

FARMVILLE, TOWN OF
County of Prince Edward.

Established, 1798, c. 59.

Incorporation and charter, 1833, c. 191.

Charter, 1847, c. 218; repealed 1852, c. 380.

Charter, 1852, c. 380; repealed 1870, c. 298.

Charter, 1870, c. 298; repealed 1890, c. 196.

Charter, 1890, c. 196; repealed 1912, c. 162.

Charter, 1912, c. 162; repealed 1956, c. 315.

Charter, 1956, c. 315.

Amended 1968, c. 580 (§§ 3, 26 [repealed], 26.1 [added], 27 through 29
[repealed], 30).

§ 1. The inhabitants of the territory comprised within the present corporate limits of the town of Farmville, Virginia, as the same now are or may hereafter be established by law, are hereby declared to be a body politic and corporate under the name of town of Farmville, and as such shall have perpetual succession, may sue and be sued, contract and be contracted with, and may have a corporate seal which it may alter, renew, or amend at its pleasure. (1956, c. 315)

§ 2. The boundaries of the town of Farmville shall contain 846 acres more or less, and shall coincide and be coextensive with the boundaries of the town of Farmville as they exist at this time and which are shown on a plat thereof made by R. C. Dodl, C.E., dated November 24, 1953, and recorded in current Plat Book 1 on page 66 thereof in the Clerk's Office of the Circuit Court of Prince Edward County, Virginia, and which said plat is referred to and directed to be recorded as a part of an annexation order entered in the Circuit Court of Prince Edward County, Virginia, on December 31, 1954, and recorded in Law Order Book 11 beginning at page 422, in the therein mentioned condemnation proceedings under the style of town of Farmville, Virginia, a Municipal Corporation, Petitioner, v. Prince Edward County, Virginia, et als, Defendants, and to which said plat and law order reference is hereby expressly made for a metes and bounds description of the boundaries of the town of Farmville, Virginia, the same as if such were copied herein verbatim, and in which said annexation proceedings such boundaries were thereby and therein determined and set out. (1956, c. 315)

§ 3. The administration and government of the town is vested in the council composed of the mayor, and seven councilmen, all of whom shall be electors of the town. The Council and the mayor shall be elected in the manner provided by law as follows:

The terms of the three members of the council who were elected in June, 1952, shall expire on June 30, 1956. At the regular municipal election to be held on the second Tuesday in June, 1956, and every four years thereafter three councilmen shall be elected for a term of four years each. The term of the present mayor and the four members of the council who were elected at the regular municipal election in June, 1954 shall expire on June 30, 1958. At the regular municipal election to be held on the second Tuesday in June, 1958, and every four years thereafter the mayor and four councilmen shall be elected for a term of four years each. Terms of office shall begin on the first day of July next following their election. Each councilman and the mayor elected as hereinabove

provided shall serve for the term stated or until his successor has been elected and qualified.

The councilmen shall be elected at large; provided, however, that the council may, after advertising in a newspaper published in said town for at least once a week for four consecutive weeks and by posting handbills in five or more conspicuous public places, giving notice to the public of its intention to consider the division of the town into wards, and after holding a public hearing pursuant to such notice, by resolution entered of record in its council Minute Book, divide the town into wards and direct that thereafter all future elections for membership on the town council shall be held in keeping with such resolution until the further direction of the council changing such method be entered of record in its Minute Book after a like notice and like public hearing. In the event that a division of the town may be entered of record as hereinbefore provided, future members of the town council may be elected partly at large and partly from wards, the ultimate method, division and determination thereof to be decided by resolution of the council adopted as aforesaid. Any vacancy in the office of any councilman elected from a ward must be filled by a qualified voter actually residing in the ward in which the vacancy shall have occurred. Each member of council may receive a salary to be fixed by the council, payable at such times and in such manner as the council may direct. The mayor may receive a salary to be fixed by the council, payable in such manner and at such times as the council may direct. (1956, c. 315; 1968, c. 580)

§ 4. All corporate powers of the town shall be exercised by the council or under its authority except where otherwise specifically provided. (1956, c. 315)

