

25104265D

SENATE BILL NO. 1444

Offered January 17, 2025

A BILL to amend and reenact §§ 1.1 and 1.2, § 2.1, as amended, §§ 3.1 through 3.4, § 3.5, as amended, §§ 3.6, 3.7, and 3.8, § 3.9, as amended, §§ 3.10 through 3.20, §§ 4.1 and 4.2, as severally amended, and §§ 4.3 through 5.8 of Chapter 912 of the Acts of Assembly of 1993, which provided a charter for the City of Manassas Park, and to amend Chapter 912 by adding a section numbered 5.7:1, relating to corporate limits; city powers; city council, and city officials.

Patron—Roem

Referred to Committee on Local Government

Be it enacted by the General Assembly of Virginia:

1. That §§ 1.1 and 1.2, § 2.1, as amended, §§ 3.1 through 3.4, § 3.5, as amended, §§ 3.6, 3.7, and 3.8, § 3.9, as amended, §§ 3.10 through 3.20, §§ 4.1 and 4.2, as severally amended, and §§ 4.3 through 5.8 of Chapter 912 of the Acts of Assembly of 1993, are amended and reenacted, and that Chapter 912 is amended by adding a section numbered 5.7:1, as follows:

§ 1.1. Municipal corporation continued; name and style; general rights, privileges and authority.

The City of Manassas Park, Virginia (the "city" or the "City of Manassas Park"), notwithstanding any other provision of law, shall be and continue to be a municipal corporation under the name and style of the City of Manassas Park, clothed with all the rights, privileges and authority granted it under this charter Charter and by the general laws of the Commonwealth of Virginia. The City of Manassas Park shall have perpetual succession, may sue and be sued, contract and be contracted with, and shall have a corporate seal which it the governing body may alter at its pleasure.

§ 1.2. Corporate limits.

The corporate limits of the City of Manassas Park, Virginia, shall be the boundaries of the town of Manassas Park, Virginia, its predecessor, as ordered in the final decree of the Prince William Circuit Court of Prince William County entered on January 21, 1957; and recorded in Common Law Order Book 17, page at Page 429, and as said boundaries were have been enlarged by certain the following orders of the Prince William Circuit Court of Prince William County, sitting as a duly constituted Annexation Court, one: entered December 31, 1974; and recorded in Common Law Order Book 67, page 297 at Page 207, and the other among the land records of Prince William County, Virginia (the "Land Records") in Deed Book 767, at Page 589; entered January 31, 1990; and recorded in Common Law Order Book 130, page at Page 1263; entered May 16, 2000 and recorded in Common Law Order Book 167, at Page 189; entered May 19, 2000 and recorded in Common Law Order Book 167, at Page 83; entered July 29, 2002 and recorded in Common Law Order Book 173, at Page 1253, and among the Land Records as Instrument No. 200208020099418; entered July 11, 2003 and recorded in Common Law Order Book 176, at Page 2056, and among the Land Records as Instrument No. 200307230134028; entered February 25, 2004 and recorded in Common Law Order Book 253, at Page 1979, and among the Land Records as Instrument No. 200403040038301; and entered July 2, 2019 and recorded among the Land Records as Instrument No. 201908020054815.

In addition to the above, the corporate limits shall include such territory as is otherwise added from time to time to the municipality as provided by law.

§ 2.1. General grant of powers.

Except as may be otherwise provided in this charter Charter, all powers of the City city and the administration and government of the City city shall be vested in the Mayor mayor and City Council city council, as defined in §§ 3.4 and 3.6, as the Governing Body governing body, as defined below, of the City of Manassas Park, and in such boards and officers as are hereafter mentioned, or as may be by law otherwise provided. The powers set forth in the Code of Virginia, and all other powers which are now or may hereafter be conferred upon or delegated to cities under the Constitution and laws of the Commonwealth, are hereby conferred on and vested in the City of Manassas Park, Virginia.

The enumeration of certain powers in this charter Charter shall not be construed to impair or diminish any of the rights, powers or authority conferred upon cities or their officers by the general laws of the Commonwealth.

The Governing Body governing body shall have, subject to the provisions of this charter Charter, the control and management of the fiscal and municipal affairs of the City city and make such ordinances and bylaws relating to the same as it shall deem proper and necessary to carry out the following powers, which are hereby vested in it:

A. Eminent domain. The powers of eminent domain as set forth in the Code of Virginia, as amended, are hereby conferred upon the City of Manassas Park with respect to lands and improvements thereon, machinery

59 and equipment for any lawful purpose of the ~~City~~ city, including but not limited to, mutatis mutandis, the  
 60 rights, privileges and obligations set forth in the Code of Virginia, as amended, applicable to the  
 61 ~~Commonwealth Transportation~~ Commissioner of Highways and the Department of Transportation, as set  
 62 forth in ~~Title 33.1, Chapter 1, Title 15.2 and, Title 25, and Title 33.2, Chapter 1-10~~, of the 1950 Code of  
 63 Virginia, and all acts amendatory thereof and supplemental thereto, with respect to all lawful purposes for  
 64 which the ~~City~~ city is permitted to exercise the power of eminent domain.

65 B. Financial powers. In addition to the powers granted elsewhere in this ~~charter~~ Charter, the ~~City~~ city  
 66 shall have the power:

67 1. To raise by taxes and assessments, as permitted by general law, in the ~~City~~ city, such sums of money as  
 68 the ~~Governing Body~~ governing body may deem necessary to pay the debts and defray the expenses of the  
 69 ~~City~~ city. In the event the fees, rents or charges payable for the use and services of any public utility or public  
 70 service supplied by the City of Manassas Park for or in connection with any real property shall not be paid  
 71 when due, interest may be charged on such unpaid balance at the legal rate of interest. Such fees, rents or  
 72 charges and the interest due thereon shall constitute a lien against such property, ranking on a parity with  
 73 liens for unpaid town, city or county taxes, and shall also be recoverable by the ~~City~~ city in an action at law or  
 74 a suit in equity. In addition to, but not as a limitation upon, this general grant of power, the ~~City~~ city shall  
 75 have power to ~~levy~~:

76 a. Levy and collect ad valorem taxes on real estate and tangible personal property and machinery and  
 77 tools; ~~to levy~~

78 b. Levy and collect taxes for admission to or other charge for public amusement, entertainment,  
 79 performance, exhibition, sport or athletic event in the ~~City~~ city, which taxes may be added to and collected  
 80 with the price of such admission or other charge; ~~to levy~~

81 c. Levy and collect taxes on hotel and motel rooms; ~~to levy~~

82 d. Levy and collect privilege taxes, and local general retail sales and use taxes as provided by law; ~~unless~~

83 e. Unless prohibited by general law, ~~to~~ require licenses, prohibit the conduct of any business, profession,  
 84 vocation or calling without such a license, require taxes to be paid on such licenses in respect to all  
 85 businesses, professions vocations and callings which cannot, in the opinion of the ~~Governing Body~~ governing  
 86 body, be reached by the ad valorem system; and ~~to require~~

87 f. Require licenses of all owners of vehicles or trailers of all kinds for the privilege of using the streets;  
 88 and other public places of the ~~City~~ city, require taxes to be paid on such licenses and prohibit the use of  
 89 streets, alleys and other public places in the ~~City~~ city without such license, ~~said City to have the power to~~,  
 90 require as a condition precedent to the issuance of ~~motor~~ a vehicle licenses license the exhibiting by the  
 91 ~~motor~~ vehicle license applicant of adequate proof of the payment of all personal property taxes and all fines  
 92 for violation of the city's ordinances governing parking of vehicles then due and payable to the City of  
 93 Manassas Park.

94 2. To impose, levy and collect, in such manner and in an amount permitted by the Code of Virginia, a  
 95 consumer or subscriber tax upon the amount paid for use of water, gas, electricity, telephone, and any other  
 96 public utility services, and ~~may~~ to provide that such tax shall be added to and collected with bills rendered  
 97 consumers and subscribers for such services.

98 C. Grants. The City of Manassas Park shall have the power to receive and accept from any federal, state or  
 99 private agency, grants of any kind for or in aid of the construction of any project, the procuring or reserving  
 100 of park land, open spaces, or any recreational facility and to do all such things or make any ~~covenants~~  
 101 covenants or agreements which may be necessary or required in order to obtain and use such grants. The ~~City~~  
 102 city may receive and accept aid or contributions from any source or money, property, labor or other things of  
 103 value, to be held, used and applied only for the purpose for which such grants and contributions may be  
 104 made.

