

DUBLIN, TOWN OF
County of Pulaski.
Incorporated by an 1871 Act of Assembly.

Incorporation and charter, 1871, c. 113.

Incorporation and charter, 1906, c. 206; repealed 1958, c. 362.

Charter, 1958, c. 362.

Amended 1964, c. 22 (§§ 4.2, 5)
 1975, c. 357 (§ 5).

§ 1. The inhabitants of the territory embraced within the present limits of the Town of Dublin, Virginia, County of Pulaski, as hereinafter set out and described, or as the same may be hereafter altered and established by law, shall constitute and continue a body politic and corporate, to be known and designated as the Town of Dublin, and as such shall have and may execute all powers which will now, or may hereafter, be conferred upon or delegated to towns under the Constitution and laws of the Commonwealth of Virginia, as fully and completely as if such powers were specifically enumerated herein; and no enumeration of particular powers herein shall be held to be exclusive, and said Town shall have, exercise, and enjoy all the rights, immunities, powers, privileges, and be subject to all the duties and obligations now appertaining to and incumbent on said Town as a municipal corporation, and the Town of Dublin, 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. (1958, c. 362)

§ 2. The adoption of this Charter shall not in anywise affect the validity of any contract or obligation of the Town of Dublin, which is not inconsistent with the provisions of this Charter, and which is otherwise valid. (1958, c. 362)

§ 3. Town boundaries.

The corporate limits of the Town of Dublin, Virginia, until altered as provided by law, shall embrace the territory within the following boundaries, to-wit:

BEGINNING at a point in the west line of the Giles Turnpike (Virginia State Route 100) and which said point marks the corner common to the lands of S. H. Bell and the Dublin School lot; thence North 00° 28' West 135 feet to a point; thence North 6° 28' East 878 feet to a point; thence South 62° 49' East 942.2 feet to a point; thence North 50° 06' East 406.8 feet to a point; thence South 71° 48' East 1,508.7 feet to a point; thence North 70° 08' East 590 feet to a corner at the cemetery; thence following along the west line of said cemetery S. 3° 06' East 303 feet; thence North 86° 45' East 122 feet; thence South 16° 08' East crossing the Lee Highway (U. S. Route No. 11) and the Norfolk and Western Railway right-of-way 824.5 feet to the North line of the old Lee Highway (alternate U. S. Route No. 11); thence with the north line of said old Lee Highway South 62° 54' West 338.4 feet to a point; thence South 13° 00' East crossing said old Lee Highway and the Dunlop Road 2,633 feet to a point in the north line of Powder Plant Road; thence with the Powder Plant Road South 37° 00' West 363 feet to a point; thence leaving said Powder Plant Road South 76° 00' West 2,390 feet to a corner at the Dublin Pump House lot; thence South 31° 39' West 361 feet; thence North 35° 56' West 550 feet; thence South 25° 25' West 1,860 feet; thence South 62° 06' West crossing Dublin-

Newbern Road (Virginia State Route No. 100) 310 feet; thence North 30° 34' West 115.2 feet; thence North 88° 30' West 609 feet; thence North 00° 25' East 829.5 feet; thence North 20° 03' West 760.8 feet; thence North 20° 00' West crossing the Norfolk and Western Railway right-of-way and U. S. Route No. 11, 1,625 feet to a point; thence North 36° 00' East 1,080 feet; thence North 26° 54' West 1,625 feet; thence North 52° 30' East 1,625 feet to the point of beginning and containing 235.5 acres. (1958, c. 362)

§ 4. Continuity.

The present mayor, council and officers of the Town of Dublin shall continue in office until the expiration of the term for which they were respectively elected, and until their successors shall be elected and shall have qualified. (1958, c. 362)

§ 4.1. Administration and Government.