§ 5. The election of the mayor and councilmen and the registration of electors of said town shall be held and conducted in the manner provided by the laws of Virginia then existing. (1956, c. 315)

§ 6. The mayor and councilmen shall each, before entering upon the duties of their respective offices, take the oath prescribed by § 49-1 of the Code; but if any or either of them shall fail so to do for thirty days after the commencement of the term for which he or they are elected, his or their office shall be deemed vacant. They shall, as soon after July 1 1956, as may be convenient, and each succeeding council shall at the beginning of the term of office of its members, or as soon thereafter as may be convenient, elect a town manager, town treasurer, town attorney and town sergeant, who shall hold office for a period of one year commencing July 1 of each year and until their successors are elected and have qualified, and all of whom shall perform such duties, if any, hereinafter particularly set out and such other duties as may be prescribed from time to time by the council. (1956, c. 315)

§ 7. Whenever, from any cause, a vacancy shall occur in the office of the mayor or councilmen, the same shall be filled by the council at its next regular meeting from the qualified electors of said town and an entry of such election shall be made of record; provided, however, that should councilmen at any future time be elected from wards rather than from the town at large, then such vacancy shall be filled from the ward from which such vacancy occurs. (1956, c. 315)

§ 8. The mayor and four councilmen, or in the absence of the mayor, five councilmen, shall constitute a quorum for the transaction of business. (1956, c. 315)

§ 9. At each meeting of the council the proceedings of the last meeting shall be read to the council and shall thereupon be corrected if erroneous and signed by the person

presiding. Upon the call of any member the ayes and noes on any question shall be recorded in the journal. (1956, c. 315)

§ 10. The council of said town shall have power to lay off, open, curb and pave streets, alleys, walks, and gutters for the public use in the said town, and improve and light the same and have them kept in good condition free from obstructions of any kind: it shall regulate the width of sidewalks on the streets; and vacate and discontinue streets; to lay off public grounds, and provide and contract for, and take care of all buildings necessary for the use of said town, to establish and regulate markets of said town, and prevent injury or annoyance of the public or individual from anything dangerous, offensive, or unwholesome; to protect places of divine worship; to abate or cause to be abated anything which in its opinion, by the recorded vote of the majority of the whole council, shall constitute a nuisance; to regulate the keeping of gunpowder and other combustibles; to provide in and near the town places for the burial of the dead, and regulate interments therein; to regulate building of houses or other structures, and the making of division fences, and for the drainage of lots by proper means; to make regulations for preventing danger or damage from fire; to provide for the poor of the town, and to appoint and publish the places for holding the town elections; to provide a revenue for the town and to appropriate the same to its expenses; to provide for and assess annual assessments of all taxable personal and real property in the town according to law; to establish rules for the transaction of its business, and for the government and regulation of its body; to provide for the appointment and the continuance of all committees thereof, together with the powers of authority of same; to promote the general welfare of the town, and to protect the property of persons therein; to preserve peace and good order thereof; to provide for a town guard; to appoint and order out a patrol for the town in like manner, and for like purposes within the same, as may be done by circuit courts, according to law; to require and take from all town officers bonds with such securities, and in such penalty, as it may deem necessary; for such officer to execute such bonds, such bonds to be made payable to the town in its corporate name and conditioned for the faithful discharge of the duties of the respective officers; all such bonds shall be held in custody of the mayor; to provide for the erection, control, regulation, or prohibition of gas works, electric light works, water works, sewerage, and other public utilities authorized by law; and to regulate, control, and manage same; to prohibit the pollution of water used in said town; and to regulate transportation and parking upon the streets of said town, and off street parking facilities under control of the town, and the town shall have and may exercise all powers which are now or may hereafter be conferred upon or delegated to towns under the Constitution and the laws of the Commonwealth and all other powers pertinent to the conduct of a town government, the exercise of which is not expressly prohibited by said Constitution and laws and which in the opinion of the Council are necessary or desirable to promote the general welfare of the town and the safety, health, peace, good order, comfort, convenience, and morals of its inhabitants as fully and completely as though such powers were specifically enumerated in this charter, and no enumeration of particular powers in this charter shall be held to be exclusive but shall be held to be in addition to this general grant of powers. (1956, c. 315)

