

25103818D

HOUSE BILL NO. 2760

Offered January 17, 2025

A BILL to amend and reenact § 1.2, as amended, and §§ 2.1, 3.1, 3.2, and 4.4 of Chapter 579 of the Acts of Assembly of 1980, which provided a charter for the Town of Ashland in Hanover County, relating to boundaries, town powers, town council, and town officers.

Patrons—Wyatt and Fowler

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That § 1.2, as amended, and §§ 2.1, 3.1, 3.2, and 4.4 of Chapter 579 of the Acts of Assembly of 1980 are amended and reenacted as follows:

§ 1.2. Boundaries.

The boundaries of the town shall be as established by the General Assembly, Acts of Assembly, 1893-1894, and by order of the Circuit Court of Hanover County, Virginia, entered at the May 1932 term in Chancery Order Book No. 20, page 8 and described in such court order and as enlarged by an annexation order entered July 26, 1976, and filed in Chancery Order Book No. 47, page 462 in the clerk's office of the Circuit Court of Hanover County, Virginia, and further shown in Plat Book 31, page 40 in such clerk's office, and as enlarged by an annexation order entered November 30, 1995, and filed in Deed Book 1157, page 191 in the clerk's office of the Circuit Court of Hanover County, Virginia, and further shown in Plat Book 44, page 120 in such clerk's office, and as reduced by a boundary line adjustment agreement order entered June 13, 2018, and filed in Deed Book 3202, page 2506 in the clerk's office of the Circuit Court of Hanover County, Virginia, which are made a part hereof and are incorporated herein by reference.

§ 2.1. The town of Ashland shall have all powers that are conferred upon towns under the Constitution of Virginia and other laws of the Commonwealth. All powers set forth in Chapter 18 of Title 15.1 of Title 15.2 of the Code of Virginia (§ 15.1-837 15.2-1100 et seq.), as may be amended from time to time, are hereby specifically conferred upon the town of Ashland.

§ 3.1. Council.

A. The town of Ashland shall be governed by a town council, composed of five members, elected at large.

B. The members of council in office at the time of the passage of this act shall continue until the expiration of the terms for which they were elected, or until their successors are duly elected and qualified.

C. In each even-numbered year, on the date specified by general law for municipal elections, a number of councilmen equal to the number of terms expiring during that year—that is, three in years divisible by four and two in other even-numbered years—shall be elected for terms of four years each. Persons so elected shall qualify and take office on the first day of July following their election. They shall continue to serve until their successors are duly elected, qualify and assume office. Council members shall serve four-year terms, beginning January 1 following their election, until successors are elected and qualified. Two members will be elected on the first Tuesday following the first Monday of November 2025, with elections every four years thereafter. Three members will be elected on the first Tuesday following the first Monday of November 2027, with elections every four years thereafter.

D. Any person qualified to vote in the town shall be eligible for the office of councilman council member.

E. Vacancies on the council shall be filled for the unexpired term by a majority vote of the remaining members of the council from the electors of the town in accordance with general law.

§ 3.2. Mayor and vice-mayor.

A. At its first meeting in July January, the council shall elect from among its membership a mayor and a vice-mayor, each for terms of two years.

B. The mayor shall preside at the meeting of the council and shall be recognized as head of the town government for ceremonial purposes and by the Governor for purposes of military law. He The mayor shall have a vote as a member of council but shall have no veto power. He The mayor shall perform such other duties as may be given him by council not inconsistent with the Constitution of Virginia, general laws of the Commonwealth, or this charter.

C. The vice-mayor shall perform the duties of the mayor whenever the mayor is absent or unable to perform such duties.

D. The positions of mayor and vice-mayor shall be treated as additional duties of members of council and shall not be considered a separate office for purposes of Section 6 of Article VII of the Constitution of Virginia or for any other purpose.

§ 4.4. Town officers.

A. At its organizational meetings held in each even-numbered year, as referred to in § 3.2 A. of this

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59 charter, the council shall appoint a town manager who shall serve as the chief administrative officer of the
60 town. *The town manager shall hire such officers and employees as may be necessary for the proper*
61 *administration of the affairs of the town, with the power to suspend and remove any such officers or*
62 *employees.*

63 B. The council may, in its discretion, provide for a town attorney *who reports to the town council*; ~~town~~
64 ~~clerk, town treasurer, chief of police and such other town officers as it deems appropriate. It shall specify~~
65 ~~which officers shall be appointed by the council and which ones shall be appointed by the town manager. The~~
66 ~~council shall further provide the terms of each office or whether the officers shall serve at the pleasure of the~~
67 ~~appointing authority.~~

68 C. Each officer shall have such duties not inconsistent with the Constitution, general laws of the
69 Commonwealth or this charter, and shall be paid such compensation as the council may determine.

70 D. Except for the members of the council, the same person may be appointed to more than one office.

71 E. ~~In accordance with the provisions of § 15.1-796 of the Code of Virginia, there shall not be created in~~
72 ~~the town the office of town sergeant.~~