

FRIES, TOWN OF
County of Grayson.
Formerly the Village of Washington Mills.

Incorporated 1901, c. 42; repealed 1962, c. 330.

Charter amending 1901 Act, 1902, c. 445; repealed 1962, c. 330.

Charter, 1962, c. 330.

Amended 1966, c. 124 (§§ 2, 5, 5-a [added], 9, 10)
 1980, c. 69 (§§ 3, 4, 5, 5-a [repealed])
 1984, c. 49 (§ 9 [repealed]).

§ 1. The boundaries of the Town of Fries, Virginia, shall be and remain as now established by a decree of the Circuit Court of Grayson County, Virginia, entered on the 25th day of March, 1940, and recorded in the Clerk's Office of the Circuit Court of Grayson County, in Common Law Order Book 12, at Pages 288 and 289. (1962, c. 330)

§ 2. The powers set forth in §§ 15.1-837 through 15.1-914 of the Code of Virginia are hereby specifically conferred upon the town of Fries. (1962, c. 330; 1966, c. 124)

§ 3. The municipal authorities of the Town shall consist of a mayor, seven councilmen, who shall compose the council of the town, a treasurer, a clerk, a chief of police, and such number of policemen as may from time to time, be determined by the council of the town, or as is herein otherwise provided, and such other offices as may, from time to time, be created, and officers as may be provided for by the council aforesaid.

All officers of the town shall be appointed by a majority vote of council, to serve at the pleasure of the council. More than one town office may be held by the same person.

The office of town sergeant shall not be established. (1962, c. 330; 1980, c. 69)

§ 4. The seven councilmen, as provided for in § 3, shall be elected for a term of two years, and each shall serve until his successor shall have qualified. They shall be elected on the first Tuesday in May of every even-numbered year and shall enter upon their duties on the first day of July next succeeding their election, qualifying by taking and subscribing to the usual oath, as prescribed by the general law, before a person duly authorized to administer oaths. (1962, c. 330; 1980, c. 69)

§ 5. There shall annually, at such time in the month of July as the council may designate, be selected by ballot by the council of the town, a mayor, who shall, on or before the first day of September of each year, qualify in the manner prescribed by law, and he shall hold his office for a term of one year from the first day of September next succeeding his appointment, and until his successor shall have been duly elected and qualified.

The mayor shall be the presiding officer of the council, but he shall not, except as hereinafter provided, vote upon any question raised before it, except in a case of a tie. He shall be entitled to such compensation as may, from time to time, be determined by the council. He shall be executive head of the town government, and shall have the power, and it shall be his duty to see to the enforcement of all ordinances which are not specifically confined to some other officer.

If any person appointed as mayor shall fail to qualify, or a vacancy in such office occur from any other cause, then the members of council shall, by a majority vote, fill such vacancy for the unexpired term. (1962, c. 330; 1966, c. 124; 1980, c. 69)

§ 5-a. (1966, c. 124; repealed 1980, c. 69)

§ 6. If any person elected as councilman shall fail to qualify, or a vacancy in said council occur from any other cause, then the remaining members shall, by a majority vote, fill such vacancy for the unexpired term. Any person qualified to vote in the town shall be eligible to the office of mayor or councilman. (1962, c. 330)

§ 7. All ordinances and resolutions heretofore made and adopted by the town, not in conflict with this charter shall be and remain in full force and effect until altered, amended or repealed by the council of the town. (1962, c. 330)