§ 11. The town shall have the power and authority to make and improve walkways upon existing and future streets and to improve and pave existing and future

alleys, and for either the construction, or for the use of sewers, the council shall have the power to impose a tax or assessment upon the owners of the land abutting such improvements, or abutting the street along, or within which such improvements are constructed. But such assessment shall be not in excess of the peculiar benefits resulting to the property from such improvements. The method of establishing such assessment, including provisions for determination of the amount thereof, notice, hearing, judicial review, and creation and enforcement of the lien thereof, may be determined by ordinance. (1956, c. 315)

§ 12. The council of the town shall have the power to acquire by purchase, gift, devise, condemnation, or otherwise any real estate or interest therein, within or without the town, and such personal property as may be necessary for public recreation, parks playgrounds, streets, boulevards, lands to be used for the burial of the dead, or for other public uses and to maintain, control, and dispose of the same in such manner to be determined by the council; provided that two-thirds of the members elected to the said council shall have authorized the acquisition of any such public property acquired; provided, further, that no property of a railroad or other public service corporation shall be condemned without complying with the provisions of § 25-233 of the Code of Virginia. (1956, c. 315)

§ 13. In addition to the powers granted by other sections of this charter, the town shall have power to raise annually by taxes and assessments in the town such sums of money as the council shall deem necessary to pay the debts and defray the expenses of the town, in such manner as the council shall deem expedient, subject to the general law of the Commonwealth. In addition to, but not as a limitation upon, this general grant of power, the town shall have power, subject to the general law of the Commonwealth, to levy and collect ad valorem taxes on real estate and tangible personal property and machinery and tools; to levy and collect taxes for admission to or other charge for any public amusement, entertainment, performance, exhibition, sport, or athletic event in the town, which may be added to and collected with the price of such admission or other charge; to levy on and collect taxes from purchasers of any public utility service, which taxes may be added to and collected with the bills rendered purchasers of such service; to establish, impose, and enforce water and sewerage rates and rates and charges for garbage and refuse collection and disposal, parking lots or other services, products, or conveniences, operated, rendered, or furnished by the town; to require licenses, prohibit the conduct of any business or profession without such a license, require taxes to be paid on such licenses in respect of all businesses and professions which cannot, in the opinion of the council, be reached by the ad valorem system.

To make appropriations, subject to the limitation imposed by this charter, for the support of the town government and any other purposes authorized by this charter and not prohibited by the laws of the Commonwealth. (1956, c. 315)

§ 14. The council shall cause to be kept a record of all its proceedings, by-laws, acts and orders, which shall be properly indexed and open to the inspection of anyone who is entitled to vote for members of the council, in a book called the "Minute Book." It shall also cause to be kept a separate book in which shall be recorded the charter or general ordinances, by-laws and such contracts of the town, of a permanent nature, as shall be by it so directed to be recorded in a book called "Ordinance Book." (1956, c. 315)

§ 15. The council shall cause to be made annually and entered upon its journal and accurate estimate of all sums of money which shall or may become lawfully charged to said town and which ought to be paid within one year and it shall order an annual levy for so much of said money as in its discretion shall be sufficient to meet said demands and in making said levy the council is authorized to include in such levy a charge for building and operating its sewer system and for the operation only of its water and light systems or such of them as the town may own. (1956, c. 315)

§ 16. The levy so made may be laid on all persons who are residents of said town and over 21 years of age; upon dogs and all personal property and real estate within said town, except such personal property and real estate, as may be exempt from taxation under the laws of this State and also upon all other subjects within said town as may at the time be assessed with state taxes and upon such other subjects the taxation, subject to the general law of the Commonwealth. (1956, c. 315)

§ 17. The town council shall have power, when not prohibited by general law, to require a license to be taken out by any person, or corporation, engaged in the pursuit of any business, trade, occupation, or calling, or for any other purpose, whether the principal office, or place of business of such person or corporation is located in said town, or not, for the benefit of said town, before such person, persons or corporation, shall be permitted to pursue such business, trade, occupation, or calling, within the corporate limits of said town. Said council may also require a license of any agent of any fertilizer company, owners or keepers of motor vehicles, wagons, drays, carts, hacks, or other wheeled carriages, kept or employed in said town for hire, or as carriers for the purpose, whether the same be run by animals, or by gasoline, oil, electricity, or other power, and may subject the same to such regulations as they may deem proper. (1956, c. 315)

