

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to provide a new charter for the Town of Louisa in Louisa County and to repeal Chapter 68 of the*
 3 *Acts of Assembly of 1972, as amended, which provided a charter for the Town of Louisa.*

4 [H 657]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 1.

8 CHARTER
 9 FOR THE
 10 TOWN OF LOUISA.
 11 Chapter 1.

12 *Incorporation and Boundaries.*13 § 1.1. *Incorporation.*

14 *The inhabitants of the territory within the present limits and future boundaries of the Town of Louisa,*
 15 *hereinafter referred to as the "Town," shall continue as a body politic and corporate under the name "Town*
 16 *of Louisa." The Town shall have perpetual succession, may sue and be sued, plead and be impleaded,*
 17 *contract and be contracted with, and may adopt, alter, or renew a corporate seal at its pleasure.*

18 § 1.2. *Boundaries.*

19 *The boundaries of the Town shall be as established in the Acts of the General Assembly approved on*
 20 *March 8, 1873, and any subsequent amendments. These boundaries are further defined by the order of the*
 21 *Circuit Court of Louisa County dated November 1, 1955, recorded in Law Order Book 14 at Page 178 et*
 22 *seq., and as depicted on the plat by J. Temple Waddell recorded in Plat Book 2 at Page 134 in the Clerk's*
 23 *office of the Circuit Court of Louisa County.*

24 Chapter 2.

25 Powers.

26 § 2.1. *General Grant of Powers.*

27 *The Town shall have all powers that are conferred upon towns under the Constitution of Virginia and*
 28 *other laws of the Commonwealth. All powers set forth in Chapter 11 of Title 15.2 of the Code of Virginia*
 29 *(§ 15.2-1100 et seq.), as may be amended from time to time, are hereby specifically conferred upon the Town*
 30 *of Louisa.*

31 Chapter 3.

32 Governing Body.

33 § 3.1. *Composition of Town Council; Election, Qualification, and Term of Office of Town Council*
 34 *Members.*

35 *The Town shall be governed by a Mayor and a Town Council composed of five members, elected at large*
 36 *by the qualified voters of the Town. The Mayor shall be elected to a four-year term. Town Council members*
 37 *shall serve four-year staggered terms, with elections held in accordance with the general laws of the*
 38 *Commonwealth of Virginia.*

39 § 3.2. *When Terms of Office to Begin.*

40 *The terms of office for the Mayor and Town Council members shall commence and continue as provided*
 41 *by the laws of the Commonwealth of Virginia.*

42 § 3.3. *Oath of Office.*

43 *Before assuming office, the Mayor and each Town Council member shall take an oath or affirmation to*
 44 *faithfully and impartially discharge the duties of their office to the best of their abilities. This oath shall be*
 45 *administered by a person authorized under the laws of the Commonwealth of Virginia.*

46 § 3.4. *Election and Term of Vice-Mayor.*

47 *The Town Council shall elect from among its members a Vice-Mayor, who shall serve a term of two years*
 48 *or until a successor is so elected.*

49 § 3.5. *Powers and Duties of Mayor and Vice-Mayor.*

50 *The Mayor shall preside over Town Council meetings and shall have the same right to speak as other*
 51 *Town Council members. The Mayor shall vote when the Town Council is equally divided. The Mayor shall be*
 52 *recognized as the head of the Town government for ceremonial purposes and military law. In the Mayor's*
 53 *absence or inability to act, the Vice-Mayor shall assume the Mayor's powers and duties.*

54 § 3.6. *Absence or Disability of Mayor and Vice-Mayor.*

55 *If both the Mayor and Vice-Mayor are unable to perform their duties, the Town Council shall, by a*
 56 *majority vote of those present, elect an Acting Mayor from among its members. The Acting Mayor shall serve*

57 until the Mayor or Vice-Mayor is able to resume their duties. In such circumstances, the Town Clerk shall
58 call the Town Council meeting to order and preside until an Acting Mayor is elected, without assuming any
59 powers of the Mayor.

