all members of the council attend.

A majority of all members shall constitute a quorum, but a smaller number may adjourn from time to time, and compel the attendance of absentees.

The council shall fix the compensation of its members and of all other officers and/or agents and employees of the town.

§ 9. Law-enforcement officers.

There shall be a ~~sergeant~~ *chief of police* for ~~said the town~~ who shall be elected by the council, *and* who shall serve at the will and pleasure of the council.

The ~~sergeant~~ shall be the *chief of police officer* ~~of~~ for the town and shall perform such duties and be invested with such authority as is ~~was~~ provided by the ~~general common~~ law for ~~sergeants of towns constables~~, and shall perform such other duties and be invested with such other authority as the council may prescribe.

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