The administration and government of the Town shall be vested in a Council composed of a Mayor and six Councilmen, who shall have full power and authority, except as herein otherwise provided, to exercise all the power conferred upon the Town by this Charter, or by general law, and to pass all laws, ordinances, rules, and regulations relating to its municipal affairs and for the proceedings of Council, subject to the Constitution and general laws of the State and of this Charter, and shall have full and complete control of all fiscal and municipal affairs of the Town and of all its real and personal property, and may from time to time amend or repeal any or all of the said ordinances, rules, or regulations for the proper regulation, management, and government of the said Town, and may impose fines and penalties for the violations or nonobservance thereof.

The Council shall establish salaries and wages and provide for the payment to all town officers and employees of such salaries or compensation, if any, as the Council may deem in their discretion, from time to time, to be just and proper; all employees who shall be discharged by, or have a grievance against their superiors, shall have the right to have the case reviewed by the Council, and the Council shall have full and complete rights, powers, and final determination in all such matters.

The Council may require the attendance of its officers, agents, appointees, or employees at its meetings, and may further require reports to be submitted. (1958, c. 362)

§ 4.2. Composition of Council; qualification of Mayor and Councilmen, elections generally; Council to be continuing body; vacancies in Council; appointment of town officers; insufficient candidates for Council; quorum of Council; compensation of Councilmen and Mayor.

The Mayor and members of the Council in office on January 1, 1975, shall continue to serve in office until June 30 of the year in which their current terms expire. The Mayor and all Councilmen shall be residents of the Town of Dublin and Councilmen shall be elected at large during municipal elections which shall be held in every even-numbered year on the day specified by general law for the holding of municipal elections. During each such election, three Councilmen shall be elected for terms of four years each, and shall enter upon the discharge of their duties on the first day of July next succeeding their election and shall continue in office until their successors are qualified.

Therefore three councilmen shall be elected pursuant to general law in 1976 to replace councilmen whose terms will expire June 30, 1936, and three councilmen shall be elected pursuant to general law in 1978 to replace councilmen whose terms will expire

June 30, 1978. The Mayor shall be elected for a term of four years as hereinafter provided in § 5.

All elections in the Town of Dublin shall be conducted pursuant to, and in accordance with, the general laws governing the holding of elections for towns.

The Council shall be a continuing body, and no measure pending before such body, contracts, or obligations incurred, shall abate or be discontinued by reason of the expiration of the term of office or removal of the members of said body, or any of them.

Vacancies in the Council shall be filled within thirty days, for the unexpired terms, by a majority vote of the remaining members; in the event of a failure to so fill any such vacancy within the time specified, the same shall be filled by appointment of the Circuit Court of Pulaski County.

The Council may create, appoint, or elect a clerk, treasurer, attorneys, departments, bodies, committees, boards, or other offices as are provided for by this Charter, or as permitted or required by general law to be created, appointed, or elected, or as may, by the Council, be deemed necessary or proper to carry out and perform the powers and duties of the Town of Dublin, granted by this Charter or by the general laws of the Commonwealth.

All of the aforesaid officers or employees, who shall be appointed or employed, shall hold office at, and during, the pleasure of the Council, and said officers and employees shall qualify and take such oath as is prescribed by law, and shall execute such bonds as may be prescribed by resolution of the Council. Upon the failure of any Council, after being duly qualified, to appoint such officers and employees, all such officers and employees then in office shall so continue in office until removed by that, or a succeeding Council. The same person may be appointed to fill two offices at the discretion of the Council.

In the event there are no, or not sufficient, candidates at any regular municipal election to fill the offices of Councilmen or Mayor, the new Council is empowered to fill such vacancies in the manner and within the time hereinabove specified, provided Councilmen elected constitute a quorum; if no quorum is available within the new Council, vacancies upon the Council may be filled by the old or retiring Councilmen prior to the expiration of their term of office. In the event they fail to fill such vacancies, then said vacancies shall be filled by appointment of the Circuit Court of Pulaski County.

The majority of all members of Council, exclusive of the Mayor, shall constitute a quorum, but a smaller number may adjourn from time to time and compel the attendance of the members absent.