105 D. Debts, bonds, notes, etc. ~~Governing Body~~ The governing body may, in the name and for the use of the  
 106 ~~City~~ city, contract debts and make and issue, or cause to be made and issued, as evidence thereof, bonds,  
 107 notes or other obligations, upon the credit of the ~~City~~ city or, in connection with any public utility owned and  
 108 operated by the city, solely upon the credit of specific property owned by the ~~City~~ city or solely upon the  
 109 credit of income derived from property used in connection with any public utility owned and operated by the  
 110 ~~City~~ by such public utility, subject to the provisions of the Code of Virginia and the Constitution of Virginia.

111 1. Pending the issuance and sale of any bonds, notes or other obligations by this ~~charter~~ Charter  
 112 authorized, or in anticipation of the receipt of taxes and revenues of the current fiscal year, it shall be lawful  
 113 for the ~~City~~ city to borrow money temporarily and to issue notes or other evidences of indebtedness therefor,  
 114 and from time to time to renew such temporary loans or use current funds, to be ultimately repaid from the  
 115 proceeds of the said bonds, notes or other obligations or from city taxes and revenues, as the case may be,  
 116 subject to the provisions of the Code of Virginia and the Constitution of Virginia.

117 2. The credit of the City shall not, directly or indirectly, under any device or pretense whatsoever, be  
 118 granted to or in aid of any person, firm, association or corporation.

119 3. Every ordinance authorizing the issuance of bonds shall specify the purpose or purposes for which they

120 are to be issued, the aggregate amount of the bonds, the terms for which they shall be issued, and the  
121 maximum rates of interest to be paid thereon. Any such ordinance may be amended by ordinance at any time  
122 before the bonds to be affected by such amendment have been sold; however, if there is omitted from this  
123 ~~charter~~ *Charter* any provision essential to the valid authorization, sale, execution and issuance of any bonds  
124 of the ~~City~~ *city*, the provisions of general law with reference to similar bonds shall supply said omission.

125 4. 3. Any bonds issued by the ~~City~~ *city* under this ~~charter~~ *Charter* shall be signed by the ~~Mayor~~ *mayor* and  
126 attested by the ~~City Clerk~~ *city clerk*, as defined below, under the ~~Seal~~ *seal* of the ~~City~~ *city*, and shall be made  
127 payable in the office of the ~~City Treasurer~~ *city treasurer*, as defined below, or such other place in or out of the  
128 Commonwealth as the ~~Council~~ *governing body* may provide in the ordinance authorizing the issuance of the  
129 particular bonds. Such bonds shall be advertised by the ~~Mayor~~ *mayor* and sold by the ~~City Treasurer~~ *city*  
130 *treasurer*, or by the ~~City Manager~~ *city manager*, as defined below, as may be provided in such ordinance,  
131 under the supervision of the ~~Mayor~~ *mayor*, ~~City Manager~~ *city manager* and ~~City Clerk~~ *city clerk*, and the sale  
132 reported to and approved by the ~~Governing Body~~ *governing body*, and the proceeds from said sale shall be  
133 paid to the ~~City Treasurer~~ *city treasurer*.

134 5-4. So long as there exists any unpaid bonded indebtedness, the ~~Governing Body~~ *governing body* shall  
135 set aside, or cause to be set aside, a sufficient portion or the revenues of the ~~City~~ *city* during each fiscal year  
136 for the sinking fund requirement for that year and none of the funds so set aside shall be appropriated or used  
137 for any purpose other than the retirement of outstanding bonds and the payment of the interest on same.

138 E. Public improvements. With the exception of electric utilities, the ~~Governing Body~~ *governing body* shall  
139 have the power to construct, maintain, regulate and operate public improvements of all kinds, including  
140 municipal and other buildings and structures necessary or appropriate for the use and proper operation of the  
141 various departments of the ~~City~~ *city* and the performance of its duties and functions.

142 F. Waterworks and sewers. The ~~Governing Body~~ *governing body* shall have the power to establish,  
143 maintain, and operate waterworks and sewer systems within and without the ~~City~~ *city*; to purchase water  
144 therefor; to contract and agree with the owners of any land, springs, wells or water supplies for the use of or  
145 purchase thereof; or have same condemned according to law, for the location, extension, or enlargement of  
146 the said waterworks, or sewer system, either or both, the pipes connected therewith, and the fixtures or  
147 appurtenances thereof; and to protect from injury by ordinance, prescribing adequate penalties, the said  
148 waterworks, water supply, sewer systems, pipes, fixtures, and land, or anything connected therewith, whether  
149 within or without the limits of the ~~City~~ *city*.

150 G. Streets, sidewalks and alleyways generally. The ~~Governing Body~~ *governing body* shall have the power  
151 to open, extend, widen or narrow, close, lay out, graduate, curb, and pave, and otherwise improve streets,  
152 sidewalks, and public alleys in the ~~City~~ *city*, and have them kept in good order and properly lighted. In order  
153 to properly light the streets of the ~~City~~ *city*, the ~~Governing Body~~ *governing body* may erect and operate such  
154 number of lamps and fixtures thereto belonging as it may deem necessary. It may build bridges in and  
155 culverts under streets, and may prevent or remove any structure, obstruction, or encroachment over, or under,  
156 or in any street, sidewalk, or alley in the ~~City~~ *city*, and may permit shade trees to be planted along streets. No  
157 person shall occupy with his works *or property*, or any appurtenances thereof, the streets, sidewalks, or  
158 alleyways of the ~~City~~ *city* without the consent of the ~~Governing Body~~ *governing body*, duly entered upon its  
159 records.

160 1. Removal of street encroachments. In every case where a street in the ~~City~~ *city* has been, or shall be  
161 encroached upon by a fence, building or ~~otherwise~~ *other structure or facility*, the ~~Governing Body~~ *governing*  
162 *body* may require the owner to remove the same, and if such removal *shall not be not* made within the time  
163 prescribed, it may impose such penalty as it may prescribe by ordinance for each and every day it is allowed  
164 to continue thereafter, and may cause the encroachment to be removed, and collect from the owner all  
165 reasonable charges therefor, with costs, by the same process that it is hereinafter empowered to collect taxes.  
166 Except, in any case where there is a bona fide dispute as to the true boundary line or the location of the true  
167 street line, and if passage over such street is not seriously impeded, the same shall first be established and  
168 determined by an adjudication of a court of competent jurisdiction in a proceeding instituted by either the ~~C~~  
169 *ity city* or the property owner for that purpose before the ~~City~~ *city* shall take any steps to remove the said  
170 obstruction or encroachment, or to impose a penalty therefor. No encroachment upon any street *or other*  
171 *public property*, however long continued, shall constitute any adverse possession to or confer any rights upon  
172 persons claiming thereunder as against the ~~City~~ *city*.

173 2. Dedication of streets. Dedication of any street, alley, or lane in the ~~City~~ *city* may be made by plat or  
174 deed. Any street ~~or~~, alley, *or lane* reserved in the division or subdivision into lots, of any portion of the  
175 territory within the corporate limits of the ~~City~~ *city*, by a plan or plot of record, shall be deemed and held to  
176 be dedicated to public use, unless it appears by said record that the street ~~or~~, alley, *or lane* so reserved is  
177 designated for private use. The ~~Governing Body~~ *governing body* shall have the right to elect, by resolution  
178 entered on its minutes whether it will, or will not accept the dedication of any street ~~or~~, alley, *or lane*.

179 3. *Streets, alleys, and lanes previously dedicated for public use in another jurisdiction. Any street, alley,*  
180 *or lane previously dedicated to public use in any other jurisdiction shall automatically be deemed dedicated*

181 *to public use in the city upon its inclusion in the corporate limits of the city by either annexation or boundary*  
 182 *line adjustment.*

183 H. Encumbering streets, sidewalks, etc. The ~~Governing Body~~ *governing body* shall have the power to  
 184 prevent the encumbering of streets, sidewalks, alleyways, lanes, or bridges throughout the ~~City~~ *city* in any  
 185 manner whatever.

186 I. Route and grade of public utilities. The ~~Governing Body~~ *governing body* shall have the power to  
 187 determine and designate the route and grade of any public utility laid out in the ~~City~~ *city*, which power may  
 188 be delegated to the appropriate officer of the ~~City~~ *city*.

189 J. Nuisances, unsafe or unsanitary structures, dangerous and unhealthy businesses, transportation of  
 190 explosives, garbage, etc., and speed of trains; dangerous buildings.

