

*An Act to provide a charter for the Town of Washington, in the County of Rappahannock and to repeal Chapter 226 of the Acts of Assembly of 1893-94, which provided a charter for the town.*

[H 1078]

Approved MAR 14 1985

Be it enacted by the General Assembly of Virginia:

**WASHINGTON, TOWN CHARTER**

**CHAPTER 1.**

**INCORPORATION AND BOUNDARIES.**

1. § 1.1. *Incorporation.*—The inhabitants of the territory comprised within the present limits of the Town of Washington, as such limits are now or may hereafter be altered and established by law, shall constitute and continue to be a body politic and corporate, to be known and designated as the Town of Washington, and as such shall have perpetual succession, may sue and be sued, plead and be impleaded, contract and be contracted with, and may have a corporate seal which it may alter, renew, or amend at its pleasure by proper ordinance.

§ 1.2. *Boundaries.*—The boundaries of the town until altered, shall be as recorded in the Clerk's Office of the Circuit Court of Rappahannock County, Virginia, in Plat Book 4, at Page 68.

**CHAPTER 2.**

**POWERS.**

§ 2.1. *General Grant of Powers.*—The town shall have and may exercise all powers which are now or hereafter may be conferred upon or delegated to towns under the Constitution and laws of the Commonwealth of Virginia, as fully and completely as though such powers were specifically enumerated herein, and no enumeration of particular powers in this charter shall be held to be exclusive, and the town shall have, exercise, and enjoy all rights, immunities, powers, and privileges and be subject to all the duties and obligations now appertaining to and incumbent on the town as a municipal corporation.

§ 2.2. *Adoption of Powers Granted by the Code of Virginia.*—The powers granted in § 2.1 of this charter include specifically, but are not limited to, all powers set forth in the Code of Virginia, 1950, §§ 15.1-837 through 15.1-907, including subsequent amendments thereof.

**CHAPTER 3.**

**TREASURER, MAYOR AND COUNCIL.**

§ 3.1. *Election, Qualification and Term of Office for the Treasurer, Mayor and other members of Council.*—The town shall be governed by a seven-member town council composed of five council members, the treasurer, and the mayor, all of whom shall be qualified voters in the town and shall be elected by the qualified voters of the town in the manner provided by law from the town at large. The five council members, the treasurer and the mayor in office at the time of adoption of this charter shall continue in office until the expiration of the terms for which they were elected or until their successors are elected and qualified. An election for five council members, the treasurer and the mayor shall be held on the first Tuesday in May, 1986. Elections shall be held on the first Tuesday in May every four years thereafter. The five council members, the treasurer and the mayor shall serve for terms of four years. The term of each person elected under this section shall begin on July 1 next following their election.

§ 3.2. *Vacancies.*—Vacancies on the council, including the treasurer and the mayor, shall be filled for the unexpired term from among the qualified voters of the town by a majority vote of the remaining members of council.

§ 3.3. *Council, a Continuing Body.*—The council shall be a continuing body, and no measure pending before such body nor any contract or obligation incurred shall abate or be discontinued because of the expiration of the term of office or removal of any council members.

§ 3.4. *Mayor.*—The mayor shall be the chief executive officer of the town. He shall have and exercise all the privileges and authority conferred by general law not inconsistent with the charter. He shall preside over the meetings of the town council and shall have the right to speak therein as a member of the council. He shall have a vote as a member of council but shall have no veto power. He shall be the head of the town government for all its ceremonial purposes and shall perform such other duties consistent with his office

as may be imposed by the town council. He shall see that the duties of the various town officers are faithfully performed and shall authenticate his signature on such documents or instruments as the council, this charter or the laws of the Commonwealth shall require.

§ 3.5. Vice Mayor.—The town council, by a majority of all of its members, shall elect a vice mayor from its membership at its first meeting to serve for a term of four years in the absence of or during the disability of the mayor; and the vice mayor shall possess the powers and discharge the duties of the mayor when serving as mayor.

§ 3.6. Town Treasurer.—The town treasurer's duties shall be to receive all money belonging to the town, to keep correct accounts of all receipts from all sources and of all expenditures, to be responsible for the collection of all license fees, taxes, levies and charges due to the town, to disburse the funds of the town as the council may direct, and other such duties as prescribed by the council. The treasurer may be compensated for his duties as such, in addition to his compensation as a member of council, as shall be determined by the mayor and the remaining members of council. He shall be a member of council with the same rights and privileges as other members of council.

§ 3.7. Meetings of Council.—The council shall fix the time of its regular meetings, which shall be at least once each month, and, except as herein provided, the council shall follow Robert's Rules of Order, latest edition, for rules of procedure necessary for the orderly conduct of its business except where inconsistent with the laws of the Commonwealth of Virginia. Minutes shall be kept of its official proceedings, and its meetings shall be open to the public unless an executive session is called according to law. Special meetings may be called at any time by the mayor or any four members of the council, provided that the members of the council are given reasonable notice of such meetings. No business shall be transacted at the special meeting except for which it shall be called. If the mayor and all the members of the council are present, this provision requiring prior notice for special meetings is waived.

§ 3.8. Compensation.—Compensation for the treasurer, mayor and other members of council shall be set by the council subject to any limitations placed thereon by the laws of the Commonwealth of Virginia. Increases in the salaries of the treasurer, mayor and the other members of council shall not be effective until July 1 following the next local election after the council approves such increase. This section does not apply to any compensation paid to the treasurer for the performance of his duties as treasurer.

#### CHAPTER 4.

##### APPOINTIVE OFFICERS.

§ 4.1. Appointments, Duties, Compensation, etc.—A. The town council may appoint a town superintendent, a town attorney, a police chief and other police personnel and prescribe their qualifications, place of residency, duties and compensation.

B. Other Officers.—The council may appoint any other officers that the council deems necessary and proper and prescribe their qualifications, place of residency, duties and compensation.

§ 4.2. Term of office.—Appointees under this chapter shall serve at the pleasure of the council. The council may fill any vacancy in any appointive office.

#### CHAPTER 5.

##### FINANCIAL PROVISIONS.

§ 5.1. Fiscal year.—The fiscal year of the town shall begin on July 1 of the year following.

#### CHAPTER 6.

##### MISCELLANEOUS.

§ 6.1. Ordinances Continued in Force.—All ordinances now in force in the town, not inconsistent with this chapter, shall be and remain in force until altered, amended, or repealed by the council.

§ 6.2. Severability of Provisions.—If any clause, sentence, paragraph, or part of this charter shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of the charter but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered.

2. That Chapter 226 of the Acts of Assembly of 1893-94 is repealed.

3. That the town council acting as the Board of Zoning Appeals before the effective date of this act is ratified.

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