The Councilmen and Mayor shall receive such compensation for their services as the Council shall, from time to time prescribe, but any raise in the salaries of Councilmen or Mayor shall not become effective until the expiration of the term of office of the Council voting the raise in salary, and no such raise shall be voted on between the first day of April and the first day of July, during any year in which the municipal election is held, and the Council shall not have the right to decrease the salaries of Councilmen or Mayor during said period of time. (1958, c. 362; 1964, c. 22; 1975, c. 357)

§ 5. Election of Mayor; duties and powers of Mayor; Vice-Mayor; oath of Mayor and Councilmen.

The Mayor shall be elected at large by the qualified voters of the Town for a term of four years at the municipal election held in 1976, and each four years thereafter, and

shall enter upon the discharge of his duties on the first day of July, next succeeding his election, and shall continue in office until his successor qualifies.

Any resident qualified to vote in the town election in which he offers, shall be eligible for the office of Mayor.

The Mayor shall receive such compensation as the Council shall provide, but shall not vote on the question of his salary, and shall not preside or be present when such question is voted upon.

The Mayor shall be the chief executive officer of the Town, and shall be recognized as the official head of the Town for all purposes; it shall be his duty to see that the laws and ordinances thereof are fully executed, and he shall perform such other duties as are prescribed by this Charter or by general law. He shall preside over the meetings of the Council and appoint the necessary committees or departments for the dispatch of business of the Town, subject to the approval of the Council.

The Mayor, as a member of the Council, shall vote only in the case of a tie. It shall be his duty to see that the various officers, when elected or appointed, shall perform their duties in a proper and faithful manner. He shall have the right to investigate their acts, have access to all books and documents in their office, and may examine them on oath. Such course of action may be subject to the right of Council to rehear and make final determination as to the controversy; upon such hearing of the Council, final action must be by a two-thirds majority of the members present.

The Mayor, with consent of the Council, shall appoint a Chief of Police and such other police officers or force as he shall deem necessary.

The Council shall, at its first meeting in July after the effective date of this act, choose a Vice-Mayor from its members, and thereafter, shall, at its first meeting after each election of Council and Mayor, choose one of its members as Vice-Mayor.

The Vice-Mayor shall perform the duties of the Mayor during or at the absence or disability of the Mayor. In the event of death, removal, or resignation of the Mayor, the Councilmen shall appoint a member of the Council, or some other resident freeholder of the Town of Dublin, to serve as Mayor for the unexpired term. If a member of Council be chosen for such unexpired term, such Councilmen shall be deemed to have surrendered his office of Councilman, and the office shall thereupon be vacant, and shall be filled as herein provided.

The six Councilmen and Mayor shall be voted on as herein provided by all the qualified voters who are residents of the said Town. Every person elected as Councilman of the Town, shall, on or before the day on which he enters upon the performance of his duties, qualify by taking or subscribing an oath faithfully to execute the duties of the office to the best of his judgment; and the person elected Mayor shall take and subscribe the oath prescribed by law for State officers. Upon the failure of any person elected as Councilman or Mayor to take the oath of office, and qualify on, or before the date for beginning of their term, or within ten days from the time their respective terms of office would have begun, then such office shall be deemed vacant and shall be filled as herein elsewhere provided.

Any such oath of Mayor shall be taken before the Clerk or Deputy Clerk of the Circuit Court of Pulaski County, and shall, when so taken and subscribed, be forthwith returned to the Clerk of the Council, who shall enter the same of record in the minute books of the Council, or may be filed with the Clerk who administered the oath. Oath of

Councilmen shall be taken before the Mayor and filed with the Clerk. (1958, c. 362; 1964, c. 22; 1975, c. 357)

§ 5.1. Mayor to act as trial officer.