60 § 3.7. Town Council a Continuing Body.

61 The Town Council shall be a continuing body, and no measures pending before such body, or any
62 contract or obligation incurred, shall abate or be discontinued by reason of the expiration of the term of
63 office or removal of any of its members.

64 § 3.8. General Grant of Powers to the Town Council.

65 In addition to the powers granted herein, the Town Council shall have all powers and authority that are
66 now or may hereafter be granted to councils of towns by the general laws of the Commonwealth and by this
67 Charter, and the recital of special powers and authorities herein shall not be taken to exclude the exercise of
68 any power and authority granted by the general laws of the Commonwealth to town councils, but not herein
69 specified.

70 § 3.9. Meetings of the Town Council.

71 The Town Council shall fix the time of their stated meetings, and they shall meet at least once a month.
72 Special meetings may be called at any time by the Mayor or by two members of the Town Council, provided
73 that all members shall be duly notified a reasonable period of time prior to any special meeting.

74 § 3.10. Quorum; Reconsideration of Action.

75 Except as otherwise provided by state law, three members of the Town Council shall constitute a quorum
76 for the transaction of business.

77 § 3.11. Rules of Order and Procedure.

78 The Town Council shall establish its own rules of order and procedure. The rules of order shall be
79 consistent with recognized parliamentary procedures, such as Robert's Rules of Order, to ensure consistency
80 and efficiency in meetings.

81 § 3.12. Town Council to Fix Salaries.

82 The Town Council is hereby authorized to fix the salaries of each of the members of the Town Council,
83 members of boards or commissions, and all appointed officers and all employees of the Town, at a sum not to
84 exceed any limitations placed by the laws and Constitution of the Commonwealth of Virginia. The Town
85 Council may establish an employee pay scale and delegate its authority to set non-Town Council appointed
86 employees' salaries to the Town Manager in accordance with the Town budget and applicable polices as the
87 Town Council may adopt.

88 Chapter 4.

89 Appointive Officers.

90 § 4.1. Appointment.

91 The Town Council has the authority to appoint officers essential to the administration and operation of
92 the Town government. These offices shall include, but not be limited to, a Town Manager, a Town Clerk, a
93 Town Attorney, a Town Treasurer, and a Chief of Police. The appointment of these officers is at the
94 discretion of the Town Council and does not constitute a mandatory requirement.

95 The Town Manager shall hire such officers and employees as may be necessary for the proper
96 administration of the affairs of the Town, with the power to suspend and remove any such officers or
97 employees.

98 Officers appointed shall perform duties as prescribed by this Charter, the laws of the Commonwealth of
99 Virginia, or directives issued by the Town Manager. The Town may enter into agreements for shared services
100 with county or regional entities to fulfill certain functions as deemed appropriate.

101 § 4.2. Term of Office.

102 Officers appointed by the Town Council shall serve at the pleasure of the Town Council.

103 § 4.3. Appointment of one person to more than one office.

104 The same person may be appointed to more than one office only as permitted under Virginia law.

105 § 4.4. Qualifications and Duties of the Town Manager.

106 The Town Manager shall be the Chief Executive Officer of the Town and shall be responsible for the
107 efficient administration of government under the direction of the Town Council. The Town Manager shall be
108 chosen by the Town Council on the basis of executive and administrative qualifications and need not be a
109 resident of the Town. The Town Manager shall:

110 (1) Attend all meetings of the Town Council, with the right to speak but not vote.

111 (2) Provide the Town Council with regular reports on the financial condition and operational status of the
112 Town.

113 (3) Prepare and submit an annual budget, subject to approval by the Town Council, and oversee its
114 implementation.

115 (4) Develop and implement policies and procedures to enhance governmental transparency, efficiency,
116 and accountability.

117 (5) Ensure compliance with all applicable local, state, and federal laws.

118 (6) Oversee personnel matters, including employee hiring, supervision, and discipline.

119 (7) Present an annual audit conducted by a certified public accountant approved by the Town Council.

