

COEBURN, TOWN OF
County of Wise.
Incorporated by an 1893-94 Act of Assembly.

Charter, 1893-94, c. 351; repealed 1952, c. 607.

Charter, 1952, c. 607; repealed 1978, c. 110 (except § 2, boundaries set out).

Charter, 1978, c. 110.

Amended 1979, c. 169 (§ 2.1)
 2005, c. 549 (§ 3.1)
 2012, c. 446 (§§ 3.4, 3.5.1 [added], 4.1, 4.5)
 2013, c. 511 (§§ 3.4, 3.5.1 [repealed]).

Chapter 1.

Incorporation and Boundaries.

§ 1.1. Incorporation.--The inhabitants of the territory comprised within the present limits of the town of Coeburn as such limitations are now, or may hereafter be altered and established by law, shall constitute and appoint a body politic and corporate, to be known and designated as the town of Coeburn, and 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. (1978, c. 110)

§ 1.2. Boundaries.--The territory embraced within the town of Coeburn is that territory in the county of Wise, Virginia, as set forth in § 2 of Chapter 607 of the Acts of the Assembly of 1952, and the annexation order of the Circuit Court of Wise County, dated May 15, 1956. (1978, c. 110)

Chapter 2.

Powers.

§ 2.1. The town of Coeburn 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. (1978, c. 110; 1979, c. 169)

Chapter 3.

Mayor and Council.

§ 3.1. Election, qualification and term of office.

A. The town of Coeburn shall be governed by a town council composed of five members, all of whom shall be qualified voters of the town.

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

The term of the three council members who were elected at the regular municipal election in May of nineteen hundred seventy-six shall expire on June thirty, nineteen hundred eighty. At the regular town election to be held on the first Tuesday in May, nineteen hundred eighty, and every four years thereafter three members of council shall be elected for a term of four years each. The terms of the two council members who were elected at the regular municipal election in May of nineteen hundred seventy-four shall expire June thirty, nineteen hundred seventy-eight. At the regular municipal election to be

held on the first Tuesday in May, nineteen hundred seventy-eight, and every four years thereafter, two members of council shall be elected for a term of four years each. No candidate for election to council shall be identified on the ballot by party affiliation.

C. At the first meeting in July, nineteen hundred seventy-eight, and biennially thereafter following the regular municipal election the council shall choose one of its members as presiding officer who shall have the title of Mayor. The Mayor shall preside at the meetings of the council and shall be recognized as head of the town government for ceremonial purposes and by the Governor for purposes of military law. He shall have the same powers and duties as other members of the council with a vote but no veto powers. (1978, c. 110; 2005, c. 549)

§ 3.2. Vacancies.--Vacancies on the council and in the office of Mayor shall be filled for the unexpired term by a majority vote of the remaining members of council. (1978, c. 110)

§ 3.3. Qualifications of members.--Any person qualified to vote in the town shall be eligible for the office of councilman or mayor. (1978, c. 110)

§ 3.4. Powers of council.--The council along with the mayor 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 vice-mayor, town manager, clerk, treasurer, town attorney, and chief of police, who shall have such duties and shall serve at the pleasure of the council and shall be paid such compensation as the council may determine. (1978, c. 110; 2012, c. 446; 2013, c. 511)

Chapter 3.5.

Appointive Officers.

§ 3.5.1. (2012, c. 446; repealed 2013, c. 511)

Chapter 4.

Miscellaneous.

§ 4.1. Eminent domain.--The powers of eminent domain as set forth in Title 15.2 and Title 25.1 of the Code of Virginia, as amended, are hereby conferred upon the town of Coeburn. (1978, c. 110; 2012, c. 446)

§ 4.2. Fiscal year.--The fiscal year of the town shall begin on July one of each year and end on June thirty of the following year. (1978, c. 110)

§ 4.3. Ordinances continuing.--All ordinances now in force in the town of Coeburn, not inconsistent with this charter, shall remain in force until altered, amended or repealed by the council. (1978, c. 110)

§ 4.4. Legislative procedure.--Except in dealing with parliamentary procedure, the council shall act only by ordinance or resolution, and with the exception of ordinances making appropriations, or authorizing the contracting of indebtedness, shall be confined to one general subject. (1978, c. 110)

§ 4.5. Office of town sergeant not to be created.--In accordance with the provisions of § 15.2-1701 of the Code of Virginia, there shall not be created in the town the office of town sergeant. (1978, c. 110; 2012, c. 446)