In addition to his other duties and powers, the Mayor shall have power to issue warrants, summon witnesses, and exercise exclusive jurisdiction to try cases involving violations of Town Ordinances; and shall perform all the duties, and have all the powers in reference to this Court, as have been, and are being performed by the Mayor, under the powers granted by the present Charter for the Town of Dublin. In exercising the jurisdiction herein conveyed, he may exercise the powers and shall perform the duties of a judge of a county court as provided by the laws of the State of Virginia, except that he shall not be required to be a licensed attorney. The fees and costs in connection with such cases shall be the same as are authorized by law to be charged, taxed, and collected by judges of county courts for similar services, and such fees and fines collected shall promptly be paid into the Treasury of said Town. Provided, however, that the Council may, at any time it deems the same expedient, appoint a police justice for the Town other than, and in place of, the Mayor, who shall be a resident and qualified voter of said Town (unless the Council be of the opinion that a suitable qualified resident and voter is not available, in which event the Council may appoint a nonresident to serve as police justice). Any such police justice shall serve during the pleasure of the Council, shall give such bonds as the Council requires, and shall receive such compensation for his duties as the Council may fix. Such police justice, if appointed, shall have, during his term, and to the exclusion of the Mayor, the same powers and jurisdiction as are hereinabove conferred upon and vested in the Mayor, and exercise the same in like manner.

The Council shall have the power and authority to appoint one or more issuing justices or one justice of the peace for the Town of Dublin, to serve at the pleasure of said Council, who, when appointed, shall be conservators of the peace, and shall have the power and authority to issue warrants or other processes, and summon witnesses, for violations of Town Ordinances, but all such warrants and processes shall be returnable before the Mayor or police justice if there be one. Such issuing justices or justices of the peace shall have the power to admit to bail any person or persons held in violation of a Town Ordinance. Fees for services shall be the same as that prescribed by state law for justices of the peace, and shall be the only compensation received by said justices for their services as such. (1958, c. 362)

§ 5.2. Times of meetings, regulation, and rules of Council.

The Council shall, by ordinance or resolution, fix the time of their regular meetings, and they shall meet at least once a month. Special meetings may be called at any time by the Mayor or by three members of Council, provided all members are duly notified a reasonable period of time prior to such meeting; no business shall be transacted at a special meeting thereof, except that for which it shall be called, unless all members of the Council present shall give their consent.

The Council shall set and provide all rules and regulations for the conduct of its meetings and its affairs, and shall do such other things as it, in its discretion, deems necessary for the orderly carrying on of its business.

No vote taken at any meeting shall be reconsidered or rescinded at any subsequent special meeting unless at such special meeting, there be as many members of the Council present as were present when such vote was taken.

The Council shall have all power and authority that is now or may hereafter be granted to councils of towns by general law of this State, and by this Act, and the recital of special powers and authorities herein shall not be taken to exclude the exercise of any power and authority granted by the general laws of this State to town councils, but not herein specified. (1958, c. 362)

§ 6. Powers of the Town.

The Town shall have the power to do all things whatsoever necessary or expedient for promoting or maintaining the general welfare, conduct, education, morals, peace, government, health, trade, commerce or industry of the Town, or its inhabitants. The Town may adopt and enforce ordinances to carry into effect the powers of the Municipal Corporation, and impose penalties for violations. The maximum penalty for violation of any such ordinance shall not exceed a fine of One Thousand Dollars (\$1,000), or imprisonment in jail or on a jail farm for Twelve (12) months, or both. Notwithstanding that an ordinance may prescribe a penalty for its violation, the Town may sue for an injunction to restrain the violation thereof. (1958, c. 362)

§ 6.1. Confinement of Prisoners.

Able-bodied persons sentenced to confinement in jail may be compelled to work on a jail farm or elsewhere in municipal service, or on a specially provided municipal farm, as may be prescribed by ordinance. (1958, c. 362)

§ 6.2. Taxes, Assessments and Licenses.

