

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 3.01, as amended, § 3.01:1, and §§ 3.02:1 and 3.02:2, as amended, of*  
 3 *Chapter 147 of the Acts of Assembly of 1962, which provided a charter for the City of Virginia Beach, and*  
 4 *to repeal § 3.02:3 of Chapters 127 and 762 of the Acts of Assembly of 2020, relating to city council;*  
 5 *voting districts; emergency.*

6 [S 681]

7 Approved

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

9 **1. That § 3.01, as amended, § 3.01:1, and §§ 3.02:1 and 3.02:2, as amended, of Chapter 147 of the Acts**  
 10 **of Assembly of 1962 are amended and reenacted as follows:**

11 § 3.01. Division of city into districts.

12 A. The city shall be divided into ~~seven residence~~ *ten single-member election* districts of approximately  
 13 equal population ~~which that~~ shall be numbered one through ~~seven ten~~. The council shall consist of eleven  
 14 members, ~~including the mayor,~~ *elected at large and one member to be elected by the city at large from the*  
 15 *residents of each of the seven districts and three members and the mayor to be elected by and from the city at*  
 16 *large and from each of the ten single-member election districts.*

17 B. The boundaries ~~and names~~ of such districts shall be established by ordinance ~~on or before March 1,~~  
 18 *1996, and thereafter the boundaries shall be adjusted periodically as may be necessary to ensure that the*  
 19 *populations of the districts remain approximately equal.*

20 ~~C. The city council shall, no later than January 1, 1996, petition the circuit court to order an advisory~~  
 21 ~~referendum to be held on the question of whether the council member elected from each district shall be~~  
 22 ~~elected by the qualified voters of that district rather than at large. The wording of the question shall be~~  
 23 ~~determined by majority vote of the city council and shall be included in the petition. Upon the filing of the~~  
 24 ~~petition, the circuit court shall order that an advisory referendum be held on the question in the city at the~~  
 25 ~~municipal elections to be held in May 1996.~~

26 § 3.01:1. Implementation of districts.

27 A. At the ~~May 1996~~ *November 2024* general election, ~~three the~~ *members representing district 1, district 3,*  
 28 *district 5, district 7 and the mayor shall be elected by the city at large from the residents of the Blackwater,*  
 29 *Princess Anne, and Virginia Beach boroughs as such boroughs existed on January 1, 1995. The terms of the*  
 30 *members so elected shall commence January 1, 2025, and expire on July 1, 1998 December 31, 2028. The*  
 31 *terms of the mayor and council member elected by and from the city at large in May of 1996 shall expire on*  
 32 *July 1, 2000.*

33 B. At the *November 2026* general election ~~in May of 1998~~, the members *representing district 2, district 4,*  
 34 *district 6, district 8, district 9 and district 10 shall be elected at large from districts numbered one through*  
 35 *three shall be elected for terms of two years and the members elected at large from districts numbered four*  
 36 *through seven shall be elected for terms of four years. The terms of the two council members elected by and*  
 37 *from the city at large in May of 1998 shall expire on July 1, 2002 members so elected shall commence*  
 38 *January 1, 2027, and expire on December 31, 2030. Thereafter, all*

39 C. All members shall be elected for terms of four years.

40 § 3.02:1. Election of council members.

41 Pursuant to an ordinance adopted by city council ~~on June 27, 2006,~~ *city City council regular* elections  
 42 shall take place during the general election in November 2008, and during the November general election in  
 43 even years thereafter, for council members whose terms expire at the end of December of that year. Council  
 44 members, including the mayor, whose terms expire as of June 30, 2008, or June 30, 2010, shall continue in  
 45 office until their successors have been elected at the November election and take office on January 1. The  
 46 term of office for each council member shall commence on January 1 next following the date of election and  
 47 shall continue until his successor has been duly elected and qualified *at the November general elections*. Each  
 48 candidate shall state, at the time of filing, whether he is running ~~at large,~~ from the district of his residence or  
 49 for mayor. Candidates for council shall be nominated only by petition in the manner prescribed by general  
 50 law.

51 § 3.02:2. Election of mayor.

52 The mayor shall be elected at the general election in November 2008, and each fourth year thereafter, to  
 53 serve for a term of four years. Candidates for mayor shall run ~~for one of the at-large seats at large.~~ A  
 54 candidate running for mayor shall not run for any other seat.

55 In the event any ~~councilman~~ *council member*, including the mayor, shall decide during his term of office  
 56 to be a candidate for mayor, he shall tender his resignation as a ~~councilman~~ *council member* not less than ten

57 days prior to the date for the filing of petitions as required by general law. Such resignation shall be effective  
58 on December 31, shall constitute the ~~councilman's~~ *council member's* intention to run for mayor, shall require  
59 no formal acceptance by the remaining ~~councilmen~~ *council members* and shall be final and irrevocable when  
60 tendered.

61 *In the event the mayor shall decide during his term of office to be a candidate for one of the single-*  
62 *member election districts, he shall tender his resignation as mayor not less than ten days prior to the date for*  
63 *the filing of petitions as required by general law. Such resignation shall be effective on December 31, shall*  
64 *constitute the mayor's intention to run for one of the single-member election districts, shall require no formal*  
65 *acceptance by the remaining council members and shall be final and irrevocable when tendered.*

66 The unexpired portion of the term of any council member who has resigned to run for mayor *or mayor*  
67 *who has resigned to run for one of the single-member election districts* shall be filled at the same general  
68 election.

69 **2. That § 3.02:3 of Chapters 127 and 762 of the Acts of Assembly of 2020 is repealed.**

70 **3. That the boundaries of the 10 single-member election districts as they exist on the effective date of**  
71 **this act shall remain unchanged until the redistricting following the 2030 United States decennial**  
72 **census.**

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