

CREWE, TOWN OF
County of Nottoway.

Incorporation and charter, 1894, c. 615; repealed 1916, c. 351.

Charter, 1916, c. 351, repealed 1972, c. 669.

Charter, 1972, c. 669.

Amended 1994, c. 90 (§§ 3.1, 3.7).

CHAPTER 1.
INCORPORATION AND BOUNDARIES

§ 1.1. INCORPORATION.

The inhabitants of the territory comprised within the present limits of the Town of Crewe, as such limits are now or may hereafter be altered and established by law, shall constitute and continue a body politic and corporate, to be known and designated as the Town of Crewe, 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. (1972, c. 669)

§ 1.2. BOUNDARIES.

The territory embraced within the Town of Crewe is that territory in the County of Nottoway, Virginia, established in § 2, Chapter 351, of the Acts of Assembly of 1916 and that territory described in an Order of Annexation entered on August 4, 1917, by the Circuit Court of Nottoway County, Virginia, sitting as a duly constituted annexation court, in the cause of Town of Crewe v. County of Nottoway et als, which order is recorded in the office of the Clerk of the Circuit Court of Nottoway County, Virginia, in Common Law Order Book 4 at page 125 et seq., and that territory described in an Order of Annexation entered on November 27, 1970, by the Circuit Court of Nottoway County, Virginia, sitting as a duly constituted annexation court, in the cause of Town of Crewe v. County of Nottoway et als, which order is recorded in the office of the Clerk of the Circuit Court of Nottoway County, Virginia, in Common Law Order Book 15 at page 352. (1972, c. 669)

CHAPTER 2.
POWERS

§ 2.1. GENERAL GRANT OF POWERS.

The Town of Crewe shall have and may exercise all powers which are now or hereafter may be conferred upon or delegated to towns under the Constitution and laws of the Commonwealth of Virginia, as fully and completely as though such powers were specifically enumerated herein, and no enumeration of particular powers by this charter shall be held to be exclusive, and shall have, exercise and enjoy all the rights, immunities, powers and privileges, and be subject to all the duties and obligation, now appertaining to and incumbent on the town as a municipal corporation. (1972, c. 669)

§ 2.2. ADOPTION OF CERTAIN SECTIONS OF CODE OF VIRGINIA.

The powers set forth in §§ 15.1-837 through 15.1-915, both inclusive, of Chapter 18 of Title 15.1 of the Code of Virginia, as in force on January 1, 1972, are hereby conferred on and vested in the Town of Crewe, provided, that in appropriate cases § 25-233, as it may hereafter be amended, shall apply. (1972, c. 669)

§ 2.3. EMINENT DOMAIN.

The powers of eminent domain set forth in Title 15.1, and Title 25, Chapter 1.1 and § 33.1-121 of the Code of Virginia, as amended, and all acts amendatory thereof and supplemental thereto, mutatis mutandis, are hereby conferred upon the Town of Crewe subject to the provisions of § 25-233 of the Code of Virginia.

(a) In any case in which a petition for condemnation is filed by or on behalf of the town, a true copy of a resolution or ordinance duly adopted by the town council declaring the necessity for any taking or damaging of any property, within or without the town, for the public purposes of the town, shall be filed with the petition and shall constitute sufficient evidence of the necessity of the exercise of the powers of eminent domain by the town. The town may employ the procedures conferred by the foregoing laws, mutatis mutandis, and may, in addition thereto, proceed as hereinafter provided.

(b) Certificates issued pursuant to § 33.1-121, of the Code of Virginia, as amended, and acts amendatory thereof and supplemental thereto, may be issued by the town council, signed by the mayor and countersigned by the town manager. Such certificate shall have the same effect as certificates issued by the State Highway Commissioner, under the aforesaid laws, and may be issued in any case in which the town proposes to acquire property of any kind by the exercise of its powers of eminent domain for any lawful public purpose, whether within or without the town; provided, that the provisions of §§ 33.1-119 through 33.1-129, inclusive, Code of Virginia, as amended shall not be used except for the acquisition of lands or easements necessary for streets, water, sewer or utility pipes or lines or related facilities.

(c) In addition to the powers conferred by the aforesaid laws, such certificates may be amended or cancelled by the court having jurisdiction of the proceedings, upon petition of the town, at any time after the filing thereof; provided, that the court shall have jurisdiction to make such order for the payment of costs and damages, if any, or the refund of any excessive sums theretofore paid pursuant to such certificate as shall, upon due notice and hearing, appear just. The court shall have jurisdiction to require refunding bonds, for good cause shown by the town or any other person or party in interest, prior to authorizing any distribution of funds pursuant to any certificate issued or deposit made by the town. (1972, c. 669)

CHAPTER 3.