(a) The Town may raise annually by assessments and taxes on all subjects of taxation in the Town, which are not forbidden by law, such sums of money as in the judgment of the Council are necessary for the purposes of the Town, in such manner as the Council deems expedient, subject to any restrictions imposed by law, and more particularly that not tax upon real or personal property in said Town shall exceed three dollars (\$3.00), upon the one hundred dollar (\$100.00) assessed value of real and personal property, without the affirmative vote of the majority of citizens voting, as determined by a referendum held for this purpose.

It shall be the duty of said Town to levy annually on all taxable property in said Town a tax sufficient to pay the interest on all bonds for said Town as such interest falls due, and also sufficient to pay the principal of said bonds, or to provide sufficient sinking funds for the payment of said bonds at maturity.

(b) Whenever, in the judgment of the Council of the Town, it is advisable in the exercise of any of the powers of such Town or in the enforcement of any of its ordinances or regulations, it may provide for the issuance of licenses or permits in connection therewith, establish the amount of the fee to be charged the licensee or permittee, and require from the licensee or permittee a bond and an insurance policy of such character and in such amount and upon such terms as it may determine.

(c) The Town may impose special or local assessments for local improvements and enforce payment thereof, under, and subject to, the limitations prescribed by § 170 of the Constitution, and by the Code of Virginia. Subject to such limitations it may also order such improvements to be made and the cost thereof apportioned in pursuance of an agreement between the Town and the abutting landowners.

Any such special or local assessment shall constitute a lien on the property benefited and may be collected in the manner prescribed by law for the collection of real estate taxes. Such lien shall be valid against subsequent purchasers and creditors if duly

recorded and indexed in the manner provided by law for recording and indexing other liens. (1958, c. 362)

§ 6.3. Condemnation.

(a) The Town may acquire by condemnation or otherwise any interest or right of any owner of abutting property in the construction or use of any sewer, culvert or drain, and thereafter impose a reasonable charge upon said landowner for the use of such sewer, culvert or drain.

(b) The Town may acquire by purchase, gift, devise, condemnation or otherwise, property, real or personal, or any estate or interest therein, within or without the town; and for any of the purposes of the Town, it may hold, improve, sell, lease, mortgage, pledge, or otherwise dispose of the same or any part thereof; and control and regulate the use and management of all its property.

(c) The Town may also decline to accept any gift, donation, bequest or grant from any source, if, in its judgment, such would be in the best interests of the Town.

(d) The Town shall not take or use any private property for any public purpose without paying the owner thereof just compensation; but the Town is authorized to acquire by condemnation proceedings, lands, buildings, structures and personal property, or any interest, right, easement or estate therein, of any person or corporation, whenever a public necessity exists therefor, which purpose and necessity shall be expressed in the resolution or ordinance directing such acquisition, and whenever the Town cannot agree with the owners of such property on terms of purchase or settlement. Proceedings under this paragraph shall be instituted in the circuit court having jurisdiction in the Town of Dublin if the subject to be acquired is located within its corporate limits; or if not therein located, in the circuit or corporation court of the county or city in which the land is located. If partly within a county and partly within a city, then the corporation court of the city shall have concurrent jurisdiction in such condemnation proceedings with the circuit court of the county.

(e) The Town may exercise the same powers as to condemnation as are provided in Title 25 of the Code of Virginia, or other general law, or as are conferred on the State Highway Commissioner under Article 5 of Chapter 1 of Title 33 of the Code of Virginia.

In the exercise of the authority granted in § 33-70 of Article 5 of Chapter 1, Title 33, of the Code of Virginia, as amended, the Town shall use said authority in connection with the acquisition, construction, operation or maintenance of water, or sewerage disposal system, airports, streets, roadways or alleys, and facilities related thereto.

(f) The Town, in the exercise of the power of eminent domain, pursuant to the provisions of this act, shall be subject to the provisions of § 25-233 of the Code of Virginia when the interest sought is held by another corporation having the power of eminent domain. (1958, c. 362)

§ 6.4. Fiscal powers.