§ 8. Ordinances: Except in dealing with questions of parliamentary procedure, the council shall act only by ordinance or resolution and all ordinances, except ordinances making appropriations, or authorizing the contracting of indebtedness or issuance of bonds or other evidence of debt, shall be confined to one subject, which shall be clearly expressed in the title. Ordinances making appropriations or other obligations and appropriating the money to be raised thereby shall be confined to those subjects respectively. The enacting clause of all ordinances passed by the council shall be: "Be it ordained by the council of the Town of Fries." No ordinance, unless it be an emergency measure shall be passed until it has been read at two regular meetings not less than seven days apart, unless the requirement of such reading has been dispensed with by the affirmative vote of four of the members of the council. No ordinance or section thereof shall be revised or amended by its title or section only, but the new ordinance shall contain the entire ordinance or section as revised or amended. The ayes and nays shall be taken upon the passage of all ordinances or resolutions and entered upon the journal of the proceedings of the council and every ordinance or resolution shall require, on final passage, the affirmative vote of at least four of its members. All ordinances and resolutions passed by the council shall be in effect from and after thirty days from the date of their passage, except that the council may, by the affirmative vote of two-thirds of its members present, pass emergency measures to take effect at the time indicated therein. Ordinances appropriating money for any emergency may be passed as emergency measures, but no measure providing for the sale or lease of town property or making a grant, renewal or extension of a franchise or other special privilege or regulating the rate to be charged for its services by any public utility, shall be so passed as an emergency measure. Every ordinance or resolution upon its final passage shall be recorded in a book kept for the purpose, and shall be authenticated by the signature of the presiding officer and the clerk of the council. Every member, when present, when a question is put, shall vote unless excused by the council. But no member who has any personal or financial interest in the result of any ordinance or resolution before the council shall vote thereon. All ordinances and resolutions of the council may be read in evidence in all courts and in all other proceedings in which it may be necessary to refer thereto, either from a copy thereof certified by the clerk or from the volume of ordinances printed by authority of the council. The council may at any time have a codification or revision of all ordinances in force at the time, which codification can be passed by the council as a single ordinance and without prior publication, which codification shall be known and cited officially as the Town Ordinance. All ordinances before passage shall be posted at least ten days

before hearing thereon, at the front door of the town office and three or more public places in the town, giving the time and place for the hearing of said proposed ordinance, and no other publication shall be required. (1962, c. 330)

§ 9. (1962, c. 330; 1966, c. 124; repealed 1984, c. 49)

§ 10. (a) The schools of the said district shall be under the supervision of a board of trustees, to consist of not less than three nor more than five residents of said district and the superintendent of the public schools of the county of Grayson. It shall be the duty of the council of said town to provide for the support of the public schools in said school district upon estimates that may be furnished by said school board, and for this purpose it may levy a pro rata tax on all the real and personal property therein, not exceeding five mills on every dollar thereof. All school funds raised by taxation or otherwise within the limits of said school district shall be used exclusively for the establishment and conduct of the schools therein. The school taxes shall be collected and disbursed by the treasurer of said town, as county and district school taxes are collected and disbursed, and the said school district shall be exempt from any district school tax, except that herein provided for.

It shall be the duty of the council of the said town of Fries to purchase real estate, if necessary, and to erect thereon suitable school buildings, and for this purpose the said council shall have power to borrow money, not exceeding six thousand dollars; and for the payment of same, it shall have power to execute and issue bonds of said town, to be called public school building bonds, either coupons or registered, and in such denominations as said council may determine, and bearing a rate of interest not exceeding six per centum per annum, payable semi-annually, which bonds shall be payable on or before the expiration of twenty years, from their date. To provide for the payment of the interest and principal of said bonds when due, and a sinking fund, an annual tax may be assessed and levied by said council upon all the lands and subjects within the said school districts liable to county and corporation levies; the said tax to be collected as other municipal taxes of said town are collected.

(b) The title to said property shall be vested in the said school board of the town of Fries school district, and the said buildings and other improvements, when completed, shall be turned over by said council to said school board.

(c) The said school board, as soon after their appointment and organization as practicable, shall cause a census to be taken of the school population of the said district, under forms to be furnished by the superintendent of public instruction, and shall report the same to the county superintendent of schools and thereafter all State school funds to which said district shall be entitled shall be apportioned accordingly. (1962, c. 330; 1966, c. 124)