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HOUSE BILL NO. 2092

Offered January 13, 2025

Prefiled January 7, 2025

A *BILL to amend and reenact §§ 3.2, 3.3, 4.3, and 4.7, as severally amended, of Chapter 29 of the Acts of Assembly of 1992, which provided a charter for the Town of Buchanan in Botetourt County, and to repeal § 5.9 of Chapter 29 of the Acts of Assembly of 1992, relating to town elections; town manager residency requirements; town clerk appointments; Redevelopment and Housing Authority.*

Patron—Austin

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That §§ 3.2, 3.3, 4.3, and 4.7, as severally amended, of Chapter 29 of the Acts of Assembly of 1992 are amended and reenacted as follows:

§ 3.2. Town council: composition, terms of office.

Each member of council shall be an elector of the municipality. The council of the Town of Buchanan shall be elected from the town at large. Council members shall serve for terms of ~~two~~ four years.

§ 3.3. Election of council: term of office, mayor and vice-mayor.

~~On the first Tuesday in May, 1992, and every two years thereafter, there shall be elected by the qualified voters of the town, six electors who shall be denominated council members. In addition thereto, the qualified voters shall elect an additional elector who shall be denominated mayor. They shall enter upon the duties of their offices on the first day of July next succeeding their election. Notwithstanding the provisions of this paragraph, effective January 1, 2017, the number of council members shall be four.~~

~~However, in 2016 and 2018, the mayor and four council members shall be elected at the time of the November general election, with terms to commence on January 1 following the election. The mayor and council members who were elected in May, 2014, and whose terms would expire on June 30, 2016, shall continue in office until their successors have been duly elected and have qualified to serve.~~

~~In 2018, the two council members elected at the time of the November general election with the lowest total vote counts shall serve a term of one year to commence on January 1, 2019 and expire on January 1, 2020. Beginning in 2019 2024 and every ~~two~~ four years thereafter, the mayor and two council members shall be elected at the time of the November general election, with terms to commence on January 1 following the election. Beginning in 2020 2026 and every ~~two~~ four years thereafter, the mayor and two council members shall be elected at the time of the November general election, with terms to commence on January 1 following the election. The council members who were elected in November, 2023, and whose terms would expire on December 31, 2025, shall continue in office until their successors have been duly elected and have qualified to serve.~~

~~Council Beginning in 2025 and every two years thereafter, the newly qualified council shall elect from their numbers one who shall be denominated vice-mayor, who shall serve in the absence of the mayor.~~

§ 4.3. Town manager.

There may be a town manager who shall be the executive officer of the town responsible to the town council for the proper administration of the town government. The town manager shall be appointed by council for an indefinite term. At the time of appointment, he or she need not be a resident of the town or of the Commonwealth, but during his or her tenure of office he or she ~~shall~~ is encouraged to reside within the town limits and may reside within a reasonable distance outside the town limits only with the majority approval of the appointing council.

§ 4.7. Town clerk.

The town manager shall appoint a town clerk, who shall be an employee of the town. The town clerk shall be an employee of the town and shall be clerk of the town council and shall be responsible for maintaining the journal of its proceedings and recording all ordinances and resolutions in the book or books kept for that purpose. The town clerk shall be custodian of the town corporate seal and shall be the officer authorized to use and authenticate it. The town clerk shall perform such other duties and keep such other records as town council and the town manager may require or the general laws of the Commonwealth may require. All records of the office of town clerk shall be public records and open to inspection at all times during regular business hours.

2. That § 5.9 of Chapter 29 of the Acts of Assembly of 1992 is repealed.