The Council of the Town may make appropriations, subject to any limitations imposed by this Charter or by general law, and in accordance therewith, for the support of the town government and all other lawful purposes.

(1) Subject to the provisions of the Constitution and statutes of Virginia, the Council may, in the name and for the use of the Town, borrow money and make and issue evidence of indebtedness.

(2) The Council shall provide for the control and management of the fiscal affairs of the Town, and prescribe and require the adoption and keeping of such books, records, accounts and systems of accounting by the departments, boards, commissions, courts or other agencies of the Town of Dublin, as may be necessary to give full and true accounts of the affairs, resources and revenues of the Town, and the handling, use and disposal thereof.

(3) The Council may establish, abolish or change departments, offices, branches, and agencies of the Town Government, and establish powers, duties and functions thereof.

(4) All bonds and other evidences of indebtedness of the Town shall be signed by the Mayor and counter-signed by the Town Clerk; and to all bonds, the Clerk of the Town shall affix the corporate seal of the Town and attest the same. (1958, c. 362)

§ 6.5. Public health and welfare.

The Town may preserve the public health and welfare of its inhabitants and to this end the Town may:

(a) regulate and inspect the production, preparation, distribution and sale of milk, other beverages, and food, and the sanitation of establishments in which the same is carried on; condemn, seize and dispose of any adulterated, impure, or dangerous beverage or food without liability to the owner thereof; provide water and sewer systems, require connections therewith, and fix rates and charges therefor; construct, maintain and operate sewage disposal works within or without the corporate limits of the Town of Dublin; regulate the installation, maintenance and condition of sewers, pipes, toilet facilities and plumbing; regulate the disposal of human excreta where sewerage is not available, and require septic tanks or other adequate sanitary facilities; collect and dispose of garbage and other refuse, and construct, maintain and operate, within or without the Town, incinerators, dumps or other facilities for such purpose; and provide for the sanitation of swimming pools and lakes;

(b) provide hospitals within or without the Town, for the care and maintenance of the sick; and regulate, in the interest of public health, private hospitals and other institutions or facilities for the care of the sick; take measures to control the introduction or spread of infectious or contagious diseases and require the removal of persons suffering from such diseases to hospitals provided for them;

(c) provide for the care, support and maintenance of children and the aged, insane or destitute persons, and provide and maintain institutions for such purposes;

(d) provide and maintain, either within or without the Town, such other charitable, recreative, curative, detentive, or penal institutions as may be necessary or expedient including public libraries;

(e) grant financial aid to military units organized in the Town, in accordance with the laws of the Commonwealth, and to charitable or benevolent institutions and corporations, including those established for scientific, literary or musical purposes or the encouragement of agriculture and the mechanical arts, whose functions further the public purposes of the Town of Dublin; and

(f) regulate cemeteries and burials therein, prescribe records to be kept by owners thereof, and prohibit burials except in public cemeteries; and establish, own, maintain and operate cemeteries within and without the town, make contracts for their perpetual care,

and establish prices and rates to be charged for lots, graves or services in connection therewith. (1958, c. 362)

§ 6.6. Protection of life and property, private and public.

The Town shall protect life and property, private and public, within the corporate limits, and prohibit and provide punishment for offenses against the peace, good order and morals of the Town and its inhabitants. Without limitation on the foregoing, it shall have the following specific powers:

(a) To regulate the use of recreational facilities, airports and other public properties, whether located within or without the town limits of Dublin; and all such properties shall be under its police jurisdiction for purposes of enforcement of such regulations; all police officers of the Town shall have jurisdiction to make arrests on any such property for violations of such regulations; the police court of the town shall have jurisdiction in all cases arising thereunder within the municipal corporation, and the county court of the county wherein the offense occurs shall have jurisdiction of such cases arising without the town limits. Appeals may be taken, in any such cases, to the court of record having jurisdiction;

