

BLACKSTONE, TOWN OF
County of Nottoway.

Incorporation and charter, 1888, c. 198; repealed 1914, c. 328.

Charter, 1914, c. 328; repealed, except § 2, 1989, c. 128.

Charter, 1989, c. 128.

Amended 1994, c. 94 (§ 1.2, 2 [repealed]).

Chapter 1.

Incorporation and Boundaries

§ 1.1. Incorporation.--The inhabitants of the territory comprised within the present limits of the Town of Blackstone as such limits are now, or may hereafter be altered and established by law, shall constitute and continue to be a body politic and corporate, to be known and designated as the Town of Blackstone, and as such shall have perpetual succession, may sue and be sued, implead and be impleaded, contract and be contracted with, and may have a corporate seal which it may alter, renew, or amend at its pleasure by proper ordinance. (1989, c. 128)

§ 1.2. Boundaries.--The territory embraced within the Town of Blackstone is that territory in the County of Nottoway, Virginia, as set forth in a joint resolution and ordinance of the Town Council of the Town of Blackstone, Virginia, and the Board of Supervisors of Nottoway County, Virginia, adjusting the corporate boundaries between the Town of Blackstone and the County of Nottoway; said resolution and ordinance being recorded in the Clerk's Office of the Circuit Court of Nottoway County, Virginia, in Deed Book 274, page 197. (1989, c. 128; 1994, c. 94)

§ 2. (1914, c. 328; repealed 1994, c. 94)

Chapter 2.

Powers

§ 2.1. Powers.--The Town of Blackstone shall have all powers that may be conferred upon or delegated to towns under the Constitution and laws of the Commonwealth of Virginia, including, but not limited to, those powers set forth in §§ 15.1-837 through 15.1-907 of the Code of Virginia, as amended. (1989, c. 128)

Chapter 3.

Mayor and Council Administration and Government

§ 3.1. Election, Qualification and Term of Office.--A. The Town of Blackstone shall be governed by a town council of seven members, and a mayor, all of whom shall be qualified voters of the town.

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

C. The mayor and council shall each be elected for a term of four years and each shall serve until his successor shall have qualified. They shall be elected on the first Tuesday in May, 1990, immediately preceding the expiration of the terms of their predecessors and every four years thereafter, and shall enter upon their duties on July 1 succeeding their election. (1989, c. 128)

§ 3.2. Powers of Council.--A. The council shall make such rules as are necessary for the orderly conduct of their business, not inconsistent with the laws of Virginia, and

shall have the powers in their discretion to appoint a Town Manager, Town Attorney, Clerk, Treasurer, Commissioner of Revenue, and Chief of Police, and such other officers as may be necessary to conduct the lawful duties of the council.

B. The council may appoint such committees of council and create such boards and departments, consistent with the terms of this charter and the laws of Virginia.

C. The mayor and four councilmen, or in the absence of the mayor, four councilmen shall constitute a quorum for the transaction of business, except as herein or by the general statutes of this Commonwealth otherwise provided. But no vote shall be reconsidered or rescinded at any special meeting, unless at such special meeting there be present as large a number of members of the council present as were present when such vote was taken.

D. The council shall be a continuing body, and no measure pending before such body nor any contract or obligation incurred shall abate or be discontinued because of the expiration of the term of office or removal of any council member. (1989, c. 128)

§ 3.3. Powers of Mayor, General.--A. The mayor shall be the chief executive officer of the town and it shall be his duty to see that the laws and ordinances thereof are fully executed, and he shall preside over the meetings of the town council, voting only in case of a tie.

B. Every ordinance, or resolution having the effect of an ordinance, shall, before it becomes operative, be presented to the mayor. If he approves, he shall sign it, but if not, he may return it to the clerk of the council; and the council shall enter the objection at length on its journal and proceed to reconsider it. If, after such reconsideration, two-thirds of all the members elected to the council shall agree to pass the ordinance or resolution, it shall become operative, notwithstanding the objections of the mayor. If any ordinance or resolution shall not be returned by the mayor within five days (Sundays excepted), after it shall have been presented to him, it shall become operative in like manner as if he had signed it, unless his term of office, or that of the council, shall expire within said five days.