120 (8) Serve as the Town's director of emergency management pursuant to § 44-146.19 of the Code of
121 Virginia.

122 (9) Perform additional duties as assigned by the Town Council or required by applicable law.

123 In all respects, the Town Manager shall be subject to review by the Town Council and shall be
124 accountable to the Town Council only.

125 In the event that there is no Town Manager, it shall be the duty of the Mayor to see that the functions set
126 forth above are carried out if the Town Council has not acted otherwise.

127 § 4.5. Duties of the Town Clerk.

128 The Town Clerk shall be the Clerk of the Town Council, keeping the journal of proceedings and recording
129 all ordinances and resolutions in a book kept for that purpose. As the custodian of the Town's corporate seal,
130 the Clerk is authorized to use and authenticate it. Duties also include performing other tasks specified by the
131 Town Council or required by the general laws of the Commonwealth.

132 § 4.6. Duties of the Town Attorney.

133 The Town Attorney shall be the legal adviser of the Town Council, representing the Town in all legal
134 affairs as requested by the Mayor, Town Council, or Town appointed officers. The Town may employ the
135 Commonwealth's Attorney of Louisa County for criminal prosecutions of Town ordinances.

136 § 4.7. Duties of the Town Treasurer.

137 The Town Treasurer shall maintain financial records and collect Town taxes and licenses, with powers
138 similar to County Treasurers.

139 § 4.8. Chief of Police and Police Department.

140 A Chief of Police shall be appointed by the Town Council and shall have such powers and duties as
141 provided by the laws of the Commonwealth and those imposed by this Charter. The Chief of Police shall
142 oversee law-enforcement operations, public safety, and administrative matters as determined by the Town
143 Manager. The Town Council may establish additional criteria for the position consistent with state law.

144 The Police Department shall consist of the Chief of Police and such other officers and employees at such
145 ranks and grades as may be established by the Town Council. Except as otherwise provided herein, the Chief
146 of Police and Department shall be under the administrative control of the Town Manager; however, the Chief
147 shall supervise the Department and its officers and other employees regarding all law-enforcement duties,
148 practices, and requirements.

149 The Chief of Police and all police officers are hereby endowed with all the powers of a constable in
150 criminal cases and all other powers which under the laws of the Commonwealth of Virginia and the
151 ordinances and resolutions of the Town may be necessary to enable them to discharge the duties of their
152 office.

153 Chapter 5.

154 Raising of Revenue.

155 § 5.1. Assessment and Collection of Taxes and Fees.

156 The Town Council shall have the authority to assess, impose, and levy all taxes and fees as authorized by
157 state law and shall have the power to collect such taxes in accordance with the laws of the Commonwealth.

158 Chapter 6.

159 Financial Provisions.

160 § 6.1. Fiscal Year.

161 The fiscal year of the Town shall begin on July 1 of each year and end on June 30 of the following year.

162 § 6.2. Creation of Debt; Election on Issuance of Bonds.

163 In the issuance of bonds and notes, the Town shall have the authority and shall be subject to the
164 limitations prescribed by the Constitution and the laws of this Commonwealth.

165 Chapter 7.

166 Miscellaneous.

167 § 7.1. Elections Governed by State Law.

168 All Town elections shall be held and conducted in accordance with the laws of the Commonwealth of
169 Virginia.

170 § 7.2. Bonds of Officers and Employees.

171 The Town Council may require all or any officers and employees of the Town to provide a bond for the
172 faithful and proper discharge of their duties. The Town may pay the premium on such bonds from Town funds
173 and may establish guidelines for the types of bonds required based on the role, responsibilities, and potential
174 risks associated with each officer or employee's position.

175 § 7.3. Present Ordinances Continued in Effect.

176 All ordinances currently in force in the Town of Louisa, not inconsistent with this Charter, shall remain in
177 effect until they are altered, amended, or repealed by the Town Council.

178 **2. That Chapter 68 of the Acts of Assembly of 1972, as amended, is repealed.**