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HOUSE BILL NO. 1593

Offered January 8, 1997

Prefiled November 27, 1996

A BILL to amend and reenact §§ 12, 14 and 114 as amended of Chapter 34 of the Acts of Assembly of 1918, which provided a charter for the City of Norfolk, relating to council meetings, council voting and exemptions from classified service.

Patron—Jones, J.C.

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That §§ 12, 14 and 114 as amended of Chapter 34 of the Acts of Assembly of 1918 are amended and reenacted as follows:

§ 12. Meetings of council.

At eight o'clock P.M. on the first day of July next following the regular municipal election, or if such day be Saturday or Sunday, then on the following Tuesday at one o'clock P.M., the council shall meet at the usual place for holding meetings of the legislative body of the city, at which time the newly elected councilmen shall assume the duties of their office. Thereafter the council shall meet at such times as may be prescribed by ordinance or resolution. It shall hold at least one regular meeting each week, provided that it may, by the affirmative vote of a majority of its members, dispense with any ~~six~~ *twelve* such regular meetings in any calendar year. The president of the council, any member thereof, or the city manager, may call special meetings of the council at any time upon at least twelve hours' written notice to each member, served personally or left at his usual place of business or residence; or such meeting may be held at any time without notice, provided all members of the council attend. All meetings of the council shall be public, and any citizen may have access to the minutes and records thereof at all reasonable times.

§ 14. Legislative procedure.

Except in dealing with questions of parliamentary procedure, the council shall act only by ordinance or resolution which shall be introduced in writing and all ordinances except ordinances making appropriations, or authorizing the contracting of indebtedness or issuance of bonds or other evidences of debt, shall be confined to one subject, which shall be clearly expressed in the title. Ordinances making appropriations or authorizing the contracting of indebtedness or the issuance of bonds or other obligations and appropriating the money to be raised thereby shall be confined to those subjects respectively. Nothing herein shall be construed to prevent the council from authorizing in and by the same ordinance the making of any one public improvement and the issue of bonds therefor.

The enacting clause of all ordinances passed by the council shall be, "Be it ordained by the Council of the city of Norfolk"; the enacting clause of all ordinances submitted to popular election by the initiative shall be, "Be it ordained by the people of the city of Norfolk." No ordinance, unless it be an emergency measure, shall be passed until it has been read by its title at two regular meetings not less than one week apart, or the requirement of such reading has been dispensed with by the affirmative vote of five of the members of the council. No ordinance, section or subsection thereof, shall be revised or amended by its title, section number or subsection number only, but the new ordinance shall contain the entire ordinance, section or subsection, as revised or amended. The ayes and noes shall be taken upon the passage of all ordinances or resolutions and entered upon the record of the proceedings of the council, and every ordinance or resolution shall require, on final passage, the affirmative vote of at least four of the members. *The ayes and noes may be taken by alphabetical roll call with the mayor called last or by an electronic voting system or comparable device. Where deemed appropriate by council, matters (ordinances, resolutions or motions) may be grouped together and voted on as a block; however, upon the motion of any member, any item shall be removed from the block and shall be voted on separately. Authorization to vote on matters in a block shall not be deemed to waive any public hearing requirement or any requirement for the number of votes required to adopt any individual item.* No member shall be excused from voting except on matters involving the consideration of his own official conduct, or where his financial interests are involved.

In authorizing the making of any public improvement, or the acquisition of real estate or any interest therein; or authorizing the contracting of indebtedness or the issuance of bonds or other evidences of indebtedness, (except temporary loans in anticipation of taxes or revenues or of the sale of bonds lawfully authorized); or authorizing the sale of any property or rights in property of the City of Norfolk, or granting any public utility franchise, privilege, lease or right of any kind to use any public property

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60 or easement of any description or any renewal, amendment or extension thereof, the council shall act
61 only by ordinance; provided, however, that after any such ordinance shall have taken effect, all
62 subsequent proceedings incidental thereto and providing for the carrying out of the purposes of such
63 ordinance may, except as otherwise provided in this charter, be taken by resolution of the council.

64 § 114. Officers exempted from classified service.

65 Officers who are elected by the people or who are elected or confirmed by the council, pursuant to
66 this charter, members of the school board, the teachers in the public schools and all other persons
67 employed by said school board, heads of the administrative departments of the city, assistant city
68 managers, assistant heads of administrative departments ~~except for the departments of fire and police,~~
69 and heads or chiefs of bureaus and divisions within said departments, members of the law department
70 and civil service examiners, shall not be included in such classified service; provided, however, that the
71 council may by ordinance provide that the health officer of said city and such of his trained medical
72 assistants as may be required to give full time to the duties of their positions shall be included in the
73 classified service.