§ 18. The revenue from all sources shall be collected, paid over, and accounted for by the treasurer at such times as the council shall order. (1956, c. 315)

§ 19. The council shall require the treasurer of the said corporation to make out a monthly report of the receipts and expenditures of said town for the preceding month, which report shall state on what account the expenditures were made, and from what source or sources the receipts were derived; which report the council may cause to be published in one or more newspapers of the town. (1956, c. 315)

§ 20. The council of said town shall have power to remove all town officers, whether they be elected or appointed, for misconduct in office, or neglect of duties, but any such removal shall not be made without reasonable notice to the officer complained of, and an opportunity afforded him to be heard in his defense. Any such removal shall be by majority vote of all members elected to the council. (1956, c. 315)

§ 21. The council, if it deems proper, may elect an officer to be known as town manager, whose duties shall be to exercise general supervision over the electric light and power plant, water works, sewer, streets, grounds, buildings, cemeteries, and other property belonging to the town and do such other things as the council may direct or the necessities of the town require, whether said duties may be specifically mentioned herein or not.

He shall be supplied with blank books and stationery by the town, but all such articles shall be turned over by him, together with all maps, plans, estimates and papers pertaining to his office, to his successor, who shall in like manner hold the same as the property of the town.

He shall keep a book in which he shall enter all surveys of any of the streets, the grades of the same when established, and the grades, extent, depth and capacity of all public sewers.

He shall make or cause to be made and preserve in his office, as the property of the town, a map showing the location and dimensions of all culverts and sewers, water mains constructed or used in the town, and shall place upon said map each new sewer and culvert as made. (1956, c. 315)

§ 22. The council may designate from time to time any bank or banking institution as a depository for all money belonging to the town and may require of such bank or banks bond with surety approved in such penalty as it may deem proper. (1956, c. 315)

§ 23. The council may appoint one or more persons as bail commissioners who shall have power and jurisdiction to admit to bail persons charged with violations of the ordinances of the town. The term of office of said commissioners shall be at the pleasure of the council. The commissioners may charge and receive from the person for whom services are rendered the same fee for admitting to bail and other services as is allowed by law to justices of the peace, provided, however, that no commissioner who is working for the town on a full time salaried basis shall receive any fee for admitting any person to bail or for any services whatsoever rendered by him in connection with any criminal case. The town of Farmville, shall, in no case, be liable for any bail fee. (1956, c. 315)

§ 24. For the promotion of health, safety, morals, comfort, property and general welfare, the town is empowered to provide by ordinance for the adoption of a master plan dividing the area of the town into one or more districts, establish set back building lines, regulate and restrict the location, construction, reconstruction, alteration and repair or use of buildings and other structures and their height, area, and bulk and percentage of lot to be occupied by buildings or other structures and the trade, industry and other specific uses of the premises in such districts and adopt building, plumbing, electrical, and other codes to carry these purposes into effect. (1956, c. 315)

§ 25. The Circuit Court of Prince Edward County may appoint one or more persons as justices of the peace for the town, who shall have power to issue warrants, commit persons to jail and to admit to bail persons charged with violation of the ordinances of the town. The term of the office of the justices of the peace shall be at the pleasure of the Circuit Court of Prince Edward County. No justice of the peace who receives a salary from the town, as a justice of the peace, shall receive any fee for admitting any person to bail or for any services whatever rendered by him in connection with any criminal cases. The council of the town of Farmville shall have the authority to fix the compensation of justices of the peace appointed hereunder. The town council may, from time to time, by resolution duly adopted, appoint any one of its members vice mayor to act in the place and stead of the mayor in the trial and disposition of any warrant issued in violation of a town ordinance, in the event of the mayor's absence, sickness or disqualification. (1956, c. 315)

§ 26. (1956, c. 315; repealed, 1968, c. 580)