191 1. The ~~Governing Body~~ *governing body* shall have the power to ~~require~~:

192 a. ~~Require~~ and compel the abatement and removal of all nuisances within the ~~City~~ *city*, *including but not*  
 193 *limited to the removal of weeds from private and public property and snow from sidewalks*, at the expense of  
 194 the person or persons causing the same, or the owner or owners of the ground whereon the same shall be; ~~to~~  
 195 ~~require~~ *and if such nuisance has not been abated and removed after reasonable notice as the governing body*  
 196 *may deem appropriate, the city may remove and abate the nuisance and charge and collect the cost thereof*  
 197 *from the owner or owners or occupant or occupants of the property affected in any manner provided by law*  
 198 *for the collection of state or local taxes, including recording a lien against such property ranking on a parity*  
 199 *with liens for unpaid town, city or county taxes, and such costs shall also be recoverable by the city in an*  
 200 *action at law or a suit in equity;*

201 b. ~~Require~~ all lands, lots, and other premises within the ~~City~~ *city* to be kept clean, sightly, sanitary and free  
 202 from weeds or to make them so at the expense of the owners or occupants thereof; ~~to make~~

203 c. ~~Make~~ such rules, regulations, orders or ordinances as will protect its citizens from unsafe and unsanitary  
 204 structures or walls, and to that end it shall have the power to cause to be condemned and taken down any such  
 205 structure or wall, but no such condemnation shall be made or such structure or wall taken down until the  
 206 owner thereof, or in the case of an infant or person declared incompetent pursuant to the Code of Virginia, his  
 207 guardian or committee, is duly summoned before a board or a committee of the ~~Governing Body~~ *governing*  
 208 *body* or the full ~~Governing Body~~ *governing body* as charged by the ordinances with such duty, and allowed  
 209 reasonable opportunity to show cause against such action; ~~to regulate~~

210 d. ~~Regulate~~ the exercise of any dangerous, offensive or unhealthy business, trade or employment within  
 211 the ~~City~~ *city*; ~~to regulate~~

212 e. ~~Regulate~~ the transportation of coal, explosives, garbage and other articles through the streets of the ~~City~~  
 213 *city*; ~~to restrain and~~

214 f. ~~Restrain and regulate~~ the speed *and sound* of locomotive engines and cars upon the railroads within the  
 215 ~~City~~ *city*.

216 2. The ~~Governing Body~~ *governing body* may by resolution, duly adopted and recorded, order the repair,  
 217 wrecking, or removal of any building or structure which has been complained of by the ~~City Manager~~ *city*  
 218 *manager* or other authorized agent as a menace to adjoining property or to persons using a public  
 219 thoroughfare or a public place adjacent to such building or structure; and condemnation shall be made only  
 220 after such building or structure has been inspected and found unsafe by a committee composed of the ~~City~~  
 221 ~~Manager~~ *city manager* or other authorized agent and two reputable builders appointed by the ~~Governing~~  
 222 ~~Body~~ *governing body*. If the owner of such menace fails or refuses to repair, wreck, or remove the same  
 223 within thirty days from the date of written notice from the ~~City Clerk~~, *city clerk* transmitting such resolution  
 224 of condemnation, the ~~Governing Body~~ *governing body* may then order the ~~City Manager~~ *city manager* or  
 225 other authorized agent to repair, wreck, or remove such building or structure, and the cost of such repair,  
 226 wrecking, or removal by the ~~City Manager~~ *city manager* or other authorized agent shall be a charge against  
 227 the property on which such menace is located; such costs shall be collectible by due process of law.

228 K. Accumulations of stagnant water, unwholesome substances, etc., on private grounds; removal;  
 229 collection of expenses, etc. If any ground in the ~~City~~ *city* shall be subject to be covered with stagnant water,  
 230 or if the owner or owners; *or* occupier or occupiers thereof shall permit any offensive or unwholesome  
 231 substance to remain or accumulate thereon, the ~~Governing Body~~ *governing body* may cause such grounds to  
 232 be filled, raised, or drained, or may cause such substance to be covered or to be removed therefrom, and may  
 233 collect the expense of so doing from the owner or owners; *or* occupier or occupiers, or any of them, except in  
 234 cases where such nuisance is caused by the action of the city authorities or their agents, or by natural causes  
 235 beyond the control of the owner or occupant, in which case the ~~City~~ *city* shall pay the expense of abating the  
 236 same, by distress and sale in the same manner in which taxes levied upon real estate for the benefit of the  
 237 ~~City~~ *city* are authorized to be collected; provided that reasonable notice and opportunity to be heard shall be  
 238 first given to such owners or their agents. In the case of nonresident owners who have no agent in the ~~City~~  
 239 *city*, such notice shall be given by publication at least once a week for not less than two consecutive weeks in  
 240 any newspaper having general circulation in the ~~City~~ *city*.

241 L. Establishing fire zones; adoption of building codes, etc.; fire prevention; discharge of fireworks and

242 firearms. The ~~Governing Body~~ *governing body* shall have the power to establish fire zones and regulate the  
 243 character of buildings which may be erected or restored within same; to regulate and direct the storage of  
 244 explosives and combustible substances and liquids; to prohibit the discharge of fireworks and firearms within  
 245 the ~~City~~ *city*, the building of bonfires within the ~~City~~ *city* and the use of candles or lights in barns, stables,  
 246 warehouses, etc.

247 M. Franchises. Subject to the provisions of the Code of Virginia, the Constitution of Virginia, and the  
 248 provisions of this ~~charter~~ *Charter*, the ~~Governing Body~~ *governing body* shall have the power to grant  
 249 franchises under terms and conditions to be fixed by the ~~Governing Body~~ *governing body*.

250 N. Diversion of streams. The ~~Governing Body~~ *governing body* shall have the power to divert the channels  
 251 of creeks and flowing streams and for that purpose to acquire property by condemnation pursuant to the Code  
 252 of Virginia and this ~~charter~~ *Charter*.

253 O. Passage of ordinances, etc., to promote general welfare, etc. The ~~Governing Body~~ *governing body* shall  
 254 have the power to do all things whatsoever necessary or expedient, and to pass all ordinances, resolutions,  
 255 and bylaws for promoting or maintaining the security, general welfare, comfort, education, morals, peace,  
 256 *safety*, government, health, trade, commerce and industries of the ~~City~~ *city*, or its inhabitants, not in conflict  
 257 with the Code of Virginia and the Constitution of Virginia or the Constitution of the United States.

258 P. Public utilities generally. The ~~Governing Body~~ *governing body* shall have full control and regulation  
 259 over the public utilities now owned or that may hereafter be acquired by the ~~City~~ *city*, and to this end it shall  
 260 have full authority to employ from time to time such employees as it deems necessary to properly maintain,  
 261 conduct and operate the same. The ~~Governing Body~~ *governing body* shall have full authority to incur  
 262 indebtedness, unless otherwise prohibited by law, whenever the ~~Governing Body~~ *governing body* may deem  
 263 it necessary for the proper conduct, management and maintenance of the public utilities now owned by the  
 264 ~~City~~ *city*, or such as may hereafter be acquired by it.

265 Q. Requiring connection with sewers. The ~~Governing Body~~ *governing body* shall ~~likewise~~ have authority,  
 266 by ordinance duly enacted, to compel all owners of real estate within the corporate limits of the ~~City~~ *city* to  
 267 connect with such sewerage pipes or connection as may hereafter be installed or constructed by the ~~City~~ *city*,  
 268 whenever public health may render necessary such connection, upon such reasonable terms as may be  
 269 prescribed by the ~~Governing Body~~ *governing body*, together with all other authority necessary to proper  
 270 maintenance and operation of an effective sewerage system.

271 R. Special election required for sale of public utilities. The ~~Governing Body~~ *governing body* shall have no  
 272 authority to sell its public utilities, without first submitting the question of such sale at a special election to be  
 273 called for that purpose only, to the qualified voters of the City of Manassas Park, which election shall be  
 274 conducted as now provided by general law governing special elections. The *Prince William Circuit Court of*  
 275 *Prince William County* shall order such special election upon the petition of twenty-five percent of the  
 276 qualified voters of the City of Manassas Park or upon a resolution passed by a majority of the ~~Governing~~  
 277 ~~Body of the City~~ *governing body*. For a period of not less than four weeks prior to such special election, the  
 278 substantial terms of any proposed sale shall be published over the signature of the ~~City Clerk~~ *city clerk*, once  
 279 a week for four successive weeks in some newspaper having general circulation in the City of Manassas Park.  
 280 The qualifications of voters in said special election shall be determined by existing statutes governing special  
 281 elections.

282 S. Penalty for ordinance violations. Where, by provision of this ~~charter~~ *Charter*, or by general law, the  
 283 ~~Governing Body~~ *governing body* has the authority to pass ordinances on any subject that it may prescribe a  
 284 penalty, the penalty for a violation of such ordinances shall not exceed the penalty authorized by general law;  
 285 ~~however, such penalty shall not exceed the penalty authorized in general law~~ for a like offense. Such  
 286 penalties may be pursued through all avenues available under general law and recovered with the costs in the  
 287 name of the City of Manassas Park.

288 § 3.1. Designation of governing body and municipal officers.