MAYOR AND COUNCIL

§ 3.1. ELECTION, QUALIFICATION AND TERM OF OFFICE OF COUNCILMEN AND MAYOR.

(a) The Town of Crewe shall be governed by a town council composed of seven councilmen and a mayor, all of whom shall be qualified voters of the town, to be elected from the town at large.

(b) The mayor and councilmen in office at the time of the passage of this act shall continue in office until the expiration of the terms for which they were elected. An election for mayor and councilmen shall be held on the first Tuesday in May, 1972 and every two years thereafter. The mayor and councilmen elected on the first Tuesday in May, 1972 shall enter upon their duties on the first day of September, 1972 and shall serve until the first day of July, 1974. The mayor and councilmen elected on the first Tuesday in May, 1974 and thereafter, shall enter upon their duties on the first day of July

next succeeding his or their election, and shall each serve for a term of two years. (1972, c. 669; 1994, c. 90)

§ 3.2. VACANCIES ON COUNCIL.

Vacancies on the council shall be filled for the unexpired portion of the term by a majority vote of the members of the council; such vacancies to be filled by qualified voters of the town. (1972, c. 669)

§ 3.3. VACANCY IN OFFICE OF MAYOR.

A vacancy in the office of mayor shall be filled for the unexpired portion of the term by a majority vote of the members of the council; such vacancy to be filled by a qualified voter of the town. (1972, c. 669)

§ 3.4. COUNCIL A CONTINUING BODY.

The town council shall be a continuing body, and no measures pending before such body, or any contract or obligation incurred, shall abate or be discontinued by reasons of the expiration of the term of office or removal of any of its members. (1972, c. 669)

§ 3.5. POWERS AND DUTIES OF MAYOR.

The Mayor shall be the chief executive officer of the town. He shall have and exercise all power and authority conferred by general law not inconsistent with this charter. He shall preside over the meetings of the town council and shall have the same right to speak therein as members of the council, but shall not vote except in the case of a tie vote. He shall have the power of veto over the ordinances and resolution of the council, but such ordinances and resolutions may be passed over such veto by a two-thirds vote of the members of the town council present and voting. He shall be recognized as the head of the town government for all ceremonial purposes. He shall perform such other duties consistent with his office as may be imposed by the town council. He shall see that the duties of the various town officers are faithfully performed. The police force of the town shall be under the control of the mayor for the purpose of enforcing peace and good order and executing the laws of the State and the ordinances of the town. He, or the person acting as mayor, may deputize such assistant policemen as may be necessary; shall authenticate by his signature, such documents or instruments as the council, this charter, or the laws of the Commonwealth shall require. (1972, c. 669)

§ 3.6. VICE MAYOR.

The town council shall elect from its members, by a majority of the members present, a vice mayor. During the absence or inability of the mayor to act, the vice mayor shall possess the powers and discharge the duties of the mayor. While serving in the place of the mayor, the vice mayor may vote as a member of the town council. (1972, c. 669)

§ 3.7. MEETINGS OF COUNCIL.

The town council shall fix the time of their stated meetings, and they shall meet at least once a month. A journal shall be kept of its official proceedings and its meetings shall be open to the public. Four members of the town council shall constitute a quorum for the transaction of business at any meeting. Special meetings may be called at any time by the mayor or by any three members of the council; provided that the mayor and all council members are duly notified in writing a reasonable period of time prior to such meeting, and no business shall be transacted at a special meeting thereof, except that for which it shall be called. If all members are present, this provision may be waived by a majority vote of the council. (1972, c. 669; 1994, c. 90)

§ 3.8. COUNCIL TO FIX SALARIES.

The town council is hereby authorized to fix the salary of the mayor, members of the town council, the town manager, members of boards or commissions, and all appointed officers and employees of said town, at a sum not to exceed any limitations placed thereon by the laws of the Commonwealth of Virginia. (1972, c. 669)

§ 3.9. ACTING MAYOR.

In the absence or inability to act of both the mayor and vice mayor, any member of the town council may act with all the powers of the mayor upon the request so to do by the town manager; but only during the period of such dual absence and inability. (1972, c. 669)

CHAPTER 4. TOWN MANAGER

§ 4.1. APPOINTMENT.

The town council may appoint a chief administrative officer of the town who shall be designated the town manager, who shall, under the control of the council, have general charge and management of the administrative affairs and work of such town and shall perform such other duties as may be required of him by the town council. He shall receive such salary or compensation as shall be allowed him by such council and may be dismissed at any time by the council. (1972, c. 669)

§ 4.2. ACTING TOWN MANAGER.

The town council may designate a person to act as town manager in case of the absence, incapacity, death, inability to act or resignation of the town manager, until his return to duty or the appointment of his successor. (1972, c. 669)

CHAPTER 5. APPOINTIVE OFFICERS

§ 5.1. APPOINTMENTS.