§ 26.1. The council shall have the power to and may, in the name of and for the use of the town, borrow money, contract debts, incur indebtedness and make and issue, or cause to be made and issued, as evidence thereof, bonds, notes or other obligations, subject to the limitations of Section 127 of the Constitution of Virginia. (1968, c. 580)

§ 27. (1956, c. 315; repealed, 1968, c. 580)

§ 28. (1956, c. 315; repealed, 1968, c. 580)

§ 29. (1956, c. 315; repealed, 1968, c. 580)

§ 30. The mayor shall be the chief executive officer of the town unless otherwise provided by the council; he shall be ex officio conservator of the peace within the town, and within a mile of its corporate limits, and shall within the same exercise all of the powers that are vested in a justice of the peace under the general laws; he shall, unless otherwise provided by the council if previously authorized by council, have supervisory control of the police of the town and may appoint special police officers when necessary, either or both, if authorized by the council; he shall have authority to issue his warrant for the arrest of any person or persons for violation of any of the ordinances or resolutions of the town; he shall preserve peace and order in the town, and see that persons and property are protected; he shall have power to issue executions for all fines and costs imposed by him, and in default of the payment thereof, he may commit the party in default to jail until the same shall be paid, but the term of imprisonment shall not exceed two months as provided in § 19-309 of the Code of Virginia for such purposes; he shall have the power to hear and determine cases involving violations of town ordinances and may impose such penalty as may be provided in such ordinance upon any person convicted of such violation, provided, however, that in no case may he sentence any person to confinement in excess of twelve months; he shall from time to time recommend to the council such measures as he may deem needful for the welfare of the town and may, at least once a year, make a written report of the general conditions of the town, together with such recommendation as may be deemed advisable by him for the welfare of the town, or its property, or public utilities; he shall have power to suspend all other town officers for misconduct in office or neglect of duties, until the next regular meeting of the town council thereafter or until a special meeting is called for the purpose, which cause of said suspension shall be specified in the order thereof. All fees collected in criminal proceedings before said mayor shall be collected by the sergeant and paid into the treasury of the town. The mayor shall, when present, preside over all meetings of the council with no power to vote except in case of a tie; and in his absence, the president of the town council, who shall be elected from its membership for a term of two years by the council at its first regular meeting held after July 1, 1956, and thereafter every two years at its regular July meeting, shall preside; he shall have the right of veto on any matter voted upon by the council provided he notifies the Clerk of the Council before the adjournment of the council meeting at which the matter is voted upon, of his desire to consider a veto, specifying what matter, and must actually exercise his veto power within five days from the adjournment of such council meeting, otherwise the right to veto shall be waived; shall file with the clerk within said five-day period his written act of veto and assign his reasons therefor in writing, whereupon the clerk shall forthwith send a written copy of the same to each councilman and then not less than five days thereafter at a called meeting held for the purpose or at its next regular meeting, whichever shall first occur, the action of the mayor in vetoing any such matter may be overridden by a two-thirds vote of the elected members of the council, but if the council does not within said period of time override the mayor's veto, then the veto shall remain in full force and effect thereafter; and the mayor shall perform such other duties as shall be from time to time imposed upon him by the council not inconsistent with the provisions herein

contained or the general laws of the Commonwealth; and for his failure to execute any duties imposed upon him, he shall be liable, upon a petition of any five qualified electors of the town, to mandamus proceedings as provided by law. (1956, c. 315; 1968, c. 580)

§ 31. He may recommend to the council by a message in writing at its regular July meeting of each year and at such other times as he may deem proper, such measures as he may consider necessary and expedient for the public welfare. (1956, c. 315)

§ 32. The mayor may be authorized by the council to appoint police officers as he may deem necessary, to assist the sergeant of the said town. The mayor shall, unless and until a police justice is appointed as hereinafter provided, have power to issue warrants and summon witnesses, and shall have exclusive original jurisdiction to try cases involving violations of town ordinances or the collection of town taxes or assessments or any other form of debt owing to the town, and shall have like powers in the matter of collecting fines and costs imposed by him as are vested by law in trial justices for similar services. 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 trial justices for similar services, and such fees and all fines shall be collected by the town sergeant and shall be promptly paid by him into the town treasury, unless the council by ordinance directs some other person to collect such fines and costs and some other person to receive the same; provided that the council may at any time it deems the same expedient appoint a police justice for the town who shall be an attorney authorized to practice law by and under the laws of the Commonwealth of Virginia, and who shall give such bond as the council requires; shall serve during the pleasure of the council and shall receive such compensation as the council prescribes.