289 The ~~Governing Body~~ *governing body* of the City of Manassas Park shall consist of the ~~Mayor~~ *mayor* and  
 290 ~~City Council~~ *city council*. All powers of the City of Manassas Park as a body politic and corporate shall be  
 291 vested in the ~~Governing Body~~ *governing body*. The municipal officers of the ~~City~~ *city* shall consist of a  
 292 ~~Mayor~~ *mayor*, six ~~Council Members~~ *council members* ("~~City Council~~" *collectively, the "city council"*), a ~~City~~  
 293 ~~Clerk~~, a ~~City Treasurer~~ *city treasurer*, a ~~Commissioner~~ *commissioner of Revenue* *the revenue*, a ~~city clerk~~, a  
 294 ~~City Attorney~~ *city attorney* and a ~~City Manager~~ *city manager* so long as the ~~City~~ *city* shall retain a managerial  
 295 form of government. The ~~Mayor~~ *mayor*, ~~Council Members~~ *city council members*, ~~City Treasurer~~ *city*  
 296 ~~treasurer~~ and ~~Commissioner~~ *commissioner of Revenue* *the revenue* shall be elected by qualified voters of the  
 297 ~~City~~ *city*. The ~~City Manager~~, ~~City Clerk~~ and ~~City Attorney~~ *city manager, city clerk, and city attorney* shall be  
 298 appointed by the ~~Governing Body~~ *governing body* as hereinafter provided.

299 § 3.2. Mayor and City Council *city council* to have power and authority prescribed by law.

300 The power and authority of the ~~Mayor~~ *mayor* and ~~City Council~~ *city council* as the ~~Governing Body~~  
 301 ~~governing body~~ of the City of Manassas Park shall, in addition to those mentioned and authorized by this ~~char~~  
 302 ~~ter~~ *Charter*, be such as are mentioned and prescribed by law.

303 § 3.3. Oath and bond of officers.

304 All municipal officers of the ~~City~~ *city*, before entering upon the duties of their respective offices, shall be  
 305 sworn in, pursuant to the laws of the Commonwealth by anyone authorized to administer oaths under the laws  
 306 of the Commonwealth. If any person elected or appointed to any office in the ~~City~~ *city* shall neglect to take  
 307 such oath on or before the day on which that person is to enter upon the discharge of the duties of the office,  
 308 or shall for twenty days after the beginning of the term of office fail to give such bond as may be required of  
 309 that person by ~~City Council~~ *the governing body*, a vacancy in said office shall then exist.

310 § 3.4. Mayor.

311 A. The ~~Mayor~~ *mayor* shall be elected by popular vote of the qualified voters of the ~~City~~ *city* as provided in  
 312 this ~~charter~~ *Charter*. The ~~Mayor~~ *mayor* shall preside at the meetings of the ~~City Council~~ *governing body* and  
 313 perform such other duties as may be prescribed by this ~~charter~~ *Charter*, and as may be imposed by the  
 314 ~~Governing Body~~ *governing body*, consistent with his office. The ~~Mayor~~ *mayor* shall serve as the chief  
 315 executive officer of the ~~City~~ *city*, responsible to the ~~Governing Body~~ *governing body* to see that the bylaws,  
 316 ordinances, acts and resolutions of the ~~Governing Body~~ *governing body* are executed and obeyed faithfully.  
 317 At no time shall the ~~Mayor~~ *mayor* be authorized to serve concurrently as ~~Mayor~~ *mayor* and ~~City Manager~~ *city*  
 318 *manager*, nor shall the ~~Mayor~~ *mayor* be authorized to act as ~~City Manager~~ *city manager* in an interim  
 319 capacity. The ~~Mayor~~ *mayor* shall not have the authority to veto any action of the ~~Governing Body~~ *governing*  
 320 *body*, notwithstanding any other provision in this ~~charter~~ *Charter* or by general law.

321 B. The ~~Mayor~~ *mayor* shall have the right to vote as a member of the ~~Governing Body~~ *governing body*, and  
 322 as such shall have all rights, privileges, powers, duties and obligations of a voting member of the ~~Governing~~  
 323 ~~Body~~ *governing body*, while performing the duties of ~~Mayor~~ *mayor*.

324 C. The ~~Mayor~~ *mayor* shall have the power to suspend and the ~~Governing Body~~ *governing body* to remove  
 325 any city officer appointed by the ~~Governing Body~~ *governing body* for misconduct in office or neglect of duty  
 326 to be specified in the order of suspension or removal. No removal shall be made without reasonable notice to  
 327 the officer complained of and an opportunity afforded him to be heard in his defense.

328 D. The ~~Mayor~~ *mayor* may receive a salary to be fixed by the ~~Governing Body~~ *governing body*, payable in  
 329 such a manner and at such times as the ~~Governing Body~~ *governing body* may direct.

330 § 3.5. Vice-mayor; acting mayor.

331 A. The ~~Governing Body~~ *governing body* shall biennially, at its first regular meeting in January following  
 332 the regular municipal election, choose one of its members as vice-mayor. The vice-mayor shall perform the  
 333 duties of ~~Mayor~~ *mayor* during the ~~Mayor's~~ *mayor's* absence or disability. In the event of the death, removal or  
 334 resignation of the ~~Mayor~~ *mayor*, the vacancy shall be filled in accordance with general law.

335 B. Should a member of ~~City Council~~ *city council* be chosen to serve as ~~Mayor~~ *mayor* until the next  
 336 municipal election, such ~~City Council~~ *city council* seat will be deemed to be vacant upon qualification of the  
 337 former ~~City Council~~ *city council* member as ~~Mayor~~ *mayor*. The vacancy thereby created in the ~~City Council~~  
 338 *city council* shall be filled by the ~~Governing Body~~ *governing body* as provided in this ~~charter~~ *Charter*.

339 C. The member of the ~~City Council~~ *city council* who shall be chosen as vice-mayor shall continue to have  
 340 all rights, privileges, powers, duties and obligations as a member of the ~~Governing Body~~ *governing body*  
 341 while performing the duties of ~~Mayor~~ *mayor* in the absence or disability of the ~~Mayor of the City~~ *mayor*.

342 § 3.6. ~~City Council~~ *council*.

343 The ~~City Council~~ *city council* shall be composed of six members. They shall be elected by popular vote of  
 344 the qualified voters of the ~~City~~ *city* as provided in this ~~charter~~ *Charter*.

345 In the event of the death, removal or resignation of a member of ~~City Council~~ *city council*, the vacancy  
 346 shall be filled in accordance with general law.

347 Each member of the ~~City Council~~ *city council* may receive a salary to be fixed by the ~~Governing Body~~  
 348 *governing body*, payable at such times and in such manner as the ~~Governing Body~~ *governing body* may  
 349 direct.

350 § 3.7. ~~Governing Body~~ *body*, generally.

351 A. The ~~Governing Body~~ *governing body* shall establish its own rules of procedure. In addition to the  
 352 foregoing, the ~~Governing Body~~ *governing body* shall have the following powers:

353 1. To exercise all powers granted to the City of Manassas Park by general law and this ~~charter~~ *Charter*.  
 354 2. To inquire into the official conduct of any office or officer under its control and to investigate the  
 355 accounts, disbursements, and expenses of any city employee; for these purposes, it may subpoena witnesses,  
 356 administer oaths, and require the production of books, papers, and other evidence; and in case any witness  
 357 fails or refuses to obey any such lawful order of the ~~council~~ *governing body*, he shall be deemed guilty of a  
 358 misdemeanor.

359 3. To provide for the performance of all the governmental functions in the ~~City~~ *city*, and, to that end,  
 360 provide for and set up all departments and agencies of government that shall be necessary. Whenever it is not  
 361 designated in this ~~charter~~ *Charter* what officer or employee of the ~~City~~ *city* shall exercise any power or  
 362 perform any duty conferred upon or required of the ~~City~~ *city* or any officer thereof by general law, then any  
 363 such power shall be exercised or duly performed by that officer or employee of the ~~City~~ *city* so designated by  
 364 ordinance or resolution of the ~~Governing Body~~ *governing body*. Any activity which is not assigned by the

365 provisions of this ~~charter~~ *Charter* to specific departments or agencies of the city government shall be  
 366 assigned by the ~~Governing Body governing body~~ to the appropriate department or agency. The ~~Governing~~  
 367 ~~Body governing body~~ may further create, abolish, reassign, transfer, or combine any city functions, activities,  
 368 or departments. The ~~Governing Body governing body~~ shall appoint a ~~City Manager~~ *city manager*. The  
 369 ~~Governing Body governing body~~, in its discretion, may appoint the same person to more than one appointive  
 370 office; however, said appointments may not result in dual compensation or benefits of any kind, *except in the*  
 371 *form of a temporary stipend to be set by the governing body.*

372 4. To fix a schedule of compensation for all ~~City Officers~~ *city officers* and employees. The ~~Governing~~  
 373 ~~Body governing body~~ may by ordinance define certain classes of city employees whose salaries shall be set  
 374 by the ~~Governing Body governing body~~.