The town council shall appoint a town clerk, a chief of police, a town sergeant, a town attorney and such other officers as they deem necessary. Each officer appointed under this section shall be directly responsible to the town council and mayor. Such officers shall perform such duties as are required by general law, as well as such additional duties not inconsistent with general law as this charter or the council may prescribe. (1972, c. 669)

§ 5.2. DEPUTIES AND ASSISTANTS.

The town council may appoint such deputies and assistants to appointive officers as they may deem necessary. (1972, c. 669)

§ 5.3. TERM OF OFFICE.

Appointees hereunder shall serve at and during the pleasure of the town council. (1972, c. 669)

§ 5.4. BONDS.

Officers, deputies and assistants appointed by the town council shall execute such bonds as may be required by resolution of the town council. (1972, c. 669)

§ 5.5. VACANCIES IN OFFICE.

The town council may fill any vacancy in any appointive office. (1972, c. 669)

§ 5.6. APPOINTMENT OF ONE PERSON TO MORE THAN ONE OFFICE.

The town council may appoint the same person to more than one appointive office. (1972, c. 669)

§ 5.7. TOWN CLERK.

The town clerk shall be the clerk of the town council and shall keep the journal of its proceedings and shall record all ordinances and resolutions in a book or books kept for this purpose. He shall be the custodian of the corporate seal of the town and shall be the officer authorized to use and authenticate it. He shall perform such other duties and keep such other records as the town council or the general laws of the Commonwealth require of town clerks. All records in his office shall be public records and open to inspection at any time during regular business hours. (1972, c. 669)

CHAPTER 6.

COURTS

§ 6.1. AUTHORITY TO ESTABLISH MUNICIPAL COURT; JURISDICTION OF COURT.

The town council may establish by ordinance a municipal court, which shall be known as the Municipal Court of Crewe. Jurisdiction of such court in criminal matters shall be as provided in §§ 16.1-124 and 16.1-125 of the 1950 Code of Virginia, as amended, or reenacted, and said court shall have original jurisdiction in the trial of all cases involving the violation of town ordinances, and in the collection of town taxes or assessments, or other forms of debt owing to the town. (1972, c. 669)

§ 6.2. JUDGE OF MUNICIPAL COURT.

The mayor, vice mayor or acting mayor of the Town of Crewe, as hereinbefore described, shall act and be the judge of such municipal court. (1972, c. 669)

§ 6.3. CLERK OF MUNICIPAL COURT.

A clerk of such court shall be appointed by the town council, to serve at the pleasure of the town council. (1972, c. 669)

§ 6.4. JURISDICTION OF COUNTY COURT IF MUNICIPAL COURT NOT CREATED OR IF MUNICIPAL COURT ABOLISHED.

If the town council shall elect not to establish a municipal court, as provided in § 6.1 of this charter, or if the town council shall, by ordinance, abolish such a municipal court after having been established, the County Court of Nottoway County, Virginia, or its successor, shall have jurisdiction within the Town of Crewe as the municipal court would otherwise have had. In such instance the town council may enter into such contracts or agreements as it may deem necessary to permit the trial in said county court, or its successor, of cases or causes of action arising within the town or within the jurisdiction of said town. (1972, c. 669)

CHAPTER 7.

FINANCIAL PROVISIONS

§ 7.1. FISCAL YEAR.

Prior to July 1, 1973, the fiscal year of the town shall begin on September 1. On and after July 1, 1973, the fiscal year of the town shall begin on July 1 of each year and end on June 30 of the year following. (1972, c. 669)

CHAPTER 8.

MISCELLANEOUS

§ 8.1. ELECTIONS GOVERNED BY STATE LAW.

All town elections shall be held and conducted in the manner prescribed by the laws of the Commonwealth of Virginia. (1972, c. 669)

§ 8.2. APPLICABILITY OUTSIDE TOWN.

All ordinances of the town, so far as they are applicable, shall apply on, in or to all land, buildings and structures owned by or leased or rented to the town and located outside the town. (1972, c. 669)

§ 8.3. PRESENT OFFICERS TO CONTINUE.

The present elected officers of the town shall be and remain in office until expiration of their several terms, and until their successors have been duly elected and qualified. (1972, c. 669)

§ 8.4. ORDINANCES CONTINUED IN FORCE.

All ordinances now in force in the Town of Crewe, not inconsistent with this charter, shall be and remain in force until altered, amended or repealed by the town council. (1972, c. 669)

§ 8.5. SEVERABILITY OF PROVISIONS.

If any clause, sentence, paragraph or part of this charter shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this charter, but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered. (1972, c. 669)

§ 8.6. DISCLOSURE OF INTEREST.

The town council is hereby empowered to adopt a conflict of interest and disclosure ordinance to govern elected and/or appointed town officials not inconsistent with the general law. (1972, c. 669)