The mayor shall have the power to veto any particular item or items of an appropriation, ordinance or resolution; but such veto shall not affect any item or items to which he does not object. The item or items objected to shall not take effect except in the manner provided in this section as to ordinances or resolutions not approved by the mayor.

C. The mayor shall have power to remove any officer appointed by him, and to suspend any municipal officer or employee, other than the councilmen, whether elected by the people or appointed by the council or any appointing power designated by the council, for misconduct in office or neglect of duty to be specified in the order of suspension. On the suspension of any officer not appointed by the mayor, the mayor shall report the same to the town council at their next stated meeting for their consideration, but in no case shall the suspension or removal by the mayor of an officer not appointed by him be final unless ratified by the council, and after such reasonable notice to the officer complained of and an opportunity to be heard in his defense, as may be accorded by law.

D. In case of the absence or inability of the mayor, the president pro tempore of the council, to be chosen by a majority of the council present at a legal meeting, or in his absence or inability some other member of the council chosen in the same manner, shall

possess the same power and discharge the municipal duties of the mayor during such absence or inability. (1989, c. 128)

§ 3.4. Council Generally.--A. Presiding officer. The mayor, or in his absence or inability to act, the president pro tempore of the council, shall preside over the meetings of the council.

B. Meetings of the council. The council shall fix the time of its regular meetings, which shall be at least once each month. Its meetings shall be open to the public unless an executive session is called according to law. Special meetings may be called at any time by the mayor or any three members of council provided that other members of council and the mayor are given reasonable notice. No business may be transacted at a special meeting except that for which it is called.

C. Appropriation Ordinances. No ordinance or resolution appropriating money exceeding the sum of \$500, imposing taxes or authorizing the borrowing of money shall be passed, except by a recorded affirmative vote of two-thirds of the council.

D. Journal of Council. A journal shall be kept of the proceedings of the town council, and at the request of any member present the yeas and nays shall be recorded on any question. At the next meeting the proceedings shall be approved and signed by the person who was presiding when the previous meeting adjourned, or if he be not then present, by the person presiding when they were approved.

E. Effect of Absence. If any member of said council be voluntarily absent from its meetings for three months consecutively, his seat may be declared vacant by the council, and the unexpired term filled according to the law.

F. Police Powers. The town council is hereby empowered to exercise any powers or enact any ordinances, not expressly prohibited by the Constitution or General Laws of Virginia, which are necessary or desirable to secure and promote the general welfare of the municipality and the safety, health, peace, good order, comfort, convenience, morals, trade, commerce and industry of the municipality and inhabitants thereof, and the enumeration of specific powers shall not be construed, or held to be exclusive or as a limitation upon any general grant of power, but shall be construed and held to be in addition to any general grant of power. (1989, c. 128)

Chapter 4.

Miscellaneous

§ 4.1. Fiscal Year.--The fiscal year of the town shall begin on July 1 of each year and end on June 30 of the following year. (1989, c. 128)

§ 4.2. Ordinances in Force.--All ordinances now in force in the Town of Blackstone, not inconsistent with this charter, shall remain in force until altered, amended or repealed by the council. (1989, c. 128)

§ 4.3. Severability of Provision.--If any clause, sentence, paragraph, or part of this charter shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of the charter, but shall be confined in its operation to the clause, sentence or part thereof directly involved in the controversy in which judgment shall have been rendered. (1989, c. 128)

§ 4.4. Eminent Domain.--The power of eminent domain as set forth in Title 15.1 and Title 25 of the Code of Virginia, as amended, is hereby conferred upon the Town of Blackstone, including the power to issue certificates pursuant to §§ 33.1-1 through 33.1-132 of the Code of Virginia, as amended. (1989, c. 128)