375 5. To prescribe the amount and condition of surety bonds to be required of such officers and employees of  
 376 the ~~City~~ *city* as the ~~Governing Body governing body~~ may designate, not inconsistent with general law.

377 6. The ~~Governing Body governing body~~ may appoint a ~~City Attorney~~ *city attorney*. The ~~City Attorney~~ *city*  
 378 *attorney* shall be an attorney licensed to practice under the laws of the Commonwealth and need not be a  
 379 resident of the City of Manassas Park.

380 7. To provide for a board of equalization as authorized by the Code of Virginia.

381 8. ~~To place the control and supervision of the police force of the City under either the Mayor or the City~~  
 382 ~~Manager as may appear advisable to the Governing Body.~~

383 9. ~~To take from any officer or employee of the City city, whether elected by the voters of the City city or~~  
 384 ~~appointed by the Governing Body governing body, a bond, with surety, to be approved by the Governing~~  
 385 ~~Body governing body, in such penalty as it may deem proper, payable to the City city, with condition for the~~  
 386 ~~faithful discharge by the officer or employee of the duties of the designated office.~~

387 10. ~~9.~~ To exercise full police powers, and it shall establish and maintain a police force for the City of  
 388 Manassas Park with such number of police officers and employees as the ~~Governing Body governing body~~  
 389 may deem necessary; the head of such force may be known as the ~~Chief of Police~~ *chief of police*. The ~~Chief~~  
 390 ~~of Police~~ *chief of police* and the police officers and employees of the police force shall be under the control  
 391 and supervision of the ~~City Manager~~ *city manager* or ~~Mayor~~ *mayor* as the ~~Governing Body governing body~~  
 392 may deem expedient. The compensation and terms of office or employment of the ~~Chief of Police~~ *chief of*  
 393 *police* and such police officers and employees of the police force shall be fixed and determined by the  
 394 ~~Governing Body governing body~~. Each member of the police force and the ~~Chief of Police~~ *chief of police* are  
 395 hereby made and constituted conservators of the peace and endowed with all powers of a constable in  
 396 criminal cases and all other powers which under the laws of the Commonwealth of Virginia and the  
 397 ordinances and resolutions of the ~~City city~~ may be necessary to enable the police officers to discharge the  
 398 duties of their offices.

399 11. ~~10.~~ To *establish and* maintain a Fire Department for the City of Manassas Park and provide  
 400 fire-fighting apparatus and equipment for such department, and it may accept for use of the department gifts,  
 401 grants, or donations in the form of money or equipment which, when made, shall be the property of the ~~City~~  
 402 ~~city~~ as completely as if purchased and paid for by the ~~City city~~. The ~~Governing Body governing body~~ may by  
 403 ordinance or resolution prescribe such rules and regulations as it may deem necessary regulating the  
 404 operation of *the* Fire Department and the use of the apparatus, equipment, etc., as herein provided. The Fire  
 405 Department may be ~~manned~~ *staffed* by ~~either volunteer firemen or firemen~~ *firefighters and emergency*  
 406 *medical technicians* who are ~~either volunteers or~~ *paid* employees of the ~~City city~~. If *the Fire Department is*  
 407 *maintained as a Volunteer Fire Company*, the ~~Governing Body governing body~~ may grant the members of  
 408 such company the right to select their own membership and officers subject to the approval of the ~~Governing~~  
 409 ~~Body governing body~~. The ~~Governing Body governing body~~ may at its discretion add to the Volunteer Fire  
 410 Company such full-time, or part-time, paid members as may seem advisable to the ~~Governing Body~~  
 411 ~~governing body~~.

412 12. ~~11.~~ Neither the ~~Governing Body governing body~~ nor any of its members shall direct the appointment  
 413 of any person to or his removal from any office or employment by the ~~City Manager~~ *city manager* or by any  
 414 of his subordinates except as specifically provided in this ~~charter~~ *Charter*. Except for the purpose of inquiry,  
 415 the ~~Governing Body governing body~~ and its members shall deal with the administrative services solely  
 416 through the ~~City Manager~~ *city manager*, and neither the ~~Governing Body governing body~~ nor any member  
 417 thereof shall give orders either publicly or privately to any subordinate of the ~~City Manager~~ *city manager*.

418 B. Except as herein provided, the ~~Governing Body governing body~~ shall establish its own rules of  
 419 procedure.

420 1. The ~~Governing Body governing body~~ shall meet in regular session at least once each month *for at least*  
 421 *eleven (11) months of each fiscal year, and shall establish the dates of its regular meetings for each fiscal*  
 422 *year by resolution adopted at each annual meeting held in July.*

423 2. The ~~Governing Body governing body~~ shall provide for the calling of special meetings by the ~~Mayor~~  
 424 ~~mayor~~, or any three members of the ~~Governing Body~~ *city council*, and shall prescribe the method of giving  
 425 notice thereof.

426 3. Except as otherwise provided by law, ordinances, resolutions, motions, and votes shall be adopted only

427 by the affirmative votes of a majority of the quorum of the ~~Governing Body~~ *governing body* present at a  
 428 regularly scheduled or special meeting open to the public.

429 C. The ~~Governing Body~~ *governing body* shall have general power over all the officers and employees of  
 430 the ~~City~~ *city* as provided in this ~~charter~~ *Charter*.

431 § 3.8. Quorum; required vote for appropriation of money or levy of taxes or licenses; reconsideration, at  
 432 special meeting, of matters decided at stated meeting.

433 Four members of the ~~Governing Body~~ *governing body* shall constitute a quorum for the transaction of  
 434 business. No ordinance shall be passed or resolution adopted having for its object the appropriation of money  
 435 in any sum, or the levy of taxes and licenses, except by the ~~concurrence~~ *affirmative vote* of at least four  
 436 members of the ~~Governing Body~~ *governing body*. No vote or question decided at a stated meeting shall be  
 437 reconsidered at a special meeting unless all members *present at the stated meeting* are present *at the special*  
 438 *meeting*, and ~~four a majority of them concur, each having been the~~ members of the ~~Governing Body~~  
 439 *governing body* who previously voted in favor of the prevailing side during the previous voted decision on  
 440 the issue in question *concur*.

441 § 3.9. Induction of members.

442 The ~~City Clerk~~ *city clerk* shall administer the oath of office to the duly elected members of ~~City Council~~  
 443 *the city council* and the ~~Mayor~~ *mayor* on or before December 31, immediately following their election. In the  
 444 absence of the ~~City Clerk~~ *city clerk*, the oath may be administered by anyone authorized to administer oaths  
 445 under the laws of the Commonwealth.

446 § 3.10. Meetings generally.

447 The ~~Governing Body~~ *governing body* shall, by ordinance, fix the time for its stated meetings. Special  
 448 meetings shall be called by the ~~City Clerk~~ *city clerk* upon written request of the ~~Mayor~~ *mayor*, or any three  
 449 members of the ~~Governing Body~~ *governing body*; no business shall be transacted at a special meeting but that  
 450 for which it shall be called, unless the ~~Governing Body~~ *governing body* so agrees by unanimous vote. The  
 451 meetings of the ~~Governing Body~~ *governing body* shall be open to the public, except when in the judgment of  
 452 the ~~Governing Body~~ *governing body* the public welfare shall require ~~executive sessions~~ *closed meetings* as  
 453 provided by law.

454 § 3.11. Persons receiving emolument from federal government not barred from holding office.

455 No person presently receiving any emolument from the federal government shall be barred because of  
 456 such fact from continuing to serve as an elected officer of the ~~City~~ *city* or to seek reelection and to serve as a  
 457 member of the ~~Governing Body~~ *governing body* or to serve as a member of any board or commission of the  
 458 ~~City~~ *city*.

459 § 3.12. City Clerk clerk.

460 The ~~Governing Body~~ *governing body* shall appoint a ~~City Clerk~~ *city clerk* for an indefinite term. The ~~City~~  
 461 ~~Clerk~~ *city clerk* shall be the clerk of the ~~Governing Body~~ *governing body*, shall keep a journal of its  
 462 proceedings and shall record all ordinances *and resolutions* in a ~~book~~ *books* kept for that purpose. The ~~City~~  
 463 ~~Clerk~~ *city clerk* shall be the custodian of the corporate seal of the ~~City~~ *city* and shall be the officer authorized  
 464 to use and authenticate said seal. All records in the office of the ~~City Clerk~~ *city clerk* shall be public records  
 465 and open to inspection at any time during regular business hours, *except as otherwise provided by the laws of*  
 466 *the Commonwealth*. The ~~City Clerk~~ *city clerk* shall receive compensation to be fixed by the ~~Governing Body~~  
 467 *governing body* and all fees received by the ~~City Clerk~~ *city clerk* shall be paid into the city treasury.