(b) To provide precautionary measures against danger from fires, to establish zones within the Town, and prescribe the type of buildings which may be constructed therein, and to do all things necessary to protect lives and property from fire hazards;

(c) To regulate the construction, maintenance and repair of buildings and other structures, and plumbing, electrical, heating, elevator, escalator, boiler, unfired pressure vessel, and air conditioning installations therein, for the purposes of preventing fire and other dangers to health and life;

(d) To regulate or prohibit the exercise of any dangerous, offensive, or unhealthful business, trade, or employment, the transportation of any offensive or dangerous substance, the manufacture, storage, transportation, possession and use of explosive or inflammable substances, and the use and exhibition of fireworks and discharge of firearms; and

(e) To regulate auction sales, regulate the conduct of and prescribe the number of pawn shops, regulate or prohibit peddling, prevent fraud in the sale of goods, and provide for the inspection and testing of weights and measures used for the sale of goods within the Town. (1958, c. 362)

§ 6.7. Nuisances.

(a) The Town may compel the abatement or the removal of all nuisances, and to this end may compel the removal of weeds from the private and public property and snow from sidewalks; the covering or removal of offensive, unwholesome, unsanitary or unhealthy substances allowed to accumulate in or on any place or premises; the filling in to the street level of the portion of any lot adjacent to a street where the difference in level between the lot and the street constitutes a danger to life and limb; the razing or draining of grounds covered by stagnant water; and the razing or repair of all unsafe, dangerous or unsanitary public or private buildings, walls, or structures which constitute a menace to the health and safety of the occupants thereof or the public. If after such reasonable notice as the governing body may prescribe by ordinance, the owner or owners, occupant or occupants of the property or premises affected by the provisions of this section shall fail to abate or obviate the condition or nuisance, the town may do so

and charge and collect the cost thereof from the owner or owners, occupant or occupants of the property affected in any manner provided by law for the collection of taxes.

(b) The Town may regulate the emission of smoke, the construction, installation and maintenance of fuel burning equipment, and the methods of firing and stoking furnaces.

(c) The Town may regulate or prohibit the running at large or the keeping of animals and fowl, and provide for the impounding and confiscation of any animal or fowl found at large or kept in violation of such regulations. (1958, c. 362)

§ 7. Buildings and structures for municipal use.

(1) The Town may acquire or construct, maintain and operate such buildings and other structures as it deems necessary or useful in carrying out its powers and duties. This power shall specifically include, but shall not be limited to, the following powers:

(a) To acquire or construct, maintain and operate parking lots, garages, buildings and land for parking or storage of vehicles;

(b) To acquire or construct, maintain and operate airports, within or without the corporate limits of the Town, and land and structures appurtenant thereto under state laws;

(c) To acquire or construct, maintain and operate stadia, arenas, swimming pools and other sports facilities; and

(d) To acquire or construct, maintain and operate armories, libraries and markets;

(e) The management and control of such facilities shall be vested in such officers or bodies as the governing body shall prescribe by ordinance; provided, that the governing body may enter into leases or agreements for the operation of such facilities by any person, firm or corporation on such terms and conditions as it may determine;

(f) The governing body may make or permit the charging of fees or charges in amounts fixed or approved by it for use of or admission to such facilities, or for concessions in connection with any such facility. (1958, c. 362)

§ 7.1. Streets, alleys, sidewalks, etc.

(a) The Town may establish, construct, improve and maintain public streets, including limited access or express highways, alleys and sidewalks, bridges, viaducts, subways and underpasses, and shall have the same power as to streets, alleys, or public places conveyed to it or dedicated to public use as over other streets, alleys or places; may acquire, own, maintain, improve and operate public parks and playgrounds; may regulate the use of such streets, alleys, sidewalks, parks, and playgrounds, including the power to regulate traffic thereon to the extent permitted by the general laws of Virginia; may regulate the erection or laying of telephone, telegraph or electric wires or cables, and the services to be rendered and rates to be charged by all public vehicles carrying passengers or freight for compensation except such as are subject to regulation by the State Corporation Commission or the Interstate Commerce Commission; may construct and maintain, or aid in constructing and maintaining, public roads, and bridges beyond the limits of the Town, and any property owned by the Town and situated beyond the corporate limits thereof, and may do all things necessary to make such streets, roads, alleys and sidewalks safe, convenient and attractive.