In the event of the appointment of such police justice, he shall have, during such time as he serves, and to the exclusion of the mayor, the same power and jurisdiction as are hereinabove conferred upon and vested in the mayor but only in the trial and disposition of police matters and shall exercise the same in like manner as they are above authorized and directed to be exercised by the mayor. (1956, c. 315)

§ 33. The town treasurer shall keep an accurate record of all the proceedings of the meetings of the town council in a well bound book called the "minute book." (1956, c. 315)

§ 34. He shall attest the corrections of all records and orders of the council. (1956, c. 315)

§ 35. He shall transcribe to a book kept for the purpose all ordinances, resolutions and orders of a permanent nature; such book shall be known as the "ordinance book." (1956, c. 315)

§ 36. He shall perform all the duties in relation to the assessment of property for the purpose of levying town taxes and licenses that may be ordered by the town council. (1956, c. 315)

§ 37. He shall make out an annual list of all assessments for taxes and licenses and a list of all patrons of water, electricity and sewer service and together with all amounts owing by them from time to time; and whenever called upon by the council make such report of his transactions as may be required. (1956, c. 315)

§ 38. He shall keep such books, records, schedules and other papers and in such manner as the town council shall prescribe, and all such books, records, schedules and other papers shall be subject to the inspection of the mayor and council. (1956, c. 315)

§ 39. He shall collect and receive all the moneys due the town and pay out the same upon the order of the town council under such rules and regulations as may be prescribed by the council. He shall keep his books and accounts in such manner as the council may prescribe. (1956, c. 315)

§ 40. He shall deposit to the credit of the town in such bank or banks as the town council may designate as depository of the town moneys, all moneys received by him. (1956, c. 315)

§ 41. He shall make a report at each regular meeting of the town council of all moneys received by him for the preceding month, together with all disbursements made for the said money, such report to be in form prescribed by the council. (1956, c. 315)

§ 42. He shall give bond in such penalty prescribed by the council with security approved by the council. (1956, c. 315)

§ 43. His compensation shall be fixed by the town council. (1956, c. 315)

§ 44. In the collection of taxes and assessments the treasurer shall be vested with all the powers and be subject to all the liabilities and penalties now prescribed by law with regard to county treasurers of the State of Virginia and shall have power to levy on property and sell the same for cash. (1956, c. 315)

§ 45. He shall make such reports from time to time as may be required of him by the council. (1956, c. 315)

§ 46. The town sergeant shall be vested with all the powers which general laws of the State confer on law enforcement officers in all cases, civil and criminal, arising in said town or within one mile of the corporate limits. (1956, c. 315)

§ 47. He shall be chief of police of the town. In addition to the powers conferred upon town sergeants by the general laws of the State, he shall have all the powers conferred upon special police by law. He shall have power to arrest, without warrant and carry before the proper judicial body, to be dealt with according to law, any and all persons who shall violate any ordinance of the town or law of the State, in his presence, and it shall be his duty to swear out warrants of arrest for any person or persons when he has reason to believe any offense has been committed, and such other duties as may be prescribed by the town council. (1956, c. 315)

§ 48. He shall give bond in such penalty as the council may direct, with security approved by the council conditioned according to law. (1956, c. 315)

§ 49. His compensation shall be fixed by the town council. (1956, c. 315)

§ 50. He shall make a weekly report and deliver to the treasurer of the town all fines and costs imposed by the mayor or other judicial officers of the town and take proper receipts for all such fines and costs collected and may be required to include in his report all fines not collected. (1956, c. 315)

§ 51. The officers of said town, elected or appointed by the council, shall during the time they are in office, have all the power and authority of like officers in the county of Prince Edward, unless the same be abridged or restricted by the council. (1956, c. 315)