468 § 3.13. Election and general powers and duties of ~~Commissioner~~ *commissioner* of ~~Revenue~~ *the revenue*  
 469 and ~~City Treasurer~~ *city treasurer*; filling of vacancies.

470 A. By general election every four years, there shall be elected by the qualified voters of the City of  
 471 Manassas Park a ~~Commissioner~~ *commissioner* of ~~Revenue~~ *the revenue* and a ~~City Treasurer~~ *city treasurer*. In  
 472 case of a vacancy in the office of ~~Commissioner~~ *commissioner* of ~~Revenue~~ *the revenue* or ~~City Treasurer~~ *city*  
 473 *treasurer*, the vacancy shall be filled in accordance with general law.

474 B. The ~~City Treasurer~~ and the ~~Commissioner~~ *commissioner* of ~~Revenue~~ *the revenue* and the ~~city treasurer~~  
 475 shall have such powers and perform such duties ~~and receive such compensation~~ as are provided by the  
 476 Constitution of Virginia; ~~and, except as are otherwise provided in and this charter, as are provided by the~~  
 477 ~~provisions of general laws for cities~~ *Charter for the assessment and collection of state and local taxes, levies,*  
 478 *and fees and shall receive such compensation as required by law.*

479 C. *The commissioner of the revenue and the city treasurer shall furnish such information as may be*  
 480 *deemed advisable by the governing body for the preparation of the city budget and shall cooperate with city*  
 481 *officers, employees, and auditors in the annual audit of all city accounts and records, including those of the*  
 482 *commissioner of the revenue and the treasurer.*

483 D. *The commissioner of the revenue and the city treasurer may each perform such other duties, not*  
 484 *inconsistent with his office, as the governing body may request.*

485 § 3.14. Specific duties of ~~City Treasurer~~ *city treasurer*.

486 The ~~City Treasurer~~ *city treasurer* shall be ~~charged with receiving and paying out all moneys of the City.~~  
 487 ~~The City Treasurer shall hold such moneys and/or place same in such depositories as the Governing Body~~

488 may by resolution direct, and shall pay out such moneys under such conditions and in such manner as the  
 489 Governing Body by resolution may direct. The City Treasurer shall keep the moneys of the City in the name  
 490 of the City and shall keep books showing accurately all receipts and disbursements and separate records for  
 491 the several funds or accounts of the City as may be prescribed by the Governing Body from time to time. The  
 492 City Treasurer's books shall be open at all reasonable times for inspection as required by law. The City  
 493 Treasurer is specifically charged with the preparation and delivery of all bills for tax levies and license taxes  
 494 due the City and the prompt collection of such taxes. Should any tax or taxes become delinquent, the City  
 495 Treasurer shall promptly proceed to collect the same in such a manner as prescribed by ordinance or law. The  
 496 City Treasurer shall furnish, in addition to any bond required by the Commonwealth of Virginia, a bond  
 497 payable to the City of Manassas Park in such amount as the Governing Body may prescribe and conditioned  
 498 upon the faithful and true performance of all the duties placed upon the City Treasurer by this charter. The  
 499 City Treasurer shall immediately deliver all such moneys, records and other property in that individual's  
 500 possession to his duly appointed or elected successor, and the bonds as herein provided shall remain in force  
 501 and effect until such moneys, records and property have been so transferred, accounted for, and by audit the  
 502 funds and property are properly accounted for in the records so transferred. *the city's collecting official,*  
 503 *exercising all the powers conferred and performing all the duties imposed by law upon city treasurers for*  
 504 *state and local taxes and licenses, including but not limited to:*

505 1. *Collecting and receiving all city taxes, levies, assessments, license taxes, rents, city fees as directed by*  
 506 *the governing body, all money due the city from the state, and all taxes, levies, and fees due the state and*  
 507 *collected within the city and disbursing the same, using any procedure now or hereafter permitted or*  
 508 *prescribed by law.*

509 2. *Depositing in legal depositories, maintaining custody of, and disbursing all funds of the city or in the*  
 510 *possession of the city, and prudently investing such funds as they are available for investment, under such*  
 511 *conditions and in such manner as the governing body may direct from time to time. The city treasurer shall*  
 512 *not be liable for any loss sustained of funds so deposited when acting in good faith.*

513 3. *Keeping a correct account of all moneys collected, received, deposited, and disbursed by the office of*  
 514 *city treasurer pursuant to subdivisions 1 and 2 above, and keeping, subject to the provisions of § 58.1-3 of*  
 515 *the Code of Virginia, as the same may be amended from time to time, the books, papers, and moneys*  
 516 *pertaining to the office of city treasurer at all times ready for inspection by the attorney for the*  
 517 *Commonwealth, the governing body, or as otherwise required by law, and providing, when required by such*  
 518 *attorney, governing body, or any judge of a court of record, a statement of accounts and making available the*  
 519 *books for all such moneys collected, received, deposited, and disbursed by the office of city treasurer.*

520 4. *Furnishing in addition to any bond required by the Commonwealth of Virginia, a bond payable to the*  
 521 *City of Manassas Park in such amount as the governing body may prescribe and conditioned upon the*  
 522 *faithful and true performance of all the duties placed upon the city treasurer by this Charter.*

523 5. *Performing such other duties, having such other powers, and being liable to such penalties as are now*  
 524 *or may hereafter be prescribed by law or ordinance. The city treasurer may also agree to perform other*  
 525 *duties consistent with the office of city treasurer.*

526 6. *The city treasurer shall immediately deliver all moneys, records, and other property in his possession*  
 527 *to his duly elected or appointed successor, and the bonds as herein provided shall remain in force and effect*  
 528 *until such moneys, records, and property have been so transferred, accounted for, and by audit the funds and*  
 529 *property properly accounted for in the records so transferred.*

530 *In performing his duties, the city treasurer shall be entitled to employ such staff as the State*  
 531 *Compensation Board authorizes. The city treasurer may designate one or more members of such staff to*  
 532 *carry out the duties and obligations of this section as he deems necessary.*

533 § 3.15. ~~Specific duties of Commissioner~~ *commissioner of Revenue the revenue.*

534 ~~The Commissioner~~ *commissioner of Revenue the revenue shall perform such duties not inconsistent with*  
 535 ~~the laws of the Commonwealth in relation to the assessment of property and licenses as may be required by~~  
 536 ~~the Governing Body for the purpose of levying city taxes and licenses. The Commissioner of Revenue shall~~  
 537 ~~have power to administer such oaths as may be required by the Governing Body in the assessment of license~~  
 538 ~~taxes or other taxes of the City. The Commissioner of Revenue shall make such reports in regard to the~~  
 539 ~~assessments of both property and licenses, or either, as may be required by the Governing Body. The~~  
 540 ~~Commissioner of Revenue shall perform such other duties as may be required by the Governing Body.~~ *be the*  
 541 *city's assessing official, exercising all the powers conferred and performing all the duties imposed by law*  
 542 *upon commissioners of the revenue, including but not limited to:*

543 1. *Assessing property and licenses as required by law and as directed by the governing body for the*  
 544 *purpose of levying taxes and licenses, and administering such oaths as may be required for the same.*  
 545 *Notwithstanding the preceding sentence, the city assessor shall assess all real property in the city and shall*  
 546 *be appointed by the governing body.*

547 2. *Making such reports in regard to the assessment of property and licenses as required by law and as*  
 548 *directed by the governing body.*

549 3. *Obtaining full and complete state tax returns from every taxpayer in the city who is liable under the law*

550 to file such return with him for state taxes assessed by his office. This duty of the commissioner of the revenue  
 551 to obtain such returns shall in no manner diminish the obligation of the taxpayer to file the required returns  
 552 without being called upon to do so by the commissioner of the revenue or any other officer.

553 4. Rendering such taxpayer assistance as may be necessary for the preparation of any state tax return  
 554 required by law to be filed with his office. The commissioner of the revenue may go to convenient public  
 555 places within the city for the purpose of receiving state tax returns. Compliance by the commissioner of the  
 556 revenue with this section shall not relieve him of the duty to obtain state tax returns as required in subdivis  
 557 ion 3 above.

558 5. Advertising, in a newspaper of general circulation in the city, at least once during the seven days prior  
 559 to the time fixed by law for filing state tax returns without penalty, the location of the commissioner's office,  
 560 the location of such branch offices as he may establish, and the hours of the day, not less than eight hours  
 561 each day, during which such office or offices shall be open for business. Such advertisement shall state the  
 562 time when returns of taxpayers must be filed.