(b) The Town may grant or authorize the issuance of permits under such terms and conditions as the governing body may impose for the use of streets, alleys and other public places by railroads, and vehicles for hire; prescribe the location in, under or over,

and grant permits for the use of streets, alleys and other public places for tracks, poles, wires, cables, pipes, conduits and bridges, subways, vaults, areas and cellars; require tracks, poles, wires, cables, pipes, conduits and bridges to be altered, removed or relocated either permanently or temporarily; and charge and collect compensation for the privileges so granted. No such use shall be made of the streets, alleys and other public places of the town without the consent of the council.

(c) The Town may prevent any obstruction of or encroachment over, under, or in any street, alley, sidewalk or other public place; provide penalties for maintaining any such obstruction or encroachment, remove the same and charge the cost thereof to the owner or owners, occupant or occupants of the property obstructing or encroaching, and collect the sum charged in any manner provided by law for the collection of taxes; require the owner or owners, the occupant or occupants of the property so obstructing or encroaching to remove the same; pending such removal, to charge the owner or owners of the property so obstructing or encroaching, compensation for the use of such portion of the street, alley, sidewalk or other public place obstructed or encroached upon the equivalent of what would be the tax upon the land so occupied, if it were owned by the owner or owners of the property so obstructing or encroaching; and, if such removal shall not be made within the time ordered, impose penalties for each and every day that such obstruction or encroachment is allowed to continue thereafter; authorize encroachments upon streets, alleys, sidewalks or other public places, subject to such terms and conditions as the governing body may prescribe, but such authorization shall not relieve the owner or owners, occupant or occupants of the property encroaching, of any liability for negligence on account of such encroachment; and recover possession of any street, alley, sidewalk or other public place, or any other property, of the town by suit or action in ejectment. (1958, c. 362)

§ 8. Franchises.

(a) Subject to the provisions of the Constitution and the statutes of the State of Virginia, the Town may grant franchises for public utilities, and regulate the services rendered and rates charged by any utility which is not subject to regulation by the State Corporation Commission.

(b) The Town may acquire, construct, own, maintain and operate, within and without the Town, water works, gas plants and electric plants, with the pipe and transmission lines incident thereto, to be managed and controlled as the governing body may, by ordinance provide, for the purpose of supplying water, gas and electricity within and without the town; charge and collect compensation therefor; and provide penalties for the unauthorized use thereof. (1958, c. 362)

§ 9. Pensions.

The Town may establish a system of pensions for injured, retired or superannuated officers and employees thereof, and establish a fund or funds for the payment of such pensions by making appropriations out of the treasury of the Town, by levying a special tax for the benefit of such fund or funds, by requiring contributions payable from time to time from such officers or employees, or by any combination of these methods or by any other method not prohibited by law, provided that the total annual payments into such fund or funds shall be sufficient on sound actuarial principles to provide for the pension to be paid therefrom, and provided further that the benefits accrued or accruing to any person under such system shall not be subject to execution,

levy, attachment, garnishment or any other process whatsoever, nor shall any assignment of such benefits be enforceable in any court. (1958, c. 362)

§ 10. Miscellaneous provisions.

(1) All ordinances now enforced in the Town of Dublin, not inconsistent with this Act, shall be and remain in force until altered amended or repealed by the Council.

(2) If any clause, sentence, paragraph or part of this Act, 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 the Act, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which said judgment shall have been rendered.

(3) This Act may, for all purposes, be referred to or cited as the Dublin Charter of 1958. (1958, c. 362)