

COURTLAND, TOWN OF
County of Southampton.
Formerly Village of Jerusalem.

Established, 1791, c. 54.

Incorporation, name change, and charter, 1888, c. 32.

Amended 1890, c. 467 (§ 7 [repealed])
 1892, c. 431 (§ 4)
 1900, c. 682 (§ 9)
 1902-3-4, c. 136 (§ 19 [added])
 1922, c. 130 (§ 4)
 1956, c. 261 (§ 4)
 1979, c. 255 (§§ 3, 5, 6, 8, 9, 13, 15)
 1987, c. 28 (§ 9).

§ 1. Be it enacted by the general assembly of Virginia, That the village of Jerusalem in the county of Southampton, as the same has been or may be laid off into streets and alleys, shall be, and the same is hereby made a town corporate by the name of Courtland, and by that name shall have and exercise all the powers, rights, privileges and immunities, and be subject to all the provisions of chapter fifty-four of the Code of 1873, so far as the same relates to towns of less than five thousand inhabitants and are not in conflict with the powers herein conferred. (1888, c. 32)

§ 2. That the boundaries shall be as follows for the said town, to-wit: two hundred and fifty yards south from the courthouse, six hundred and fifty yards east from the courthouse, eight hundred yards north from the court-house, and west by the Nottoway river from the point where a straight line from the southern boundary would cross said river to the point where a straight line from the northern boundary would cross said river. (1888, c. 32)

§ 3. That the officers of said town shall consist of a mayor and six councilmen. The mayor and councilmen shall compose the council of said town. The said officers shall hold their offices for two years, and until their successors are duly elected and qualified. (1888, c. 32; 1979, c. 255)

§ 4. The said council shall have power to pass all bylaws and ordinances for the proper government of said town, not in conflict with the Constitution and laws of the State and the Constitution and laws of the United States. They shall have power to impose a license tax upon all business on which the State imposes license, or which is provided by law, except such business upon which the imposition of a license tax by cities and towns is forbidden by general law, and its officers shall have such power to collect the same as a State officer would have in like case; and to impose a specific tax for the sale of any merchandise that may be offered for sale by any person not living in said town; and to levy annually such taxes as it may deem necessary for the purposes of the corporation, not in conflict with the general law, which shall not exceed two dollars on the one hundred dollars assessed valuation of property subject to local taxation; provided, that for the payment of the principal and interest of all bonds issued by the town, a sufficient ad valorem tax shall be annually levied upon all property in the town

subject to local taxation, without limitation of rate or amount. (1888, c. 32; 1892, c. 431; 1922, c. 130; 1956, c. 261)

§ 5. The mayor shall be president of the council and chief executive officer of the town, and as such shall see that the ordinances and bylaws of said town are faithfully executed. He shall in addition have such other powers and perform such other duties as are now or may hereafter be prescribed for mayors of towns of less than five thousand inhabitants. The mayor, with the advice and consent of council, shall have the power to appoint a town recorder, town sergeant, and such other officers as he and council may deem necessary for the efficient functioning of the town government, and may establish the duties and responsibilities of such officers. He shall also have the power, with the advice and consent of council, to appoint qualified individuals to fill the unexpired term of any vacant council seat. (1888, c. 32; 1979, c. 255)

§ 6. The recorder, should such an officer be appointed by the mayor, shall keep an accurate record of all the proceedings of the council, its bylaws, acts and ordinances, which shall be kept open at all times to the inspection of any voter in said town, and the recorder shall be ex officio treasurer of said town, in the absence of any such appointed officer with the duties of treasurer, giving such bond, performing such duties, and receiving such compensation as shall be prescribed by the council. The recorder shall make out the tax-bills upon estimate of property, as per state assessment, when ordered by the council, and deliver the same to the sergeant for collection. The recorder shall also administer the oath of office to any officer of the corporation. The recorder shall perform such other duties as may be prescribed by the council from time to time. Notwithstanding the within duties and responsibilities of the recorder, a town secretary or treasurer, who may perform such of the within duties and responsibilities as may be prescribed by council, may be appointed or employed by the said council, and said town secretary or treasurer shall not be considered a town officer for purposes of the requirements of § 15.1-51 of the Code of Virginia that town officers be residents of the town in which they serve at the time of their election or appointment. (1888, c. 32; 1979, c. 255)

§ 7. (1888, c. 32; repealed 1890, c. 467.)