563 6. Furnishing, in addition to any bond required by the Commonwealth of Virginia, a bond payable to the  
 564 City of Manassas Park in such amount as the governing body may prescribe and conditioned upon the  
 565 faithful and true performance of all the duties placed upon the commissioner of the revenue by this Charter.

566 7. Performing such other duties, having such other powers, and being liable to such penalties as are now  
 567 or may hereafter be prescribed by law or ordinance. The commissioner of the revenue may also agree to  
 568 perform other duties consistent with the office of commissioner of the revenue.

569 In performing his duties, the commissioner of the revenue shall be entitled to employ such staff as the  
 570 State Compensation Board authorizes. The commissioner of the revenue may designate one or more members  
 571 of such staff to carry out the duties and obligations of this section as he deems necessary.

572 § 3.16. City Attorney attorney.

573 The ~~Governing Body~~ governing body shall appoint a duly licensed attorney as ~~City Attorney~~ city attorney,  
 574 who need not reside within the ~~City~~ city, the scope of whose duties and whose compensation shall be fixed by  
 575 the ~~Governing Body~~ governing body and who shall serve at the pleasure of the ~~Governing Body~~ governing  
 576 body.

577 § 3.17. City Manager manager, generally.

578 A. There shall be a ~~City Manager~~ city manager who shall be the administrative officer of the ~~City~~ city and  
 579 shall be responsible to the ~~Governing Body~~ governing body for the proper administration of the city  
 580 government. The ~~City Manager~~ city manager shall have no direct responsibility or accountability to the  
 581 ~~Mayor~~ mayor other than as shall be directed by the governing body consistent with this ~~charter~~ Charter or the  
 582 direction of the ~~Governing Body~~. The ~~City Manager~~ city manager shall serve at the pleasure of the ~~Governing~~  
 583 ~~Body~~ governing body and shall be appointed for a term acceptable to the ~~Governing Body~~ governing body  
 584 and the ~~City Manager~~ city manager. The ~~City Manager~~ city manager shall be chosen on the basis of executive  
 585 and administrative qualifications, with special reference to actual experience in or knowledge of accepted  
 586 practice in respect to the duties of this office and need not, when appointed, be a resident of the ~~City of~~  
 587 ~~Manassas Park~~ or the Commonwealth, but during his term of office. Within six months following the  
 588 commencement of his duties, the ~~City Manager~~ city manager shall reside in the Commonwealth, either within  
 589 the ~~City~~ city or within thirty miles of the city's corporate limits. No member of the ~~Governing Body~~  
 590 governing body shall, during the time for which elected or appointed, be chosen as ~~City Manager~~ city  
 591 manager.

592 B. The ~~City Manager~~ city manager may be suspended by the ~~Mayor~~ mayor or ~~Governing Body~~ governing  
 593 body and removed from office by the ~~Governing Body~~ governing body for cause. Before the ~~City Manager~~  
 594 city manager may be suspended or removed, the ~~City Manager~~ city manager shall, at the option of the ~~City~~  
 595 ~~Manager~~ city manager, be given a written statement of the reasons for suspension or removal and the right to  
 596 be heard concerning the proposed removal at a meeting of the ~~Governing Body~~ governing body prior to the  
 597 final vote on the question of his removal. Pending and during such hearing on removal from office, the  
 598 ~~Governing Body~~ governing body may suspend the ~~City Manager~~ city manager from office. The action of the  
 599 ~~Governing Body~~ governing body in suspending or removing the ~~City Manager~~ city manager shall be final, it  
 600 being the intention of this ~~charter~~ Charter to vest all authority and fix all responsibility for such suspension or  
 601 removal in the ~~Governing Body~~ governing body. The ~~Mayor~~ mayor shall have no direct oversight or power to  
 602 direct the ~~City Manager~~ city manager in matters relating to normal administration of city business, nor shall  
 603 the ~~Mayor~~ mayor have the power to act in the capacity of ~~City Manager~~ city manager in the absence of the  
 604 incumbent.

605 C. In the case of the absence, disability, death, or resignation of the ~~City Manager~~ city manager, the  
 606 ~~Governing Body~~ governing body may by ordinance designate some qualified person to perform the duties of  
 607 the office during such absence or disability, or until appointment of a successor.

608 § 3.18. Duties of the ~~City Manager~~ city manager.

609 It shall be the duty of the ~~City Manager~~ city manager to:

610 1. Supervise the administrative affairs of the ~~City~~ city.

611 2. Make such recommendations to the ~~Governing Body~~ governing body concerning the affairs of the ~~City~~

612 city as may seem to him desirable or advisable.  
613 3. Keep the ~~Governing Body governing body~~ advised of the financial condition and future needs of the  
614 City city.

615 4. Prepare and submit to the ~~Governing Body governing body~~ the annual budget estimate and be  
616 responsible for its administration after its adoption.

617 5. Prepare in suitable form for publication and submit to the ~~Governing Body governing body~~ not later  
618 than its first meeting following December 5 of each year a concise, comprehensive report of the financial  
619 transactions and administrative activities of the city government during the fiscal year ending on the  
620 preceding June 30 and cause to be printed such number of copies thereof as the ~~Governing Body governing~~  
621 ~~body~~ shall direct.

622 6. Prepare and submit to the ~~Governing Body governing body~~ such reports as may be required by that  
623 body, including adequate financial and activity reports at each regular meeting of the ~~Governing Body~~  
624 ~~governing body~~.

625 7. Attend all meetings of the ~~Governing Body governing body~~ with the right to speak but not to vote.

626 8. Perform such other duties as may be prescribed by this ~~charter Charter~~ or required of the ~~City Manager~~  
627 ~~city manager~~ by order or resolution of the ~~Governing Body governing body~~ or which may be required of the  
628 chief administrative officer of the ~~City city~~, not inconsistent with this ~~charter Charter~~ and the general laws of  
629 the Commonwealth other than those duties conferred on the ~~Mayor mayor~~ by this ~~charter Charter~~.

630 § 3.19. Powers with respect to city personnel.

631 Except as otherwise provided in this ~~charter Charter~~, the ~~City Manager city manager~~ may appoint or  
632 employ and ~~he may~~ remove or discharge such officers, employees and assistants as may be necessary to carry  
633 on the work in those departments and offices of the ~~City city~~ committed to him by ~~this Charter or by~~  
634 ~~ordinance creating such departments or offices~~, in all their respective details, in an economical and  
635 satisfactory manner. Whenever the interests of the ~~City city~~ require, irrespective of any other provisions of  
636 this ~~charter Charter~~, the ~~City Manager city manager~~ shall have the power and authority to assign employees  
637 of any city department, bureau, office or agency, with the exception of ~~employees of the school division and~~  
638 ~~other municipal offices~~, to the temporary performance of duties in another city department, bureau, office or  
639 agency. The ~~City Manager city manager~~ may not remove or discharge appointive city officers; however, he  
640 may recommend their removal to the ~~Governing Body governing body~~. The salaries and conditions of  
641 employment of employees and assistants shall be recommended by the ~~City Manager city manager~~ subject to  
642 the approval of the ~~Governing Body governing body~~ and as provided in general law. The ~~City Manager's city~~  
643 ~~manager's~~ action in all respects shall be subject to review by the ~~Governing Body governing body~~, and he  
644 shall be accountable to that ~~Body body~~ only.

645 § 3.20. Relationship of ~~City Manager city manager~~ to boards, commissions, and agencies.

646 The ~~City Manager city manager~~ shall have the right to attend and participate in the proceedings of, but not  
647 to vote in, the meetings of all boards, commissions, or agencies created by this ~~charter Charter~~ or by  
648 ordinance.

649 § 4.1. General.