§ 52. All moneys belonging to the said town shall be paid over to the treasurer, and no money shall be paid out by him except as the same shall have been appropriated and ordered to be paid by the Council; and the treasurer shall pay the same in such manner as may be prescribed by the council. (1956, c. 315)

§ 53. If the treasurer shall fail to collect and account for or pay over all moneys coming into his hands, or any other bonded officer of the town shall fail to discharge the duties of his office when so required by the council, council in the corporate name of the town may, by motion before the circuit court of Prince Edward County, recover from the treasurer, or other officer, and his sureties, or their personal representatives, any sum that may be due from said treasurer, or other officer, to said town, in accordance with the procedure provided by law. (1956, c. 315)

§ 54. The fiscal year for the town shall be from the first of July to June thirtieth of the following year, and at the first regular meeting of the council in each year, the treasurer shall make to the council a full statement of all his transactions for the preceding year under the regulations of the council, and whose accounts shall be annually audited by a certified public accountant to be appointed by the council. (1956, c. 315)

§ 55. The council of said town shall not take or use any private property for streets or other public purposes without making to the owner or owners thereof just compensation for the same; and in all cases where the said town cannot, by agreement, obtain title to the property desired for such purposes, it shall be lawful for said town to apply to and obtain from the circuit court of Prince Edward County authority to condemn the same, which proceedings shall be had according to law.

In the exercise of the power of eminent domain granted under this section the town may proceed in the manner provided by law for the State Highway Commissioner in §§ 33-57 to 33-75 of the Code of Virginia. (1956, c. 315)

§ 56. To carry into effect the powers herein enumerated, and all other powers conferred upon the said town or the council by the laws of Virginia, said council shall have power to make and pass all needful and proper orders, by-laws and ordinances not contrary to the Constitution and laws of said State, and to prescribe reasonable fines or penalties; to provide for the enforcement of the collection of fines; which fines, penalties, or imprisonment shall be imposed, recovered or enforced, under the judgment of the mayor or any other officer authorized to act; and the authorities of said town may, with consent of the circuit court of Prince Edward County, entered of record, use the jail of said county for any purposes for which the sue of a jail may be needed by them, under the acts of the council or of the State of Virginia; provided, however, that in all cases where a fine is imposed by the mayor, any councilman or any other authorized officer, or by the council, the party or parties so fined shall have the right of appeal to the circuit court of Prince Edward County. (1956, c. 315)

§ 57. The mayor and each one of the councilmen of said town, for the time being, are declared to be, and are hereby constituted conservators of the peace within said town, and within one mile of the corporate limits thereof, and shall have all the powers and authority in civil as well as criminal cases of justices of the peace, if so appointed by the circuit court of Prince Edward County. (1956, c. 315)

§ 58. The said town and the taxable persons and property therein shall be exempt and free from the payment of any poor rates or road tax levies by the board of supervisors of the county for any year in which it shall appear that said town shall, at its own expense, provide for its own poor and keep its streets in proper repair. (1956, c. 315)

§ 59. All the rights, privileges, and properties of the corporation of Farmville heretofore acquired and possessed, owned and enjoyed by any act now in force, not in conflict with this act, shall continue undiminished and remain vested in said town under

this act, and all laws, ordinances and resolutions of the corporation of Farmville now in force, and not inconsistent with this act, shall be and continue in full force and effect in the town of Farmville until regularly repealed by a council elected as provided under this act. (1956, c. 315)

§ 60. In the event that any portion, section or provision of this charter shall be declared illegal, invalid or unconstitutional by final judgment of any court of competent jurisdiction such judgment shall not invalidate any other section, portion, or provision hereof, but all parts of said charter not expressly held to be invalid shall remain in full force and effect. (1956, c. 315)

§ 61. All ordinances now in force in the town of Farmville not inconsistent with this act shall be and remain in full force until altered, amended, or repealed by the town council. (1956, c. 315)

§ 62. The present officers of the town shall be and remain in office until expiration of their several terms as provided in § 3 of this Act and until their successors have been duly elected and qualified. (1956, c. 315)