§ 8. The sergeant, should such an officer be appointed by the mayor, shall be vested with the powers of a constable within the limits of said town; shall collect all town and school levies and have power to distrain and sell therefor in like manner as a county treasurer may distrain and sell for State taxes; he shall be a conservator of the peace and shall have power to arrest in said town or within the county of Southampton, upon a warrant issued by a magistrate or other official with warrant-issuing powers, any person charged with a violation of the laws or ordinances of said town, or with the commission of any crime in said town or within a mile of its corporate limits. When a violation of the laws or ordinances of said town, or any crime is committed in his presence, he shall have authority and power to forthwith arrest the offender and convey him before any magistrate or other appropriate official to be dealt with according to law. He shall perform such other duties, give such bond and receive such compensation as the council may prescribe.

Notwithstanding the within duties and responsibilities of the sergeant, a town police official, who may perform such of the within duties and responsibilities as may be prescribed by council, may be appointed or employed by the said council, and said town police official shall not be considered a town officer for purposes of the requirements of §

15.1-51 of the Code of Virginia, that town officers be residents of the town in which they serve at the time of their appointment or election. Said town police official may be designated by whatever title deemed appropriate by council and may, with the consent of council, employ such assistants as may be required for the efficient performance of his duties. (1888, c. 32; 1979, c. 255)

§ 9. An election of mayor and members of council shall be held every two years, in even-numbered years, in accordance with § 24.1-90 of the Code of Virginia.

The Town of Courtland shall be divided into three wards for the purpose of electing councilmen to the town council. The boundaries of the three initial wards shall be drawn so as to create three areas which are as nearly equal in population as possible, and the boundaries shall be redrawn as provided by law, to insure that the population remains as equal as possible within the three wards. Two councilmen shall be elected from those citizens resident within each ward. The mayor may be a resident of any ward and shall be elected at large. The ward system so established shall become effective for the next regular election following passage of the legislation enacting this amendment. (1888, c. 32; 1900, c. 682; 1979, c. 255; 1987, c. 28)

§ 10. It shall be the duty of the county court of Southampton at its regular October term for 1888, and every two years thereafter, to appoint a qualified voter of said town as registrar for said town for the two years following such appointment. It shall be the duty of said registrar to register according to state law, at any time, except as herein otherwise provided, in a special registration book provided for the purpose, all the citizens of said town who are qualified voters of said town, as hereinafter set forth, who shall apply to him to be registered, on the twelfth and eleventh days preceding any regular election under this charter. It shall be his duty to set two days for the purpose of registering voters, and from sunset of the eleventh day preceding each election, to sunrise of the day following such election, no names shall be entered upon such registration book; provided, that no person shall be entitled to have his name entered upon such registration book by reason of a transfer from any other voting precinct in this state. Such registrar shall be entitled to a compensation of two dollars per day for each day he shall sit under this charter, and in addition thereto to ten cents per name for each name he shall enter upon such registration book on any day other than the regular registration days, which compensation shall be paid out of the town treasury. It shall be the duty of the registrar to give notice of the days upon which he shall sit to register voters under this chapter, by posting notices at three or more public places in said town for ten days preceding such sitting, and five days previous to any election he shall post at a conspicuous place in said town a list of all voters who have been registered since the next preceding election. (1888, c. 32)

§ 11. It shall be the duty of the county court for Southampton, at its regular term in October, 1888, and every two years thereafter, to appoint three qualified voters of said town, who shall be judges of elections at every election for town officers for two years following their appointment, or until their successors are appointed and qualified. Said judges shall have authority to appoint clerks for each election, and such judges and clerks shall be entitled to one dollar per day for each election day, to be paid out of the town treasury. (1888, c. 32)