650 A. The qualified voters of the City of Manassas Park shall elect the ~~Mayor mayor~~ and each ~~City Council~~  
651 ~~city council~~ member. The ~~Mayor mayor~~, ~~City Council city council~~, ~~Commissioner commissioner~~ of ~~Revenue~~  
652 ~~the revenue~~, and ~~City Treasurer city treasurer~~ shall be elected at large. The ~~Mayor mayor~~, ~~City Council city~~  
653 ~~council~~ members, ~~Commissioner commissioner~~ of ~~Revenue the revenue~~, and ~~City Treasurer city treasurer~~  
654 each shall be a qualified voter and a resident of the ~~City city~~. Elections for the offices of ~~Mayor mayor~~, ~~City~~  
655 ~~Council city council~~, ~~Commissioner commissioner~~ of ~~Revenue the revenue~~, and ~~City Treasurer city treasurer~~  
656 shall be in the manner and time provided by general law. ~~Individual citizens of the City of Manassas Park~~  
657 ~~may qualify as a candidate for elective office within the City by being recognized as the nominated candidate~~  
658 ~~of a political party recognized by the State Board of Elections or through petition to the City Board of~~  
659 ~~Elections, Candidates for the office of mayor, city council members, commissioner of the revenue, and city~~  
660 ~~treasurer shall be qualified voters of the city and shall file their notice of candidacy and be nominated only~~  
661 ~~by petition in the manner prescribed by law for nonparty candidates and not by caucus, primary, convention,~~  
662 ~~or other party-affiliated proceeding, said petition containing the validated signatures of registered voters of~~  
663 ~~the City of Manassas Park city pursuant to the general laws of the Commonwealth. Those citizens seeking~~  
664 ~~elective office must meet state residency requirements as detailed in the general laws of the Commonwealth.~~  
665 ~~There shall be printed on the ballots used in the election for the office of mayor, city council members,~~  
666 ~~commissioner of the revenue, and city treasurer the names of all candidates who have been so nominated as~~  
667 ~~provided herein and no others.~~

668 B. The general laws of the Commonwealth relating to the conduct of elections, so far as pertinent, shall  
669 apply to the conduct of elections. Any member of the ~~Governing Body governing body~~ or any member of a  
670 board or commission appointed by the ~~Governing Body governing body~~ for a specified term may be removed  
671 in accordance with general law.

672 § 4.2. Mayor and ~~City Council city council~~.

673 Elections for the mayor and city council members shall take place in even years on the date set for the

674 *November general election, with the mayor and three city council members to be elected for four-year terms*  
 675 *in 2024 and every four years thereafter and the remaining three city council members to be elected for*  
 676 *four-year terms in 2026 and every four years thereafter, said terms to commence on January 1 following the*  
 677 *election. The ~~Mayor~~ mayor and ~~City Council~~ city council members in office on the effective date of this ~~chart~~*  
 678 *er Charter and thereafter shall continue to serve in office until July 1, following termination of their*  
 679 *respective terms of office. ~~Three City Council members shall be elected to four-year terms on the first~~*  
 680 *Tuesday in May 1994 and every four years thereafter. The Mayor and three City Council members shall be*  
 681 *elected to four-year terms on the first Tuesday in May 1996 and every four years thereafter. The Mayor and*  
 682 *members of City Council shall take office on July 1, following their election. The incumbent Mayor and City*  
 683 *Council members shall hold office until the duly elected successor has qualified. However, beginning with*  
 684 *the elections to be held in 2008, the Mayor and City Council shall be elected at the time set for the November*  
 685 *general election to take office on January 1 following their election. The Mayor and members of Council in*  
 686 *office on June 30, 2008, shall continue to serve until their duly elected or appointed successors have*  
 687 *qualified.*

688 § 4.3. Commissioner of Revenue *the revenue* and City Treasurer *city treasurer*.

689 ~~The > Commissioner~~ *Elections for the commissioner of Revenue the revenue and City Treasurer the city*  
 690 *treasurer shall take place in odd years on the date set for the November general election, with the*  
 691 *commissioner of the revenue and the city treasurer to be elected for four-year terms in 2025 and every four*  
 692 *years thereafter, said terms to commence on January 1 following the election. The commissioner of the*  
 693 *revenue and the city treasurer in office on the effective date of this ~~charter~~ Charter and thereafter shall*  
 694 *continue to serve in office until January 1 following termination of their respective terms of office. The*  
 695 *Commissioner of Revenue and City Treasurer shall be elected to four-year terms of office on the first*  
 696 *Tuesday in November and shall take office on January 1, following election. The incumbent Commissioner*  
 697 *of Revenue and City Treasurer shall hold office until their duly elected or appointed successors have*  
 698 *qualified.*

699 § 5.1. Enforcement of surety bonds.

700 In all cases where a bond is required of any officer, such bond or bonds shall be with corporate surety and  
 701 conditioned for the faithful discharge by the officer, or that officer's deputies, assistants, or other  
 702 subordinates, of the duties imposed by this ~~charter~~ Charter and all other ordinances passed in pursuance  
 703 thereof.

704 § 5.2. Officers to hold over until their successors are appointed and qualified.

705 Whenever, except as otherwise provided in this ~~charter~~ Charter, any officer of the ~~City~~ city or member of  
 706 any board or commission is elected or appointed for a fixed term, such officer or member shall continue to  
 707 hold office until that officer's or member's successor *is has been* elected or appointed and qualified.

708 § 5.3. Restriction on appointment of city officers.

709 Whenever any officer of the ~~City~~ city or member of any board or commission entitled to receive a salary  
 710 by virtue of election or appointment to that position voluntarily resigns from that position prior to the  
 711 expiration of the term of office required by this ~~charter~~ Charter or general law, ~~the city~~ such officer; ~~board~~ or  
 712 ~~commission~~ member may not subsequently or concurrently be appointed to another city office, board or  
 713 commission member position entitled to receive compensation or salary, *or to a department director position,*  
 714 for a period of one year from the effective date of *the* voluntary resignation.

715 § 5.4. Validation and ratification of bonds, taxes and contracts.

716 All bonds issued and sold, all contracts, agreements and obligations made at any time prior to the  
 717 enactment of this ~~charter~~ Charter or any amendment thereto by the ~~Governing Body~~ governing body of the  
 718 City of Manassas Park, and the former Town of Manassas Park, not inconsistent with the Constitution of  
 719 Virginia and general law, all taxes assessed and levied when the ~~City~~ city was a town, and when the ~~City~~ city  
 720 was in transition from the status of a town to that of a ~~City~~ city of the second class to the effective date of this  
 721 ~~charter~~ Charter and its amendments, are hereby validated, ratified, and confirmed; and all other proceedings  
 722 authorizing the issuance of bonds, notes, or other obligations of the City of Manassas Park and the former  
 723 Town of Manassas Park heretofore had are hereby validated, ratified, and confirmed and shall not lapse or  
 724 terminate or be otherwise affected by reason of any of the provisions contained in this ~~charter~~ Charter, and  
 725 such bonds, notes, or other obligations may be authorized, sold, or issued in accordance with the provisions  
 726 of law in force prior to the effective date of this ~~charter~~ Charter or in accordance with the provisions of this  
 727 ~~charter~~ Charter.

728 § 5.5. Continuation of officers and boards.

729 The present ~~Mayor~~ mayor, members of the ~~City Council~~ city council, and all other officials; *and* board and  
 730 commission members shall continue to hold office until their successors have been elected or appointed and  
 731 shall have qualified as provided by this ~~charter~~ Charter. The ~~Mayor~~ mayor and any member of the ~~City~~  
 732 ~~Council~~ city council shall be eligible for reelection. All powers and authority conferred by this ~~charter~~  
 733 Charter shall be effective on the date of this ~~charter's~~ Charter's adoption and shall be conferred on the present  
 734 city officers.

735 § 5.6. School division and school board.

736 The City of Manassas Park shall constitute a separate school division. The school board shall consist of  
737 five members, appointed by the ~~Governing Body~~ *governing body*, and the terms are to be for a period of three  
738 years.

739 § 5.7. Present ordinances and rules and regulations continued in effect.

740 All ordinances of the *City of Manassas Park* and the former Town of Manassas Park and all rules,  
741 regulations and orders legally made by any department, board, commission or officers of the *City of*  
742 *Manassas Park* and the former Town of Manassas Park, in force at the effective date of this ~~charter~~ *Charter*,  
743 insofar as they or any portion thereof are not inconsistent therewith, shall remain in force until amended or  
744 repealed in accordance with the provisions of this ~~charter~~ *Charter*. No ordinance, petition, or suit adopted or  
745 filed by the former Town of Manassas Park shall be invalidated or dismissed by reason of the Town of  
746 Manassas Park having become a ~~City~~ *city*.

747 § 5.7:1. *General usage.*

748 *Headings at the beginning of each chapter and section are solely for convenience and are not binding.*  
749 *When not inconsistent with the context, words used in the present tense include the future tense, words in the*  
750 *singular number include the plural number, and the masculine gender includes the feminine gender, and vice*  
751 *versa. The words "shall" and "will" are mandatory; the word "may" is permissive.*

752 § 5.8. Severance clause.

753 If any clause, sentence, paragraph or part of this ~~charter~~ *Charter* shall, for any reason, be adjudged by any  
754 court of competent jurisdiction to be invalid, such judgment, order or decree shall not affect, impair, or  
755 invalidate the remainder of ~~said charter~~ *this Charter*, but shall be confined in its operation to the clause,  
756 paragraph, or part thereof directly involved in the controversy in which said judgment, order, or decree shall  
757 have been ordered.

INTRODUCED

SB1444