§ 12. At the first regular election under this charter, the courthouse of the county of Southampton may be used for election purposes. For all subsequent elections it shall

be the duty of the council, at its regular meeting in the month preceding such election, to provide a place for conducting such election; and it shall be the duty of the sergeant of the town to give notice of the time and place of any municipal election, except the first held under this charter, by posting in said town three or more notices thereof for five days preceding any election. The judges of election, or either of them appointed at the October term, 1888, as before provided, shall give notice of the first election to be held under this charter, by posting in said town three or more notices thereof for five days before any election. (1888, c. 32)

§ 13. The qualified voters of said town shall consist of all the inhabitants of said town qualified to vote for members of the General Assembly, who are duly registered upon the registration books of the town. (1888, c. 32; 1979, c. 255)

§ 14. The mode of conducting said election and of canvassing the vote shall conform to the law with reference to state elections. So soon as the result shall be certified in accordance with state law, it shall be the duty of the judges to seal the poll books, each separately, and to securely seal the ballots in a separate packet. So soon as this is done the judges shall agree among themselves, and if this cannot be done, shall decide by lot which one of their number shall take charge of the returns. It shall be the duty of the judge in whose charge the ballots and returns are given, to deliver on the day following the election (Sunday excepted) to the clerk of the county court of Southampton county, at the first election held under this charter, both of said poll books and the ballots, still securely sealed. It shall be the duty of the clerk of the county court of Southampton county, immediately upon receipt of such ballots and poll books, for the first election held under this charter, to file the former away in his office, and to open the latter and to give to the persons who, according to the face of the returns, have a majority of the votes cast, certificates of their election, and to administer to said officers the oath of office, which certificates of election shall be recorded by the recorder in the record book of the council. At all subsequent elections held under this charter, it shall be the duty of the judge in whose charge the ballots and poll books are given, to deliver on the day following the election (Sunday excepted) to the recorder one of the poll books and the ballots, still securely sealed, and to deliver the other poll book, still sealed, to the clerk of the count court of Southampton county. It shall be the duty of the recorder, after all elections under this charter except the first, immediately upon receipt of such ballots and poll book, to file the former away in his office, and to open the latter and to record the result of the election as certified by the judges and clerks in the record book of the council. Within five days after any election, except the first, the mayor shall examine said record and give to the persons who, according to the face of the returns as recorded, have a majority of the votes cast, certificates of their election. (1888, c. 32)

§ 15. The terms of all officers elected under this charter shall commence on the first day of July succeeding their election. Should the office of mayor become vacant for any reason, council shall have power by election from the qualified voters of the town to fill such vacancy, and such election shall be for the unexpired term. (1888, c. 32; 1979, c. 255)

§ 16. The authorities of said town shall have the use of the county jail for the safekeeping and confinement of all persons who shall be sentenced to imprisonment under the ordinances of said town; and whenever judgment shall be rendered against any person for fines, and there are no effects which the sergeant may distrain or sell therefor,

the party so in default may be compelled to work out such fine on the public streets or other improvements, and to suffer in addition such terms of imprisonment as may be prescribed by the ordinances of said town. The authorities of said town shall have the right to use the courthouse of Southampton county for any purpose, subject to the control of the county judge as now given by law. (1888, c. 32)

§ 17. The county court of Southampton county shall have original jurisdiction of cases of contested elections in said town with the right of appeal to the circuit court. The mode of contesting such election, and of hearing and determining each contest shall conform to the law with reference to contesting elections of county officers. (1888, c. 32)

§ 18. This act shall be in force from and after October 1, 1888. (1888, c. 32)

§ 19. The said town shall have the right to purchase and hold such real estate as it may deem necessary for cemetery purposes, for street purposes, for public buildings, or for any public purpose allowable by law. And the council of said town shall have the right to sell and convey any sections or lots belonging to it in any cemetery that may be owned by said town, and to sell and convey any other land which the town may own, that has ceased to be used for the purpose for which it was intended, and which the council may desire to dispose of. (1902-3-4, c. 136)